

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 2012 Regular Session of the General Assembly.

SENATE ENROLLED ACT No. 406

AN ACT to amend the Indiana Code concerning higher education.

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

SECTION 1. IC 20-19-2-20, AS AMENDED BY P.L.3-2008, SECTION 114, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 20. The state board shall design a high school diploma to be granted to individuals who successfully complete a high school fast track to college program under ~~IC 21-43-6; IC 21-43-7, or~~ IC 21-43-8.

SECTION 2. IC 20-43-4-8, AS ADDED BY P.L.234-2007, SECTION 63, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 8. A student who participates in

- (1) a postsecondary enrollment ~~program~~ **opportunity** under IC 21-43-4 is considered a student enrolled in the school corporation where the student has legal settlement for the purposes of computing ADM.
- (2) a ~~double up for college~~ program under IC 21-43-5 is considered a student enrolled in the school corporation where the student has legal settlement for the purposes of computing ADM;
- (3) a ~~high school fast track to college~~ program under IC 21-43-6 shall be counted in the ADM of the school corporation where the student has legal settlement if the student would be counted in the ADM of the school corporation had the student enrolled in the school corporation; or
- (4) a ~~high school fast track to college~~ program under IC 21-43-7

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shall be counted in the ADM of the school corporation where the student has legal settlement if the student would be counted in the ADM of the school corporation had the student enrolled in the school corporation.

SECTION 3. IC 21-14-8-1, AS AMENDED BY P.L.140-2008, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 1. (a) A state educational institution shall waive tuition for a student who is:

- (1) eligible for free or reduced lunch in high school;
- (2) accepted into the double up for college program a postsecondary enrollment opportunity under ~~IC 21-43-5;~~ **IC 21-43-4;** and
- (3) accepted for admission to the state educational institution.

(b) The high school a student attends shall certify the student's income to a state educational institution to determine the student's eligibility for a tuition and fee waiver under this section.

(c) A high school may certify a student's eligibility for a tuition and fee waiver under this section based upon any of the following types of information:

- (1) A free or reduced lunch application form.
- (2) A state or federal income tax return.
- (3) A certification from the office of the secretary of family and social services.
- (4) Any state agency certification based upon income records.

SECTION 4. IC 21-43-1-2.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: **Sec. 2.5. "Dual credit course" means a course taught by a high school faculty member, a college faculty member, or a college adjunct faculty member that a high school student may take to earn both high school and college credits. Dual credit courses may include any of the following:**

- (1) **A concurrent enrollment college course that is taught:**
 - (A) **in a high school classroom;**
 - (B) **by a regular high school faculty member who is approved by an eligible institution; and**
 - (C) **to high school students who earn high school credit for the course and may also earn college credit through an agreement between an eligible institution and a school corporation under IC 21-43-4-3.5.**
- (2) **An on-campus course, that:**
 - (A) **is taught:**
 - (i) **on the campus of an eligible institution;**



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- (ii) by a faculty member of the eligible institution; and
- (iii) as a regular course offering to postsecondary students attending the eligible institution in which a high school student enrolls and attends; and
- (B) is approved by the high school that the high school student attends for secondary credit requirements.
- (3) A college course, that is taught:
 - (A) in a high school classroom;
 - (B) by a faculty member of an eligible institution; and
 - (C) to high school students who may earn both secondary and postsecondary credits.
- (4) An online college course, that:
 - (A) is taught:
 - (i) by a faculty member of an eligible institution; and
 - (ii) as a regular course offering to postsecondary students attending the eligible institution in which a high school student enrolls and attends; and
 - (B) is approved by the high school that the high school student attends for secondary credit requirements.

SECTION 5. IC 21-43-1-2.7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 2.7. "Early college" means an academic program consisting of a series of dual credit courses or concurrent enrollment courses, or both, which allow high school students to earn both a high school diploma and:

- (1) an associate degree that has been approved by the commission for higher education; or
- (2) up to two (2) years of academic credit toward a baccalaureate degree.

SECTION 6. IC 21-43-1-3, AS ADDED BY P.L.2-2007, SECTION 284, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 3. "Eligible institution", for purposes of IC 21-43-4, means an accredited public or private:

- (1) college; or
- (2) university;

located in Indiana that grants a baccalaureate or an associate degree and offers postsecondary enrollment opportunities.

SECTION 7. IC 21-43-1-4, AS AMENDED BY P.L.7-2011, SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 4. As used in this chapter, "high school diploma", (†) for purposes of IC 21-43-6, refers to a high school diploma earned under IC 20-20-6 (before its repeal) or IC 22-4.1-18;



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(2) for purposes of IC 21-43-7, refers to a high school diploma earned under IC 21-43-7; and

(3) for purposes of IC 21-43-8, refers to a high school diploma earned under IC 21-43-8.

