

First Regular Session 114th General Assembly (2005)

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 2004 Regular Session of the General Assembly.

SENATE ENROLLED ACT No. 296

AN ACT to amend the Indiana Code concerning education.

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

SECTION 1. IC 1-1-3.5-5, AS AMENDED BY P.L.4-2005, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 5. (a) The governor shall forward a copy of the executive order issued under section 3 of this chapter to:

- (1) the director of the Indiana state library;
- (2) the election division; and
- (3) the Indiana Register.

(b) The director of the Indiana state library, or an employee of the Indiana state library designated by the director to supervise a state data center established under IC 4-23-7.1, shall notify each state agency using population counts as a basis for the distribution of funds or services of the effective date of the tabulation of population or corrected population count.

(c) The agencies that the director of the Indiana state library must notify under subsection (b) include the following:

- (1) The auditor of state, for distribution of money from the following:
 - (A) The cigarette tax fund in accordance with IC 6-7-1-30.1.
 - (B) Excise tax revenue allocated under IC 7.1-4-7-8.
 - (C) The local road and street account in accordance with IC 8-14-2-4.
 - (D) The repayment of loans from the Indiana University

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permanent endowment funds under IC 21-7-4.

(2) The board of trustees of Ivy Tech **State Community College of Indiana**, for the board's division of Indiana into service regions under IC 20-12-61-9.

(3) The lieutenant governor, for the distribution of money from the rural development fund under IC 4-4-9.

(4) The division of disability, aging, and rehabilitative services, for establishing priorities for community residential facilities under IC 12-11-1.1 and IC 12-28-4-12.

(5) The department of state revenue, for distribution of money from the motor vehicle highway account fund under IC 8-14-1-3.

(6) The Indiana economic development corporation, for the evaluation of enterprise zone applications under IC 5-28-15.

(7) The alcohol and tobacco commission, for the issuance of permits under IC 7.1.

(8) The Indiana library and historical board, for distribution of money to eligible public library districts under IC 4-23-7.1-29.

(9) The state board of accounts, for calculating the state share of salaries paid under IC 33-38-5, IC 33-39-6, and IC 33-41-2.

SECTION 2. IC 4-1.5-4-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 2. The board is composed of the following twenty-three (23) members, none of whom may be members of the general assembly:

(1) Fifteen (15) persons appointed by the governor who must be employed in or retired from the private or nonprofit sector. The following apply to appointments under this subdivision:

(A) The governor shall consider the recommendation of the speaker of the house of representatives when making one (1) appointment.

(B) The governor shall consider the recommendation of the minority leader of the house of representatives when making one (1) appointment.

(C) The governor shall consider the recommendation of the president pro tempore of the senate when making one (1) appointment.

(D) The governor shall consider the recommendation of the minority leader of the senate when making one (1) appointment.

(2) The lieutenant governor.

(3) Seven (7) persons appointed by the governor who must be employed in or retired from the private or nonprofit sector or academia, on recommendation of the following:

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- (A) The president of Indiana University.
- (B) The president of Purdue University.
- (C) The president of Indiana State University.
- (D) The president of Ball State University.
- (E) The president of the University of Southern Indiana.
- (F) The president of Ivy Tech **State Community College of Indiana.**
- (G) The president of Vincennes University.

SECTION 3. IC 4-13-1-15 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 15. This chapter may not be construed to restrict the powers of the state board of accounts as prescribed by IC 5-11-1 or restrict the powers and functions of the state police department as prescribed by IC 10-11-2. This chapter, except IC 4-13-1-4(1) and IC 4-13-1-4(3), does not apply to the state universities and Ivy Tech **State Community College of Indiana.**

SECTION 4. IC 4-13-6-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 1. Ivy Tech **State Community College of Indiana** may enter into such contracts as are necessary to provide equipment for a data processing school on or off the premises of Ivy Tech **State Community College of Indiana** or any of its regional institutes.

