



April 6, 2007

**ENGROSSED
HOUSE BILL No. 1647**

DIGEST OF HB 1647 (Updated April 4, 2007 4:26 pm - DI 71)

Citations Affected: IC 20-12; IC 20-20; IC 20-26; IC 20-36; IC 21-11; IC 21-12.

Synopsis: Twenty-first Century scholarships; GEDs; informational graduation rate. Expands eligibility for the 21st Century Scholars program to grade 7 students. Allows an eligible student to apply for the scholarship for part time study. Provides that an individual must be at least 18 or have withdrawn from school with permission to receive a GED diploma. Modifies the formula for determining graduation rates, and adds an informational five-year and six-year graduation rate determination.

Effective: July 1, 2007.

**Porter, Candelaria Reardon,
Behning, Robertson**

(SENATE SPONSORS — LUBBERS, ALTING, SIPES)

January 23, 2007, read first time and referred to Committee on Education.
February 1, 2007, amended, reported — Do Pass. Recommitted to Committee on Ways and Means pursuant to Rule 127.
February 12, 2007, reported — Do Pass.
February 15, 2007, read second time, ordered engrossed.
February 16, 2007, engrossed.
February 22, 2007, read third time, recommitted to Committee of One, amended.
February 23, 2007, re-engrossed. Passed. Yeas 93, nays 1.
SENATE ACTION
March 5, 2007, read first time and referred to Committee on Education and Career Development.
April 5, 2007, amended, reported favorably — Do Pass.

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EH 1647—LS 7722/DI 109+



April 6, 2007

First Regular Session 115th General Assembly (2007)

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 2006 Regular Session of the General Assembly.

ENGROSSED HOUSE BILL No. 1647

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 20-12-70-2 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 2. As used in this
3 chapter, "eligible student" means a student who meets the following
4 requirements:
- 5 (1) Is a resident of Indiana.
 - 6 (2) Is enrolled in grade 7 or 8 at a public or an accredited
7 nonpublic school.
 - 8 (3) Is eligible for free or reduced priced lunches under the
9 national school lunch program.
 - 10 (4) Agrees in writing, together with the student's custodial parents
11 or guardian, that the student will:
 - 12 (A) graduate from a secondary school located in Indiana that
13 meets the admission criteria of an institution of higher
14 learning;
 - 15 (B) not illegally use controlled substances (as defined in
16 IC 35-48-1-9);
 - 17 (C) not commit a crime or infraction described in IC 9-30-5;

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- 1 (D) not commit any other crime or delinquent act (as described
- 2 in IC 31-37-1-2 or IC 31-37-2-2 through IC 31-37-2-5 (or
- 3 IC 31-6-4-1(a)(1) through IC 31-6-4-1(a)(5) before their
- 4 repeal));
- 5 (E) when the eligible student is a senior in high school, timely
- 6 apply:
- 7 (i) to an institution of higher learning for admission; and
- 8 (ii) for any federal and state student financial assistance
- 9 available to the eligible student to attend an institution of
- 10 higher learning; and
- 11 (F) achieve a cumulative grade point average upon graduation
- 12 of at least 2.0 on a 4.0 grading scale (or its equivalent if
- 13 another grading scale is used) for courses taken during grades
- 14 9, 10, 11, and 12.

15 SECTION 2. IC 20-12-70-5.5 IS ADDED TO THE INDIANA
 16 CODE AS A NEW SECTION TO READ AS FOLLOWS
 17 [EFFECTIVE JULY 1, 2007]: **Sec. 5.5. As used in this chapter,**
 18 **"part-time student" refers to a student who is enrolled in at least**
 19 **six (6) but fewer than twelve (12) credit hours in an academic term.**

20 SECTION 3. IC 20-12-70-6 IS AMENDED TO READ AS
 21 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 6. As used in this
 22 chapter, "scholarship applicant" means a student who meets the
 23 following requirements:

- 24 (1) Was an eligible student under section 2 of this chapter.
- 25 (2) Is a resident of Indiana.
- 26 (3) Has graduated from a secondary school located in Indiana that
- 27 meets the admission criteria of an institution of higher learning.
- 28 (4) Has applied to attend and has been accepted to attend an
- 29 institution of higher learning as a full-time **or part-time** student.
- 30 (5) Certifies in writing that the student has:
 - 31 (A) not illegally used controlled substances (as defined in
 - 32 IC 35-48-1-9);
 - 33 (B) not illegally consumed alcoholic beverages;
 - 34 (C) not committed any other crime or a delinquent act (as
 - 35 described in IC 31-37-1-2 or IC 31-37-2-2 through
 - 36 IC 31-37-2-5 (or IC 31-6-4-1(a)(1) through IC 31-6-4-1(a)(5)
 - 37 before their repeal)); and
 - 38 (D) timely filed an application for other types of financial
 - 39 assistance available to the student from the state or federal
 - 40 government.

41 SECTION 4. IC 20-12-70-7 IS AMENDED TO READ AS
 42 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 7. As used in this

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chapter, "tuition scholarship" means financial assistance provided to a **full-time or part-time** student to offset the costs of tuition and other regularly assessed fees incurred by the student in attending an institution of higher learning.