SECTION 8. IC 21-43-1-5, AS AMENDED BY P.L.229-2011, SECTION 243, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 5. "Postsecondary credit" **means credit toward:**

(1) for purposes of section 5-5 of this chapter and IC 21-43-1-5, means credit toward:

(A) (1) an associate degree;

(B) (2) a baccalaureate degree; or

(C) (3) a career and technical education certification;

that is granted by a ~~state educational~~ **an eligible** institution upon the successful completion of a course taken in a high school setting in a ~~program under a postsecondary enrollment opportunity~~ established under IC 21-43-4 or IC 21-43-5; **this article.**

(2) for purposes of IC 21-43-2, means credit toward:

(A) an associate degree;

(B) a baccalaureate degree; or

(C) a career and technical education certification;

granted by a state educational institution upon the successful completion of a course taken under a program established under IC 21-43-2; and

(3) for purposes of IC 21-43-5, means credit toward:

(A) an associate degree;

(B) a baccalaureate degree; or

(C) a career and technical education certification;

granted by a state educational institution upon the successful completion of a course taken under a program established under IC 21-43-5.

SECTION 9. IC 21-43-1-5.2 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 5.2. "Postsecondary enrollment opportunity", for purposes of IC 21-43-4, refers to programs established under IC 21-43-4, including dual credit courses, concurrent enrollment courses, and early college programs.

SECTION 10. IC 21-43-1-6 IS REPEALED [EFFECTIVE JULY 1, 2013]. Sec. 6. "Program":

(1) for purposes of IC 21-43-4, refers to the postsecondary enrollment program established under IC 21-43-4;

(2) for purposes of IC 21-43-5, refers to the double up for college

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program established under IC 21-43-5;

(3) for purposes of IC 21-43-6, refers to the high school fast track to college program offered to qualified individuals under IC 21-43-6;

(4) for purposes of IC 21-43-7, refers to the high school fast track to college program offered to qualified individuals under IC 21-43-7; and

(5) for purposes of IC 21-43-8, refers to the high school fast track to college program offered to qualified individuals under IC 21-43-8.

SECTION 11. IC 21-43-1-9, AS ADDED BY P.L.2-2007, SECTION 284, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 9. "Secondary credit" ~~(1)~~ for purposes of IC 21-43-4, means credit toward graduation requirements granted by a student's school corporation upon the successful completion of a course taken under a **program postsecondary enrollment opportunity** established under IC 21-43-4. and

(2) for purposes of IC 21-43-5, means credit toward high school graduation requirements granted by a student's school corporation upon the successful completion of a course taken under a program established under IC 21-43-5.

SECTION 12. IC 21-43-1.5-1, AS ADDED BY P.L.229-2011, SECTION 245, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 1. The commission may identify a set of **concurrent enrollment college** courses that:

- (1) are offered in the high school setting for postsecondary credit; and
 - (2) receive state funding;
- as priority dual credit courses.

SECTION 13. IC 21-43-4-1 IS REPEALED [EFFECTIVE JULY 1, 2013]. Sec. 1. This chapter applies to a program at:

- (1) a state educational institution; or
- (2) any other eligible institution.

SECTION 14. IC 21-43-4-1.5 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: **Sec. 1.5. Postsecondary enrollment opportunities are established for secondary school students. School corporations and eligible institutions may collaborate to offer:**

- (1) early college programs;
- (2) college courses taught by faculty members of eligible institutions; or
- (3) concurrent enrollment college courses;



that meet the educational objectives of the school corporation and are offered by eligible institutions in secondary school locations.

SECTION 15. IC 21-43-4-3 IS REPEALED [EFFECTIVE JULY 1, 2013]. Sec. 3: The postsecondary enrollment program is established for secondary school students:

SECTION 16. IC 21-43-4-3.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: **Sec. 3.5. (a) An eligible institution that participates in:**

- (1) an early college program;**
- (2) a college course taught by a faculty member of an eligible institution; or**
- (3) a concurrent enrollment college course;**

shall, by agreement with a school corporation, take any action described in subsection (b).

(b) The eligible institution shall:

- (1) ensure that the content and rigor of a course offered is adequate to warrant providing credit to a student as if the student took the course as a student at the eligible institution, including determining prerequisites, if any, for enrollment in a dual credit course and standards for assessment;**
- (2) set the criteria for a faculty member, an instructor, or other individual responsible for teaching a course with the:**
 - (A) eligible institution responsible for hiring the personnel to instruct dual credit courses taught by faculty members from the eligible institution; and**
 - (B) school corporation responsible for hiring personnel to instruct concurrent enrollment college courses taught by the high school; and**
- (3) determine:**

- (A) the terms and conditions under which a student may be eligible to participate in concurrent enrollment college courses, postsecondary courses taught by faculty members of the eligible institution, and early college programs while attending high school;**
- (B) with the school corporation, the terms and conditions under which the school corporation will award credit, if any, for a specified course successfully completed by a student through the school corporation; and**
- (C) the terms and conditions under which the school corporation will award secondary credit, if any, for a specific course successfully completed through the eligible**

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institution.