SECTION 5. IC 5-11-10-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 1. (a) This section applies to the state and its political subdivisions. However, this section does not apply to the following:

- (1) The state universities.
- (2) Ivy Tech **State Community College of Indiana.**
- (3) A municipality (as defined in IC 36-1-2-11).
- (4) A county.
- (5) An airport authority operating in a consolidated city.
- (6) A capital improvements board of managers operating in a consolidated city.
- (7) A board of directors of a public transportation corporation operating in a consolidated city.
- (8) A municipal corporation organized under IC 16-22-8-6.
- (9) A public library.
- (10) A library services authority.
- (11) A hospital organized under IC 16-22 or a hospital organized under IC 16-23.
- (12) A school corporation (as defined in IC 36-1-2-17).
- (13) A regional water or sewer district organized under IC 13-26 or under IC 13-3-2 (before its repeal).

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- (14) A municipally owned utility (as defined in IC 8-1-2-1).
- (15) A board of an airport authority under IC 8-22-3.
- (16) A conservancy district.
- (17) A board of aviation commissioners under IC 8-22-2.
- (18) A public transportation corporation under IC 36-9-4.
- (19) A commuter transportation district under IC 8-5-15.
- (20) A solid waste management district established under IC 13-21 or IC 13-9.5 (before its repeal).
- (21) A county building authority under IC 36-9-13.
- (22) A soil and water conservation district established under IC 14-32.

(b) No warrant or check shall be drawn by a disbursing officer in payment of any claim unless the same has been fully itemized and its correctness properly certified to by the claimant or some authorized person in the claimant's behalf, and filed and allowed as provided by law.

- (c) The certificate provided for in subsection (b) is not required for:
- (1) claims rendered by a public utility for electric, gas, steam, water, or telephone services, the charges for which are regulated by a governmental body;
 - (2) a warrant issued by the auditor of state under IC 4-13-2-7(b);
 - (3) a check issued by a special disbursing officer under IC 4-13-2-20(g); or
 - (4) a payment of fees under IC 36-7-11.2-49(b) or IC 36-7-11.3-43(b).

(d) The disbursing officer shall issue checks or warrants for all claims which meet all of the requirements of this section. The disbursing officer does not incur personal liability for disbursements:

- (1) processed in accordance with this section; and
- (2) for which funds are appropriated and available.

(e) The certificate provided for in subsection (b) must be in the following form:

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

SECTION 6. IC 12-20-11-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 3. (a) If a ~~poor relief~~ **township assistance** recipient, after referral by the township trustee, is accepted and attends adult education courses under IC 20-10.1-7-1 or courses at Ivy Tech ~~State~~ **Community College of Indiana** established by IC 20-12-61, the ~~poor relief township assistance~~ recipient is exempt from performing work or searching for work for not

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more than one hundred eighty (180) days.

(b) The township trustee may reimburse a **poor relief township assistance** recipient for tuition expenses incurred in attending the courses described in subsection (a) if the recipient:

- (1) has a proven aptitude for the courses being studied;
- (2) was referred by the trustee;
- (3) does not qualify for other tax supported educational programs;
- (4) maintains a passing grade in each course; and
- (5) maintains the minimum attendance requirements specified by the educational institution.

SECTION 7. IC 20-8.1-3-25 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 25. Within fifteen (15) school days after the beginning of each semester, the principal of every public high school shall send to the superintendent with jurisdiction over his school a list of names and last known addresses of all students not graduated and not enrolled in the then current semester who were otherwise eligible for enrollment. Each superintendent shall immediately make available all lists received under this section to an authorized representative of Ivy Tech **State Community College of Indiana** and an authorized representative of an agency whose purpose it is to enroll high school drop-outs in various training programs.