SECTION 5. IC 20-12-70-11 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 11. (a) To initially qualify for a tuition scholarship under this chapter, a scholarship applicant must do the following:

(1) Enroll as a full-time **or part-time** student in an institution of higher learning that:

(A) is described in section 10(a); and

(B) satisfies the requirements of section 10(c); of this chapter.

(2) Submit to the commission all of the information and evidence required by the commission to determine eligibility as a scholarship applicant.

(3) Meet any other minimum criteria established by the commission.

(b) To qualify for a tuition scholarship renewal under this chapter, a scholarship recipient must do the following:

(1) Submit to the commission a renewal application.

(2) Continue to comply with the requirements set forth in subsection (a).

(3) Continue to be a student in good standing at the institution of higher learning.

SECTION 6. IC 20-20-6-1, AS ADDED BY P.L.1-2005, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 1. The department may grant a state of Indiana general educational development (GED) diploma to an individual who:

(1) is:

(A) at least ~~seventeen (17)~~ **eighteen (18)** years of age; **or**

~~(2) is (B) at least seventeen (17) years of age and not subject to compulsory school attendance because the individual has withdrawn from school under IC 20-33-2-28.5;~~ and

~~(3) (2)~~ achieves satisfactory high school level scores on the general educational development (GED) test or any other properly validated tests of comparable difficulty designated by the board.

SECTION 7. IC 20-26-13-2, AS ADDED BY P.L.1-2005, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 2. As used in this chapter, "cohort" refers to a class of students who:

(1) attend the same high school; and

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1 (2) are expected to graduate from high school in the first
 2 considered to have entered grade 9 in the same graduation year.
 3 SECTION 8. IC 20-26-13-10, AS AMENDED BY P.L.145-2006,
 4 SECTION 151, IS AMENDED TO READ AS FOLLOWS
 5 [EFFECTIVE JULY 1, 2007]: Sec. 10. Except as provided in section
 6 11 of this chapter, the **four (4) year** graduation rate for a cohort in a
 7 high school is the percentage determined under ~~STEP SEVEN FIVE~~
 8 of the following formula:
 9 STEP ONE: Determine the grade 9 enrollment at the beginning of
 10 the reporting year three (3) years before the reporting year for
 11 which the graduation rate is being determined.
 12 STEP TWO: Add:
 13 (A) the number determined under STEP ONE; and
 14 (B) the number of students who:
 15 (i) have enrolled in the high school after the date on which
 16 the number determined under STEP ONE was determined;
 17 and
 18 (ii) have the same expected graduation year as the cohort.
 19 ~~STEP THREE: Add:~~
 20 (A) the sum determined under STEP TWO; and
 21 (B) the number of retained students from earlier cohorts who
 22 became members of the cohort for whom the graduation rate
 23 is being determined.
 24 ~~STEP FOUR: Add:~~
 25 (A) the sum determined under ~~STEP THREE~~; and
 26 (B) the number of students who:
 27 (i) began the reporting year in a cohort that expects to
 28 graduate during a future reporting year; and
 29 (ii) graduate during the current reporting year.
 30 ~~STEP FIVE: THREE:~~ Subtract from the sum determined under
 31 ~~STEP FOUR TWO~~ the number of students who have left the
 32 cohort for any of the following reasons:
 33 (A) Transfer to another public or nonpublic school.
 34 (B) Removal by the student's parents under IC 20-33-2-28 to
 35 provide instruction equivalent to that given in the public
 36 schools.
 37 (C) Withdrawal because of a long term medical condition or
 38 death.
 39 (D) Detention by a law enforcement agency or the department
 40 of correction.
 41 (E) Placement by a court order or the department of child
 42 services.

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- 1 (F) Enrollment in a virtual school.
- 2 ~~(G)~~ Graduation before the beginning of the reporting year.
- 3 ~~(H)~~ **(G)** Leaving school, if the student attended school in
- 4 Indiana for less than one (1) school year and the location of the
- 5 student cannot be determined.
- 6 ~~(I)~~ **(H)** Leaving school, if the location of the student cannot be
- 7 determined and the student has been reported to the Indiana
- 8 clearinghouse for information on missing children.
- 9 ~~(J)~~ **(I)** Withdrawing from school before graduation, if the
- 10 student is a high ability student (as defined in IC 20-36-1-3)
- 11 who is a full-time student at an accredited institution of higher
- 12 education during the semester in which the cohort graduates.

13 **STEP SIX: FOUR:** Determine the total number of students who

14 have graduated during the current reporting year.

15 **STEP SEVEN: FIVE:** Divide:

- 16 (A) the number determined under **STEP SIX; FOUR;** by
- 17 (B) the remainder determined under **STEP FIVE: THREE.**

18 **SECTION 9. IC 20-26-13-10.2 IS ADDED TO THE INDIANA**

19 **CODE AS A NEW SECTION TO READ AS FOLLOWS**

20 **[EFFECTIVE JULY 1, 2007]: Sec. 10.2. In the reporting year**

21 **immediately following the determination of a cohort's four (4) year**

22 **graduation rate under section 10 of this chapter, the department**

23 **shall calculate a five (5) year graduation rate for the cohort using**

24 **the following formula:**

25 **STEP ONE: Determine the number determined under STEP**

26 **FOUR of the formula established in section 10 of this chapter.**

27 **STEP TWO: Add:**

- 28 (A) the number determined under **STEP ONE;** and
- 29 (B) the number of students in the cohort who have
- 30 graduated during the current reporting year.

31 **STEP THREE: Divide:**

- 32 (A) the sum determined under **STEP TWO;** by
- 33 (B) the remainder determined under **STEP THREE** of the
- 34 formula established in section 10 of this chapter.

35 **SECTION 10. IC 20-26-13-10.5 IS ADDED TO THE INDIANA**

36 **CODE AS A NEW SECTION TO READ AS FOLLOWS**

37 **[EFFECTIVE JULY 1, 2007]: Sec. 10.5. In the reporting year**

38 **immediately following the determination of a cohort's five (5) year**

39 **graduation rate under section 10.2 of this chapter and each**

40 **subsequent reporting year, the department shall calculate a six (6)**

41 **or subsequent year graduation rate for the cohort using the**

42 **following formula:**

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1 **STEP ONE: Determine the number determined under STEP**
2 **TWO of the formula established in section 10.2 of this**
3 **chapter.**

4 **STEP TWO: Add:**
5 **(A) the number determined under STEP ONE; and**
6 **(B) the number of students in the cohort who have**
7 **graduated during the current reporting year.**

8 **STEP THREE: Divide:**
9 **(A) the sum determined under STEP TWO; by**
10 **(B) the remainder determined under STEP THREE of the**
11 **formula established in section 10 of this chapter.**

12 SECTION 11. IC 20-26-13-10.7 IS ADDED TO THE INDIANA
13 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
14 [EFFECTIVE JULY 1, 2007]: **Sec. 10.7. For purposes of determining**
15 **a graduation rate under sections 10, 10.2, and 10.5 of this chapter,**
16 **a student may be counted as graduating only during any one (1)**
17 **reporting year.**

18 SECTION 12. IC 20-26-13-11, AS ADDED BY P.L.242-2005,
19 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
20 JULY 1, 2007]: Sec. 11. (a) A student who has left school is not
21 included in clauses (A) through ~~(J)~~ **(I)** of STEP ~~FIVE~~ **THREE** of the
22 formula established in section 10 of this chapter unless the school
23 corporation can provide written proof that the student has left the
24 school for one (1) of the reasons set forth in clauses (A) through ~~(J)~~ **(I)**
25 of STEP ~~FIVE~~ **THREE** of section 10 of this chapter. If the location of
26 the student is unknown to the school, the principal of the school shall
27 send a certified letter to the last known address of the student, inquiring
28 about the student's whereabouts and status. If the student is not located
29 after the certified letter is delivered or if no response is received, the
30 principal may submit the student's information, including last known
31 address, parent or guardian name, student testing number, and other
32 pertinent data to the state attendance officer. The state attendance
33 officer, using all available state data and any other means available,
34 shall attempt to locate the student and report the student's location and
35 school enrollment status to the principal so that the principal can
36 appropriately send student records to the new school or otherwise
37 document the student's status.

38 (b) If a school corporation cannot provide written proof that a
39 student should be included in clauses (A) through ~~(J)~~ **(I)** of STEP ~~FIVE~~
40 **THREE** of section 10 of this chapter, the student is considered a
41 dropout.

42 SECTION 13. IC 20-26-13-12, AS ADDED BY P.L.242-2005,

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1 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
2 JULY 1, 2007]: Sec. 12. For each high school, the department shall
3 calculate an estimated graduation rate that is determined by the total
4 number of graduates for the reporting year divided by the total number
5 of students enrolled in grade 9 at the school three (3) years before the
6 reporting year. For any school where the difference between the
7 estimated graduation rate and the number determined under STEP
8 SEVEN of section 10 of this chapter is more than five percent (5%), the
9 department shall request the data used in determining that the missing
10 students are classified under one (1) or more of clauses (A) through ~~(F)~~
11 **(I)** of STEP ~~FIVE THREE~~ of section 10 of this chapter.

12 SECTION 14. IC 20-26-13-13, AS ADDED BY P.L.242-2005,
13 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
14 JULY 1, 2007]: Sec. 13. For any school that cannot provide written
15 proof supporting the school's determination to include a student under
16 any one (1) of clauses (A) through ~~(F)~~ **(I)** of STEP ~~FIVE THREE~~ of
17 section 10 of this chapter, the department shall require the publication
18 of the corrected graduation rate in the next school year's report required
19 under IC 20-20-8-3.