SECTION 8. IC 20-8.1-3-26 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 26. Each representative of Ivy Tech **State Community College of Indiana** or agency identified in section 25 of this chapter who is authorized to receive a list prepared under section 25 of this chapter shall stipulate in writing that the list will be used only for purposes of contacting prospective students or prospective trainees. If a list is used for any other purpose, the college or agency which the recipient represents shall be ineligible to receive subsequent lists for a period of five (5) years.

SECTION 9. IC 20-12-0.5-11 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 11. The commission shall have no powers or authority relating to the management, operation, or financing of Ball State University, Indiana University, Indiana State University, Purdue University, Vincennes University, Ivy Tech **State Community College of Indiana**, the University of Southern Indiana, or any other state educational institution except as expressly set forth in this chapter. All of the particulars, management, operations, and financing of all state educational institutions shall remain exclusively vested in the trustees or other governing boards or bodies of these institutions.

SECTION 10. IC 20-12-5.5-1 IS AMENDED TO READ AS

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FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 1. As used in this chapter:

"Higher education institution" means Indiana University, Purdue University, Indiana State University, Vincennes University, Ball State University, University of Southern Indiana, and Ivy Tech ~~State~~ **Community College of Indiana**.

"Repair and rehabilitation project" means any project to repair, rehabilitate, remodel, renovate, reconstruct, or finish existing facilities or buildings; to improve, replace, or add utilities or fixed equipment; and to perform site improvement work, whereby the exterior dimensions of any existing facilities or buildings remain substantially unchanged.

SECTION 11. IC 20-12-6-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 1. The trustees of Indiana University, the trustees of Purdue University, the Ball State University board of trustees, the Indiana State University board of trustees, the board of trustees for Vincennes University, the University of Southern Indiana board of trustees, and the trustees of Ivy Tech ~~State~~ **Community College of Indiana** (sometimes referred to in this chapter collectively as "corporations" or respectively as "corporation") are respectively authorized, from time to time as they find the necessity exists, to acquire, erect, construct, reconstruct, improve, rehabilitate, remodel, repair, complete, extend, enlarge, equip, furnish, and operate:

- (1) any buildings, structures, improvements, or facilities;
- (2) any utilities, other services, and appurtenances related to an item described in subdivision (1) (including, but not limited to, facilities for the production and transmission of heat, light, water and power, sewage disposal facilities, streets and walks, and parking facilities); and

(3) the land required for items described in subdivision (1) or (2); as the governing boards of the corporations from time to time deem necessary for carrying on the educational research, the public service programs, or the statutory responsibilities of the educational institutions and various divisions of the institutions under the jurisdiction of the corporations respectively, or for the management, operation, or servicing of the institutions, (the buildings, structures, improvements, facilities, utilities, services, appurtenances, and land being sometimes referred to in this chapter collectively as "building facilities" or respectively as "building facility"). The building facilities may be located at any place within Indiana at which the governing board of the corporation determines the need exists for the building facilities.

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SECTION 12. IC 20-12-9.5-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 1. As used in this chapter, "corporation" means the trustees of Indiana University, the trustees of Purdue University, the University of Southern Indiana board of trustees, the Ball State University board of trustees, the Indiana State University board of trustees, the board of trustees for Vincennes University, or the trustees of Ivy Tech **State Community College of Indiana.**

SECTION 13. IC 20-12-12-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 1. (a) The trustees of Indiana University, the trustees of Purdue University, the University of Southern Indiana board of trustees, Ball State University board of trustees, Indiana State University board of trustees, the board of trustees of Vincennes University, the board of trustees of Ivy Tech **State Community College of Indiana**, and the board of directors of the independent colleges and universities of Indiana (referred to collectively in this chapter as the universities) are authorized, if they find the need exists for a broad dissemination of a wide variety of educational communications for the improvements and the advancement of higher educational opportunity, to jointly arrange from time to time, for a period not exceeding ten (10) years, for intelenet services under IC 5-21 and for the use of a multipurpose, multimedia, closed circuit, statewide telecommunications system furnished by communications common carriers subject to the jurisdiction of the utility regulatory commission to interconnect the main campuses and the regional campuses of the universities and centers of medical education and service.