20 SECTION 15. IC 20-26-13-14 IS ADDED TO THE INDIANA
21 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
22 [EFFECTIVE JULY 1, 2007]: **Sec. 14. (a) Each reporting year, the**
23 **department shall determine and report the following for each**
24 **cohort:**

25 **(1) A four (4) year graduation rate determined under section**
26 **10 of this chapter.**

27 **(2) A five (5) year graduation rate determined under section**
28 **10.2 of this chapter.**

29 **(3) A six (6) and subsequent year graduation rate determined**
30 **under section 10.5 of this chapter.**

31 **(b) Except for the correction of calculation errors, a four (4)**
32 **year and five (5) year graduation rate may not be altered after the**
33 **rates are initially reported.**

34 SECTION 16. IC 20-26-13-15 IS ADDED TO THE INDIANA
35 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
36 [EFFECTIVE JULY 1, 2007]: **Sec. 15. (a) The provisions of sections**
37 **12 and 13 of this chapter must be completed before the release of**
38 **the reports required under section 14 of this chapter. The**
39 **department shall establish deadlines for each school to provide the**
40 **information required under section 13 of this chapter.**

41 **(b) Notwithstanding subsection (a), the department shall report**
42 **the four (4) year graduation rates for each cohort not later than**

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1 **January 15 following the cohort's expected graduation rate.**
2 SECTION 17. IC 20-26-13-16 IS ADDED TO THE INDIANA
3 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
4 [EFFECTIVE JULY 1, 2007]: **Sec. 16. In addition to any other**
5 **determination required under this chapter, the department shall**
6 **determine and report a statewide graduation rate that is consistent**
7 **with guidelines developed by the National Governors' Association.**
8 **If the guidelines are unclear or allow flexibility in determination,**
9 **the requirements of this chapter apply to the determination of a**
10 **statewide graduation rate. However, cohort members who leave**
11 **after less than one (1) year of attendance in an Indiana school and**
12 **whose location cannot be determined may not be subtracted in the**
13 **calculation of a statewide graduation rate.**
14 SECTION 18. IC 20-36-3-10, AS ADDED BY P.L.1-2005,
15 SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
16 JULY 1, 2007]: Sec. 10. The department shall prepare an annual report
17 concerning the implementation of the program and shall submit the
18 report to the board before December 1 of each year. The report must
19 include the pertinent details of the program, including the following:
20 (1) The number of students participating in the program.
21 (2) The number of teachers attending a summer institute offered
22 by the College Board.
23 (3) Recent trends in the field of advanced placement.
24 (4) The distribution of money under this program.
25 **(5) Gender and minority participation.**
26 ~~(5)~~ **(6) Other pertinent matters.**
27 SECTION 19. IC 21-11-9-4, AS ADDED BY SEA 526-2007,
28 SECTION 252, IS AMENDED TO READ AS FOLLOWS
29 [EFFECTIVE JULY 1, 2007]: Sec. 4. The commission shall adopt rules
30 under IC 4-22-2 to implement IC 21-12-6, including:
31 (1) rules regarding the establishment of appeals procedures for
32 individuals who become disqualified from the program under
33 IC 21-12-6-9; and
34 (2) notwithstanding IC 21-12-6-5, rules that may include students
35 who are in grades other than grade 7 or 8 as eligible students.
36 SECTION 20. IC 21-12-1-11.5 IS ADDED TO THE INDIANA
37 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
38 [EFFECTIVE JULY 1, 2007]: **Sec. 11.5. "Part-time student", for**
39 **purposes of IC 21-12-6, refers to a scholarship recipient under the**
40 **twenty-first century scholarship program who is enrolled in at**
41 **least six (6) but fewer than twelve (12) credit hours in an academic**
42 **term.**

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1 SECTION 21. IC 21-12-6-3, AS ADDED BY SEA 526-2007,
 2 SECTION 253, IS AMENDED TO READ AS FOLLOWS
 3 [EFFECTIVE JULY 1, 2007]: Sec. 3. Money in the fund must be used
 4 to provide annual tuition scholarships to qualified scholarship
 5 applicants who enroll as full-time **or part-time** students at a
 6 postsecondary educational institution that qualifies for participation in
 7 the program under section 4 of this chapter.

8 SECTION 22. IC 21-12-6-5, AS ADDED BY SEA 526-2007,
 9 SECTION 253, IS AMENDED TO READ AS FOLLOWS
 10 [EFFECTIVE JULY 1, 2007]: Sec. 5. To qualify to participate in the
 11 program, a student must meet the following requirements:

- 12 (1) Be a resident of Indiana.
 13 (2) Be:
 14 (A) enrolled in grade **7 or 8** at a public or an accredited
 15 nonpublic school; or
 16 (B) otherwise qualified under the rules of the commission that
 17 are adopted under IC 21-11-9-4 to include students who are in
 18 grades other than grade 8 as eligible students.
 19 (3) Be eligible for free or reduced priced lunches under the
 20 national school lunch program.
 21 (4) Agree, in writing, together with the student's custodial parents
 22 or guardian, that the student will:
 23 (A) graduate from a secondary school located in Indiana that
 24 meets the admission criteria of an eligible institution;
 25 (B) not illegally use controlled substances (as defined in
 26 IC 35-48-1-9);
 27 (C) not commit a crime or an infraction described in
 28 IC 9-30-5;
 29 (D) not commit any other crime or delinquent act (as described
 30 in IC 31-37-1-2 or IC 31-37-2-2 through IC 31-37-2-5 (or
 31 IC 31-6-4-1(a)(1) through IC 31-6-4-1(a)(5) before their
 32 repeal));
 33 (E) timely apply, when the eligible student is a senior in high
 34 school:
 35 (i) for admission to an eligible institution; and
 36 (ii) for any federal and state student financial assistance
 37 available to the eligible student to attend an eligible
 38 institution; and
 39 (F) achieve a cumulative grade point average upon graduation
 40 of at least 2.0 on a 4.0 grading scale (or its equivalent if
 41 another grading scale is used) for courses taken during grades
 42 9, 10, 11, and 12.

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1 SECTION 23. IC 21-12-6-6, AS ADDED BY SEA 526-2007,
2 SECTION 253, IS AMENDED TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2007]: Sec. 6. A student may apply to the
4 commission for a scholarship. To qualify for a scholarship, the student
5 must meet the following requirements:

- 6 (1) Be an eligible student who qualified to participate in the
7 program under section 5 of this chapter.
- 8 (2) Be a resident of Indiana.
- 9 (3) Be a graduate from a secondary school located in Indiana that
10 meets the admission criteria of an eligible institution.
- 11 (4) Have applied to attend and be accepted to attend as a full-time
12 **or part-time** student an eligible institution.
- 13 (5) Certify in writing that the student has:
 - 14 (A) not illegally used controlled substances (as defined in
15 IC 35-48-1-9);
 - 16 (B) not illegally consumed alcoholic beverages;
 - 17 (C) not committed any other crime or a delinquent act (as
18 described in IC 31-37-1-2 or IC 31-37-2-2 through
19 IC 31-37-2-5 (or IC 31-6-4-1(a)(1) through IC 31-6-4-1(a)(5)
20 before their repeal)); and
 - 21 (D) timely filed an application for other types of financial
22 assistance available to the student from the state or federal
23 government.
- 24 (6) Submit to the commission all the information and evidence
25 required by the commission to determine eligibility as a
26 scholarship applicant.
- 27 (7) Meet any other minimum criteria established by the
28 commission.

29 SECTION 24. IC 21-12-6-7, AS ADDED BY SEA 526-2007,
30 SECTION 253, IS AMENDED TO READ AS FOLLOWS
31 [EFFECTIVE JULY 1, 2007]: Sec. 7. A scholarship may be renewed.
32 To qualify for a scholarship renewal, a scholarship recipient must do
33 the following:

- 34 (1) Submit to the commission a renewal application that contains
35 all the information and evidence required by the commission to
36 determine eligibility for the scholarship renewal.
- 37 (2) Continue to be enrolled as a full-time **or part-time** student in
38 good standing at an eligible institution.
- 39 (3) Continue to meet any other minimum criteria established by
40 the commission.

41 SECTION 25. IC 20-26-13-8 IS REPEALED [EFFECTIVE JULY
42 1, 2007].

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred House Bill 1647, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, line 38, delete "a:" and insert "a".

Page 2, line 39, delete "(1) full-time" and insert "**full-time or part-time**"

Page 2, line 39, delete "tuition," and insert "tuition".

Page 2, line 39, delete "room and".

Page 2, delete lines 40 through 41.

Page 2, run in lines 39 through 42.

Page 4, line 27, strike "at least".

Page 4, line 28, delete "four (4)".

Page 4, line 28, strike "of each of".

Page 4, line 30, delete "Dual" and insert "**At least four (4) courses that earn students dual**".

Page 4, line 31, delete "Advanced" and insert "**At least two (2) courses that earn students advanced**".

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1647 as introduced.)

PORTER, Chair

Committee Vote: yeas 12, nays 0.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1647, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

CRAWFORD, Chair

Committee Vote: yeas 23, nays 1.

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HOUSE MOTION

Mr. Speaker: I move that House Bill 1647 be recommitted to a Committee of One, its sponsor, with specific instructions to amend as follows:

Page 4, delete lines 23 through 30.

Page 5, line 7, delete "A" and insert **"A state educational institution shall waive tuition for a student who completes up to five (5) courses under IC 20-12-13-6 or this chapter. However, a"**.

Page 5, line 8, delete "four (4)" and insert **"five (5)"**.

Page 5, line 9, after "." insert **"A state educational institution is entitled to reimbursement for the costs incurred to deliver courses under this chapter that are taken:**

(1) at a state educational institution; and

(2) by a student for whom the state educational institution has waived tuition.

The school corporation in which the student described in subdivision (2) resides shall pay the individual's tuition during each year the individual is included in the school corporation's ADM."

Renumber all SECTIONS consecutively.

(Reference is to HB 1647 as printed February 13, 2007.)

PORTER

COMMITTEE REPORT

Mr. Speaker: Your Committee of One, to which was referred House Bill 1647, begs leave to report that said bill has been amended as directed.