(b) In addition to the closed circuit statewide telecommunications system described in subsection (a), the universities shall establish, in accordance with federal copyright law, a videotape program to provide for the advancement of higher education opportunity and individualized access to higher education programs. As part of the program, the universities may make available a wide variety of higher education courses in videotape form. The universities shall make the videotapes available to the public by any means of public or private distribution that they determine to be appropriate, including sale or lease. The universities may determine policy and establish procedures in order to administer this program. The universities shall maintain and keep current a listing of all videotapes.

(c) The transmission system shall be for the exclusive use of the universities. However, the universities may permit the use of the transmission system, or any portion of the transmission system, by

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others under section 4 of this chapter.

SECTION 14. IC 20-12-21-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 3. As used in this chapter:

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

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

- (A) An educational institution that operates in the state and:
- (i) provides an organized two (2) year or longer program of collegiate grade directly creditable toward a baccalaureate degree;
 - (ii) is either operated by the state or operated not-for-profit; and
 - (iii) is accredited by a recognized regional accrediting agency or by the commission on proprietary education.

(B) Ivy Tech ~~State~~ **Community College of Indiana.**

(C) A hospital which operates a nursing diploma program which is accredited by the Indiana state board of nursing.

(D) A postsecondary proprietary educational institution that meets the following requirements:

- (i) Is incorporated in Indiana, or is registered as a foreign corporation doing business in Indiana.
- (ii) Is fully accredited by and is in good standing with the commission on proprietary education.
- (iii) Is accredited by and is in good standing with a regional or national accrediting agency.
- (iv) Offers a course of study that is at least eighteen (18) consecutive months in duration (or an equivalent to be determined by the commission on proprietary education) and that leads to an associate or a baccalaureate degree recognized by the commission on proprietary education.
- (v) Is certified to the commission by the commission on proprietary education as meeting the requirements of this clause.

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

(4) "Caretaker relative" means a relative by blood or law who

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lives with a minor and exercises parental responsibility, care, and control over the minor in the absence of the minor's parent.

(5) "Commission" means the state student assistance commission established by this chapter.

(6) "Commission on proprietary education" refers to the Indiana commission on proprietary education established under ~~IC 20-1-19-2~~: **IC 20-12-76-11**.

(7) "Educational costs" means tuition and regularly assessed fees.

(8) "Enrollment" means the establishment and maintenance of an individual's status as an undergraduate student in an institution of higher learning.

(9) "Higher education award" means a monetary award.

(10) "Postsecondary proprietary educational institution" has the meaning set forth in ~~IC 20-1-19-1~~: **IC 20-12-76-9**.

(11) "Superintendent" means the state superintendent of public instruction.

SECTION 15. IC 20-12-21-6.1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 6.1. (a) A student who:

- (1) participates in:
 - (A) a nursing diploma program which is accredited by the Indiana state board of nursing and operated by a hospital;
 - (B) a technical certificate or associate degree program at Ivy Tech **State Community College of Indiana**; or
 - (C) an associate degree program at a postsecondary proprietary educational institution that meets the requirements of section 3(2)(D) of this chapter; and
- (2) meets the requirements of section 6 of this chapter, except the requirement of satisfactory progress toward a first baccalaureate degree set forth in section 6(a)(5) of this chapter;

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

(b) The maximum amount of a grant that may be offered to an eligible student in a program at an institution of higher learning described in section 3(2)(D) of this chapter is equal to the maximum amount of an award the student could receive under this chapter if the student were enrolled at Ivy Tech **State Community College of Indiana**.

SECTION 16. IC 20-12-61-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 1. It shall be the primary purpose of this chapter to provide educational opportunities

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and appropriate workforce development, assessment, and training services to:

(1) employees of employers whose productivity and competitiveness will be enhanced by targeted employee education and training courses and programs delivered in the employer's workplace;

~~(1)~~ **(2) students who require additional education before enrolling in college level courses at either a two (2) year or a four (4) year institution;**

~~(2)~~ **(3) those who have graduated from high school but are either not interested in attending a four (4) year college or and are more interested and naturally equipped to continue in continuing their education in an a general, liberal arts, occupational, or technical program at a two (2) year, nonresidential college;**

(4) those who have graduated from high school and want to earn credits that will transfer to a four (4) year college;

~~(3)~~ **(5) those students who do not complete work at a four (4) year college or who are referred by a four (4) year college to Ivy Tech;**

~~(4)~~ **(6) those students who complete their work at a four (4) year college but would like to supplement that education to improve existing skills or acquire new skills; and**

~~(5)~~ **(7) adult workers needing and desiring retraining or additional training of an occupational or technical nature for the workplace.**

SECTION 17. IC 20-12-61-1.2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 1.2. As used in this chapter, "Ivy Tech" refers to Ivy Tech ~~State~~ **Community College of Indiana.**

SECTION 18. IC 20-12-61-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 2. (a) There shall be, and hereby is created and established, a two (2) year state college to be devoted primarily to providing the following:

(1) Educational opportunities ~~that are occupational or technical in nature~~ for the citizens of Indiana ~~under~~ **as described in** section 1 of this chapter.

(2) Assessment and training services described in subsection (b).

(b) Ivy Tech ~~State~~ **Community College of Indiana** shall help promote education and economic development by providing assessment and training services for the citizens of Indiana that include, but are not limited to, the following:

(1) Determining the skills needed for specific jobs.

(2) Determining whether particular individuals have the skills

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needed to:

- (A) do specific jobs; or
- (B) qualify for specific skill certifications.
- (3) Developing and delivering training programs designed to help individuals:
 - (A) acquire the skills needed to do specific jobs;
 - (B) obtain specific skill certifications; or
 - (C) improve the quality of the individual's work product.

(c) The community college policy committee shall not consider the provision of assessment and training services by Ivy Tech State College that are authorized by subsection (b) in developing a community college system under IC 20-12-75. Ivy Tech State College is not granted any rights by subsection (b) with respect to the community college system and shall not use the provision of assessment and training services authorized by subsection (b) in negotiating or developing any aspect of the community college system.

(c) Ivy Tech Community College of Indiana shall meet the needs of state and local officials, employers, and labor organizations by designing and delivering educational and training courses and programs. The primary objective of this effort shall be to provide economic and workforce development support to the state's employers and communities by meeting their needs for better educated and trained, more productive, and more competitive employees and citizens.

SECTION 19. IC 20-12-61-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 3. Said educational institution shall be called "Ivy Tech ~~State~~ **Community College of Indiana**", but authority is hereby given to its governing board of trustees, as hereinafter described, to change the name of the institution, with the approval of the governor of the state of Indiana.

SECTION 20. IC 20-12-61-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 5. (a) The state board is a body corporate and politic and shall be known by the name of "The Trustees of Ivy Tech ~~State~~ **Community College of Indiana**", except when the name is altered, as provided in this chapter. In the corporate name and capacity the state board may sue and be sued, plead and be impleaded, in any court of record, and by that name shall have perpetual succession.

(b) The state board has responsibility for the management and policies of Ivy Tech and its regional institutes within the framework of laws enacted by the general assembly. The state board shall select and employ a president of the institution, with qualifications set out, and

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other staff and professional employees as are required.