PORTER

SENATE MOTION

Madam President: I move that Senator Lubbers be removed as second sponsor of Engrossed House Bill 1647.

LUBBERS



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SENATE MOTION

Madam President: I move that Senator Alting be removed as sponsor of Engrossed House Bill 1647 and that Senator Lubbers be substituted therefor.

ALTING

SENATE MOTION

Madam President: I move that Senator Alting be added as second sponsor of Engrossed House Bill 1647.

LUBBERS

COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred House Bill No. 1647, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, line 6, delete "6, 7," and insert "7".

Page 2, between lines 14 and 15, begin a new paragraph and insert: "SECTION 2. IC 20-12-70-5.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 5.5. As used in this chapter, "part-time student" refers to a student who is enrolled in at least six (6) but fewer than twelve (12) credit hours in an academic term.

Page 2, delete line 42, begin a new paragraph and insert:

"SECTION 5. IC 20-12-70-11 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 11. (a) To initially qualify for a tuition scholarship under this chapter, a scholarship applicant must do the following:

- (1) Enroll as a full-time or part-time student in an institution of higher learning that:
 - (A) is described in section 10(a); and
 - (B) satisfies the requirements of section 10(c);
 of this chapter.
- (2) Submit to the commission all of the information and evidence

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required by the commission to determine eligibility as a scholarship applicant.

(3) Meet any other minimum criteria established by the commission.

(b) To qualify for a tuition scholarship renewal under this chapter, a scholarship recipient must do the following:

(1) Submit to the commission a renewal application.

(2) Continue to comply with the requirements set forth in subsection (a).

(3) Continue to be a student in good standing at the institution of higher learning.

SECTION 6. IC 20-20-6-1, AS ADDED BY P.L.1-2005, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 1. The department may grant a state of Indiana general educational development (GED) diploma to an individual who:

(1) is:

- (A) at least ~~seventeen (17)~~ **eighteen (18)** years of age; or
- (~~2~~) **is (B) at least seventeen (17) years of age and** not subject to compulsory school attendance **because the individual has withdrawn from school under IC 20-33-2-28.5;** and

(~~3~~) **(2)** achieves satisfactory high school level scores on the general educational development (GED) test or any other properly validated tests of comparable difficulty designated by the board.

SECTION 7. IC 20-26-13-2, AS ADDED BY P.L.1-2005, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 2. As used in this chapter, "cohort" refers to a class of students who:

(1) attend the same high school; and

(2) are ~~expected to graduate from high school in the first~~ **considered to have entered grade 9 in the** same ~~graduation~~ year.

SECTION 8. IC 20-26-13-10, AS AMENDED BY P.L.145-2006, SECTION 151, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 10. Except as provided in section 11 of this chapter, the **four (4) year** graduation rate for a cohort in a high school is the percentage determined under STEP ~~SEVEN FIVE~~ of the following formula:

STEP ONE: Determine the grade 9 enrollment at the beginning of the reporting year three (3) years before the reporting year for which the graduation rate is being determined.

STEP TWO: Add:

- (A) the number determined under STEP ONE; and
- (B) the number of students who:

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- (i) have enrolled in the high school after the date on which the number determined under STEP ONE was determined; and
- (ii) have the same expected graduation year as the cohort.

~~STEP THREE:~~ Add:

- (A) the sum determined under STEP TWO; and
- (B) the number of retained students from earlier cohorts who became members of the cohort for whom the graduation rate is being determined.

~~STEP FOUR:~~ Add:

- (A) the sum determined under STEP THREE; and
- (B) the number of students who:
 - (i) began the reporting year in a cohort that expects to graduate during a future reporting year; and
 - (ii) graduate during the current reporting year.

~~STEP FIVE:~~ **THREE:** Subtract from the sum determined under ~~STEP FOUR~~ **TWO** the number of students who have left the cohort for any of the following reasons:

- (A) Transfer to another public or nonpublic school.
- (B) Removal by the student's parents under IC 20-33-2-28 to provide instruction equivalent to that given in the public schools.
- (C) Withdrawal because of a long term medical condition or death.
- (D) Detention by a law enforcement agency or the department of correction.
- (E) Placement by a court order or the department of child services.
- (F) Enrollment in a virtual school.
- ~~(G)~~ Graduation before the beginning of the reporting year.
- ~~(H)~~ **(G)** Leaving school, if the student attended school in Indiana for less than one (1) school year and the location of the student cannot be determined.
- ~~(I)~~ **(H)** Leaving school, if the location of the student cannot be determined and the student has been reported to the Indiana clearinghouse for information on missing children.
- ~~(J)~~ **(I)** Withdrawing from school before graduation, if the student is a high ability student (as defined in IC 20-36-1-3) who is a full-time student at an accredited institution of higher education during the semester in which the cohort graduates.

~~STEP SIX:~~ **FOUR:** Determine the total number of students who have graduated during the current reporting year.

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~~STEP SEVEN: FIVE:~~ Divide:

(A) the number determined under ~~STEP SIX; FOUR;~~ by

(B) the remainder determined under ~~STEP FIVE: THREE.~~

SECTION 9. IC 20-26-13-10.2 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: **Sec. 10.2. In the reporting year immediately following the determination of a cohort's four (4) year graduation rate under section 10 of this chapter, the department shall calculate a five (5) year graduation rate for the cohort using the following formula:**

STEP ONE: Determine the number determined under STEP FOUR of the formula established in section 10 of this chapter.

STEP TWO: Add:

(A) the number determined under STEP ONE; and

(B) the number of students in the cohort who have graduated during the current reporting year.

STEP THREE: Divide:

(A) the sum determined under STEP TWO; by

(B) the remainder determined under STEP THREE of the formula established in section 10 of this chapter.

SECTION 10. IC 20-26-13-10.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: **Sec. 10.5. In the reporting year immediately following the determination of a cohort's five (5) year graduation rate under section 10.2 of this chapter and each subsequent reporting year, the department shall calculate a six (6) or subsequent year graduation rate for the cohort using the following formula:**

STEP ONE: Determine the number determined under STEP TWO of the formula established in section 10.2 of this chapter.

STEP TWO: Add:

(A) the number determined under STEP ONE; and

(B) the number of students in the cohort who have graduated during the current reporting year.

STEP THREE: Divide:

(A) the sum determined under STEP TWO; by

(B) the remainder determined under STEP THREE of the formula established in section 10 of this chapter.

SECTION 11. IC 20-26-13-10.7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: **Sec. 10.7. For purposes of determining**

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a graduation rate under sections 10, 10.2, and 10.5 of this chapter, a student may be counted as graduating only during any one (1) reporting year.

SECTION 12. IC 20-26-13-11, AS ADDED BY P.L.242-2005, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 11. (a) A student who has left school is not included in clauses (A) through ~~(J)~~ **(I)** of STEP ~~FIVE THREE~~ of the formula established in section 10 of this chapter unless the school corporation can provide written proof that the student has left the school for one (1) of the reasons set forth in clauses (A) through ~~(J)~~ **(I)** of STEP ~~FIVE THREE~~ of section 10 of this chapter. If the location of the student is unknown to the school, the principal of the school shall send a certified letter to the last known address of the student, inquiring about the student's whereabouts and status. If the student is not located after the certified letter is delivered or if no response is received, the principal may submit the student's information, including last known address, parent or guardian name, student testing number, and other pertinent data to the state attendance officer. The state attendance officer, using all available state data and any other means available, shall attempt to locate the student and report the student's location and school enrollment status to the principal so that the principal can appropriately send student records to the new school or otherwise document the student's status.

(b) If a school corporation cannot provide written proof that a student should be included in clauses (A) through ~~(J)~~ **(I)** of STEP ~~FIVE THREE~~ of section 10 of this chapter, the student is considered a dropout.

SECTION 13. IC 20-26-13-12, AS ADDED BY P.L.242-2005, SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 12. For each high school, the department shall calculate an estimated graduation rate that is determined by the total number of graduates for the reporting year divided by the total number of students enrolled in grade 9 at the school three (3) years before the reporting year. For any school where the difference between the estimated graduation rate and the number determined under STEP SEVEN of section 10 of this chapter is more than five percent (5%), the department shall request the data used in determining that the missing students are classified under one (1) or more of clauses (A) through ~~(J)~~ **(I)** of STEP ~~FIVE THREE~~ of section 10 of this chapter.

SECTION 14. IC 20-26-13-13, AS ADDED BY P.L.242-2005, SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 13. For any school that cannot provide written

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proof supporting the school's determination to include a student under any one (1) of clauses (A) through ~~(J)~~ **(I)** of STEP ~~FIVE~~ **THREE** of section 10 of this chapter, the department shall require the publication of the corrected graduation rate in the next school year's report required under IC 20-20-8-3.

SECTION 15. IC 20-26-13-14 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS** [EFFECTIVE JULY 1, 2007]: **Sec. 14. (a) Each reporting year, the department shall determine and report the following for each cohort:**

- (1) A four (4) year graduation rate determined under section 10 of this chapter.**
- (2) A five (5) year graduation rate determined under section 10.2 of this chapter.**
- (3) A six (6) and subsequent year graduation rate determined under section 10.5 of this chapter.**

(b) Except for the correction of calculation errors, a four (4) year and five (5) year graduation rate may not be altered after the rates are initially reported.

SECTION 16. IC 20-26-13-15 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS** [EFFECTIVE JULY 1, 2007]: **Sec. 15. (a) The provisions of sections 12 and 13 of this chapter must be completed before the release of the reports required under section 14 of this chapter. The department shall establish deadlines for each school to provide the information required under section 13 of this chapter.**

(b) Notwithstanding subsection (a), the department shall report the four (4) year graduation rates for each cohort not later than January 15 following the cohort's expected graduation rate.