SECTION 21. IC 20-12-61-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 9. The state board has the following powers and duties:

- (1) Initiating, promoting, inaugurating, and developing occupational and technical education programs in a manner consistent with sections 1 through 2 of this chapter.
- (2) Operating, either through committee or through subordinate corporate entities, statewide **general, liberal arts**, occupational, and technical education programs, which in its opinion should be established due to the specialized nature of the programs, the limited number of students involved, or other unique features requiring special attention.
- (3) Contracting with appropriate education institutions, including local public schools or other agencies, to carry out specific programs which can best and most economically be provided through this approach.
- (4) Dividing the state into appropriate regions, taking into consideration, but not limited to, factors such as population, potential enrollment, tax bases, and driving distances, and developing an overall state plan which provides for the orderly development of regional technical institutes encompassing, ultimately, all parts of the state into a coordinated system providing a comprehensive program of post-high school **general, liberal arts**, occupational, and technical education.
- (5) Whenever a regional institute is established, issuing a certificate of incorporation and a charter, in a form that the state board provides, to the regional institute, assisting and supervising the development of a regional plan, and coordinating regional programs to avoid unnecessary and wasteful duplication.
- (6) Making biennial studies of the budget requirements of the regional institutes and of its own programs and preparing a budget, including anticipated revenues and providing for the construction or rental of facilities requisite to carrying out the needs of Ivy Tech.
- (7) Performing or contracting for the performance of an audit of the financial records of each regional institute on at least a biennial basis.

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SECTION 22. IC 20-12-61-12 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 12. (a) A regional board shall do the following:

- (1) Make a careful analysis of the educational needs and



opportunities of the region.

(2) Develop and recommend to the state board, a plan for providing postsecondary **general, liberal arts**, occupational, and technical education for the people of that region.

(3) Develop and recommend a budget for regional programs and operations.

(4) Identify and recommend alternative methods of acquiring or securing facilities and equipment necessary for the delivery of effective regional programs.

(5) Facilitate and develop regional cooperation with employers, community leaders, economic development efforts, area vocational centers, and other public and private education and training entities in order to provide **postsecondary general, liberal arts, and** occupational and technical education and training in an efficient and cost effective manner and to avoid duplication of services.

(6) Determine through evaluation, studies, or assessments the degree to which the established training needs of the region are being met.

(7) Make recommendations to the state board concerning policies that appear to substantially affect the regional board's capacity to deliver effective and efficient programming.

(b) A regional board may do the following:

(1) Adopt, amend, or repeal bylaws for the regional institute, subject to the approval of the state board.

(2) Make recommendations to the state board concerning amendments to the charter of the regional institute.

SECTION 23. IC 20-12-61-13 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 13. (a) In addition to the duties described in section 9 of this chapter, the state board may do the following:

(1) Hold, encumber, control, acquire by donation or purchase, construct, own, lease, use, and sell real and personal property as is necessary for the conduct of its program of operation, on whatever terms and for whatever consideration may be appropriate.

(2) Accept gifts, grants, bequests, and devises absolutely and in trust for support of the college or its programs.

(3) Develop and adopt the appropriate programs to be offered.

(4) Develop a statewide salary structure and classification system, including provisions for employee group insurance, employee benefits, and personnel policies.

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- (5) Employ the chief administrator of a regional institute.
- (6) Authorize the chief administrator of a regional institute to employ the necessary personnel for the regional institute, determine their qualifications, and fix their compensation in accordance with statewide policies established under subdivision (4).
- (7) Grant appropriate certificates of achievement and associate degrees, **including associate of applied science, associate of science, and associate of arts degrees**, to students who complete prescribed and authorized courses or series of courses.
- (8) Prescribe rules for the effective operation of a statewide program and exercise other powers that are necessary for the efficient management of the program.
- (9) Establish a schedule of fees or charges for students and provide scholarships and remission of fees in proper cases.
- (10) Authorize, approve, enter into, ratify, or confirm any agreement relating to a statewide program or a regional institute with the United States government, acting through any agency of the government designated or created to aid in the financing of such projects, or with any person, organization, or agency offering contracts or grants-in-aid financing the educational facilities or the operation of the facilities and programs.
- (11) Establish written policies for the investment of the funds of Ivy Tech in the manner provided by IC 30-4-3-3.

(b) Before taking any action under subsection (a)(1), (a)(3), (a)(5), or (a)(8) that would substantially affect a regional institute, the state board shall request recommendations concerning the proposed action from the regional board for that region.

(c) Upon request of a regional board that has submitted recommendations under subsection (b) or section 12(a)(7) of this chapter, the state board shall conduct public hearings concerning the recommendations at a regular or special meeting of the state board.

SECTION 24. IC 20-12-65-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 1. (a) As used in this chapter, "enabling statute" means the following:

- (1) In the case of the Ball State University board of trustees, one (1) or more of the following:
 - IC 20-12-5.5.
 - IC 20-12-6.
 - IC 20-12-7.
 - IC 20-12-8.
 - IC 20-12-9.

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IC 20-12-14.

(2) In the case of the trustees of Indiana University, one (1) or more of the following:

IC 20-12-5.5.

IC 20-12-6.

IC 20-12-7.

IC 20-12-8.

IC 20-12-9.

IC 20-12-14.

(3) In the case of the Indiana State University board of trustees, one (1) or more of the following:

IC 20-12-5.5.

IC 20-12-6.

IC 20-12-7.

IC 20-12-8.

IC 20-12-9.

IC 20-12-14.

(4) In the case of the trustees of Ivy Tech ~~State~~ **Community College of Indiana**, one (1) or more of the following:

IC 20-12-5.5.

IC 20-12-6.

(5) In the case of the trustees of Purdue University, one (1) or more of the following:

IC 20-12-5.5.

IC 20-12-6.

IC 20-12-7.

IC 20-12-8.

IC 20-12-9.

IC 20-12-14.

(6) In the case of the board of trustees for Vincennes University, one (1) or more of the following:

IC 20-12-5.5.

IC 20-12-6.

IC 23-13-18.

(7) In the case of the University of Southern Indiana board of trustees, one (1) or more of the following:

IC 20-12-5.5.

IC 20-12-6.

IC 20-12-7.

IC 20-12-9.

(b) As used in this chapter, "qualified institution" means any of the following:

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- (1) Ball State University board of trustees.
- (2) Trustees of Indiana University.
- (3) Indiana State University board of trustees.
- (4) Trustees of Ivy Tech ~~State~~ **Community College of Indiana.**
- (5) Trustees of Purdue University.
- (6) Board of trustees for Vincennes University.
- (7) University of Southern Indiana board of trustees.

SECTION 25. IC 20-12-70-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 10. (a) Money in the fund shall be used to provide annual tuition scholarships to scholarship applicants who qualify under section 11(a) of this chapter in an amount that is equal to the lowest of the following amounts:

- (1) If the scholarship applicant attends a state educational institution (as defined in IC 20-12-0.5-1) that satisfies the requirements of subsection (c) and:
 - (A) receives no other financial assistance specifically designated for tuition and other regularly assessed fees, a full tuition scholarship to the state educational institution; or
 - (B) receives other financial assistance specifically designated for tuition and other regularly assessed fees, the balance required to attend the state educational institution not to exceed the amount described in clause (A).
- (2) If the scholarship applicant attends a private institution of higher education (as defined in IC 20-12-63-3) that satisfies the requirements of subsection (c) and:
 - (A) receives no other financial assistance specifically designated for tuition and other regularly assessed fees, an average of the full tuition scholarship amounts of all state educational institutions not including Ivy Tech ~~State~~ **Community College of Indiana; or**
 - (B) receives other financial assistance specifically designated for tuition and other regularly assessed fees, the balance required to attend the college or university not to exceed the amount described in clause (A).
- (3) If the scholarship applicant attends a postsecondary proprietary educational institution (as defined in ~~IC 20-1-19-1~~ **IC 20-12-76-9**) that satisfies the requirements of subsection (c) and:
 - (A) receives no other financial assistance specifically designated for tuition and other regularly assessed fees, the lesser of:
 - (i) the full tuition scholarship amounts of Ivy Tech ~~State~~

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Community College of Indiana; or

(ii) the actual tuition and regularly assessed fees of the institution; or

(B) receives other financial assistance specifically designated for tuition and other regularly assessed fees, the balance required to attend the institution not to exceed the amount described in clause (A).