SECTION 17. IC 20-26-13-16 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS** [EFFECTIVE JULY 1, 2007]: **Sec. 16. In addition to any other determination required under this chapter, the department shall determine and report a statewide graduation rate that is consistent with guidelines developed by the National Governors' Association. If the guidelines are unclear or allow flexibility in determination, the requirements of this chapter apply to the determination of a statewide graduation rate. However, cohort members who leave after less than one (1) year of attendance in an Indiana school and whose location cannot be determined may not be subtracted in the calculation of a statewide graduation rate."**

Delete pages 3 through 5.

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Page 6, delete lines 1 through 4.

Page 6, after line 17, begin a new paragraph and insert:

"SECTION 19. IC 21-11-9-4, AS ADDED BY SEA 526-2007, SECTION 252, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 4. The commission shall adopt rules under IC 4-22-2 to implement IC 21-12-6, including:

- (1) rules regarding the establishment of appeals procedures for individuals who become disqualified from the program under IC 21-12-6-9; and
- (2) notwithstanding IC 21-12-6-5, rules that may include students who are in grades other than grade 7 or 8 as eligible students.

SECTION 20. IC 21-12-1-11.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: **Sec. 11.5. "Part-time student", for purposes of IC 21-12-6, refers to a scholarship recipient under the twenty-first century scholarship program who is enrolled in at least six (6) but fewer than twelve (12) credit hours in an academic term.**

SECTION 21. IC 21-12-6-3, AS ADDED BY SEA 526-2007, SECTION 253, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 3. Money in the fund must be used to provide annual tuition scholarships to qualified scholarship applicants who enroll as full-time or part-time students at a postsecondary educational institution that qualifies for participation in the program under section 4 of this chapter.

SECTION 22. IC 21-12-6-5, AS ADDED BY SEA 526-2007, SECTION 253, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 5. To qualify to participate in the program, a student must meet the following requirements:

- (1) Be a resident of Indiana.
- (2) Be:
 - (A) enrolled in grade 7 or 8 at a public or an accredited nonpublic school; or
 - (B) otherwise qualified under the rules of the commission that are adopted under IC 21-11-9-4 to include students who are in grades other than grade 8 as eligible students.
- (3) Be eligible for free or reduced priced lunches under the national school lunch program.
- (4) Agree, in writing, together with the student's custodial parents or guardian, that the student will:
 - (A) graduate from a secondary school located in Indiana that meets the admission criteria of an eligible institution;

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(B) not illegally use controlled substances (as defined in IC 35-48-1-9);

(C) not commit a crime or an infraction described in IC 9-30-5;

(D) not commit any other crime or delinquent act (as described in IC 31-37-1-2 or IC 31-37-2-2 through IC 31-37-2-5 (or IC 31-6-4-1(a)(1) through IC 31-6-4-1(a)(5) before their repeal));

(E) timely apply, when the eligible student is a senior in high school:

(i) for admission to an eligible institution; and

(ii) for any federal and state student financial assistance available to the eligible student to attend an eligible institution; and

(F) achieve a cumulative grade point average upon graduation of at least 2.0 on a 4.0 grading scale (or its equivalent if another grading scale is used) for courses taken during grades 9, 10, 11, and 12.

SECTION 23. IC 21-12-6-6, AS ADDED BY SEA 526-2007, SECTION 253, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 6. A student may apply to the commission for a scholarship. To qualify for a scholarship, the student must meet the following requirements:

(1) Be an eligible student who qualified to participate in the program under section 5 of this chapter.

(2) Be a resident of Indiana.

(3) Be a graduate from a secondary school located in Indiana that meets the admission criteria of an eligible institution.

(4) Have applied to attend and be accepted to attend as a full-time **or part-time** student an eligible institution.

(5) Certify in writing that the student has:

(A) not illegally used controlled substances (as defined in IC 35-48-1-9);

(B) not illegally consumed alcoholic beverages;

(C) not committed any other crime or a delinquent act (as described in IC 31-37-1-2 or IC 31-37-2-2 through IC 31-37-2-5 (or IC 31-6-4-1(a)(1) through IC 31-6-4-1(a)(5) before their repeal)); and

(D) timely filed an application for other types of financial assistance available to the student from the state or federal government.

(6) Submit to the commission all the information and evidence

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required by the commission to determine eligibility as a scholarship applicant.

(7) Meet any other minimum criteria established by the commission.

SECTION 24. IC 21-12-6-7, AS ADDED BY SEA 526-2007, SECTION 253, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 7. A scholarship may be renewed. To qualify for a scholarship renewal, a scholarship recipient must do the following:

(1) Submit to the commission a renewal application that contains all the information and evidence required by the commission to determine eligibility for the scholarship renewal.

(2) Continue to be enrolled as a full-time **or part-time** student in good standing at an eligible institution.

(3) Continue to meet any other minimum criteria established by the commission.

SECTION 25. IC 20-26-13-8 IS REPEALED [EFFECTIVE JULY 1, 2007]."

Renumber all sections consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1647 as reprinted February 23, 2007.)

LUBBERS, Chairperson

Committee Vote: Yeas 9, Nays 0.

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