(b) Each tuition scholarship awarded under this chapter is renewable under section 11(b) of this chapter for a total scholarship award that does not exceed the equivalent of eight (8) semesters.

(c) An institution of higher learning attended by an applicant described in subsection (a) must satisfy the following requirements:

(1) Be accredited by an agency that is recognized by the Secretary of the United States Department of Education.

(2) Operate an organized program of postsecondary education leading to an associate or a baccalaureate degree on a campus located in Indiana.

(3) Be approved by the commission:

(A) under rules adopted under IC 4-22-2; and

(B) in consultation with the commission on proprietary education, if appropriate.

SECTION 26. IC 20-12-75-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 4. ~~(a) A statewide community college system is established. as a coordinated partnership of Vincennes University and Ivy Tech State College that:~~ **The system consists of the campuses and other instructional sites of Ivy Tech Community College of Indiana and the various courses, programs, and services provided by the college throughout Indiana. As Indiana's community college system, Ivy Tech Community College of Indiana shall:**

(1) ~~offers~~ **offer** a community college curriculum **and training services as described in IC 20-12-61** at all of its major instructional sites; ~~of Ivy Tech State College;~~ and

(2) ~~provides~~ **provide** an opportunity for students to earn associate degrees that are accepted by four (4) year colleges and universities.

~~(b) Notwithstanding any provision of this chapter, no courses may be offered by the community college system established by this section before January 1, 2000.~~

SECTION 27. IC 20-33-2-22, AS ADDED BY HEA 1288-2005, SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 22. (a) Not later than fifteen (15) school days after

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the beginning of each semester, the principal of a public high school shall send to the superintendent with jurisdiction over the school a list of names and last known addresses of all students:

- (1) not graduated; and
- (2) not enrolled in the then current semester who were otherwise eligible for enrollment.

(b) Each superintendent immediately shall make available all lists received under this section to an authorized representative of:

- (1) Ivy Tech **State Community College of Indiana**; and
- (2) an agency whose purpose it is to enroll high school dropouts in various training programs.

(c) Each representative authorized to receive a list prepared under subsection (b) shall stipulate in writing that the list will be used only to contact prospective students or prospective trainees. If a list is used for any other purpose, the college or agency that the recipient represents is ineligible to receive subsequent lists for five (5) years.

SECTION 28. IC 22-4-18-6, AS AMENDED BY HEA 1288-2005, SECTION 185, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 6. (a) The department shall develop a uniform system for assessing workforce skills strengths and weaknesses in individuals.

- (b) The uniform assessment system shall be used at the following:
 - (1) Workforce development centers under IC 22-4-42 if established.
 - (2) Ivy Tech **State Community College of Indiana** under IC 20-12-61.
 - (3) Vocational education (as defined in IC 22-4.1-13-5) programs at the secondary level.

SECTION 29. IC 22-4-42-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 3. Ivy Tech **State Community College of Indiana** and secondary level technical education program providers shall offer the services described in section 2(1) through 2(4) of this chapter.

SECTION 30. THE FOLLOWING ARE REPEALED [EFFECTIVE JULY 1, 2005]: IC 20-12-75-5; IC 20-12-75-6; IC 20-12-75-7; IC 20-12-75-8; IC 20-12-75-9; IC 20-12-75-10; IC 20-12-75-11; IC 20-12-75-12; IC 20-12-75-13.

SECTION 31. [EFFECTIVE JULY 1, 2005] (a) **This act applies to academic terms that begin after June 30, 2005.**

(b) **This SECTION expires January 1, 2006.**

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President of the Senate

President Pro Tempore

Speaker of the House of Representatives

Approved: _____

Governor of the State of Indiana

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SEA 296 — Concur+