SECTION 17. IC 21-43-4-4, AS AMENDED BY P.L.229-2011, SECTION 247, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 4. A student may enroll in courses offered by an eligible institution ~~under the program~~ on a full-time or part-time basis during secondary school **upon the recommendation of a school administrator.**

SECTION 18. IC 21-43-4-5, AS ADDED BY P.L.2-2007, SECTION 284, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 5. If a school corporation has approved a course offered by an eligible institution for secondary credit, a student is entitled to **secondary** credit toward graduation requirements for each course the student successfully completes at the eligible institution. **The student's high school transcript must reflect that the secondary credits were earned at an eligible institution.**

SECTION 19. IC 21-43-4-5.2 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 5.2. (a) **If a dual credit course or concurrent enrollment college course is a course listed by an eligible institution that is a state educational institution in the statewide core transfer library under the principles set forth in IC 21-42-5-4, and a student satisfactorily completes the course, the course must transfer to other state educational institutions under the terms established by the core transfer library.**

(b) **If a student enrolls in a state educational institution other than the state educational institution at which a course was completed, the other state educational institution:**

- (1) shall grant credit for successfully completed courses that:
 - (A) have articulations that are listed in the core transfer library; or
 - (B) are subject to an articulation agreement; and

- (2) may grant credit for other successfully completed courses.

SECTION 20. IC 21-43-4-5.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 5.5. **Based on the demand for enrollment in the identified courses and the resources available to eligible institutions, the identified courses may be offered through:**

- (1) onsite instruction;
- (2) telecommunication; or
- (3) a combination of methods described in subdivisions (1) and (2);

at on-campus or off-campus sites.



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SECTION 21. IC 21-43-4-6, AS AMENDED BY P.L.229-2011, SECTION 248, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 6. Before February 1 each year, each school corporation shall provide each student in grades 8, 9, 10, and 11 with information concerning ~~the program:~~ **postsecondary enrollment opportunities.**

SECTION 22. IC 21-43-4-7, AS ADDED BY P.L.2-2007, SECTION 284, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 7. A student who intends to enroll in an eligible institution ~~under the program~~ shall notify the principal of the school in which the student is enrolled.

SECTION 23. IC 21-43-4-8, AS ADDED BY P.L.2-2007, SECTION 284, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 8. A representative of the school corporation, **by agreement with an eligible institution and using information that may be provided by the eligible institution,** shall meet with each student who intends to participate in ~~the program and discuss a postsecondary enrollment opportunity to offer counseling at which~~ the following are discussed:

- (1) The courses in which the student may enroll, **including prerequisites needed for completion.**
- (2) The postsecondary credit the student earns upon successful completion of a course.
- (3) The consequences of the student's failure to successfully complete a course.
- ~~(4) The student's schedule.~~
- (4) Notice of the course and schedule.**
- (5) The financial obligations of the student and the school under ~~the program:~~ **postsecondary enrollment opportunity.**
- (6) The responsibilities of the student, the student's parent, and the school under ~~the program:~~ **postsecondary enrollment opportunity.**
- (7) Other matters concerning the ~~program:~~ **postsecondary enrollment opportunity.**

SECTION 24. IC 21-43-4-9, AS ADDED BY P.L.2-2007, SECTION 284, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 9. The governing body of each school corporation shall:

- (1) adopt policies to implement ~~the program:~~ **postsecondary enrollment opportunities,** based on guidelines established by the department of education; and
- (2) work with eligible institutions to grant secondary credits to a



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student who attends a ~~postsecondary~~ **an eligible** institution while the student also is attending secondary school.

SECTION 25. IC 21-43-4-10, AS ADDED BY P.L.2-2007, SECTION 284, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 10. A student may apply for enrollment to an eligible institution. The eligible institution shall accept or reject the student based on the standards ordinarily used to decide student enrollments. However, a student **in the program applying to participate in a postsecondary enrollment opportunity** may not be refused admission solely because the student has not graduated from a secondary school.

SECTION 26. IC 21-43-4-11 IS REPEALED [EFFECTIVE JULY 1, 2013]. ~~Sec. 11. The eligible institution shall promptly inform the:~~

- ~~(1) student;~~
- ~~(2) student's principal; and~~
- ~~(3) department of education;~~

~~of the decision under section 10 of this chapter.~~

SECTION 27. IC 21-43-4-12, AS ADDED BY P.L.2-2007, SECTION 284, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 12. Upon demonstration of financial need, an eligible institution may grant financial assistance, **including a waiver of tuition under IC 21-14-8**, to a student accepted for admission to the eligible institution.

SECTION 28. IC 21-43-4-13, AS ADDED BY P.L.2-2007, SECTION 284, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 13. If a student enrolls in a **concurrent enrollment college course, a postsecondary course taught by a faculty member of the eligible institution at the high school, or an early college program** offered by an eligible institution, ~~under the program~~; the eligible institution and the student's school corporation shall enter into a contract for ~~dual credit~~. **the postsecondary enrollment opportunity**. The contract must establish the terms and conditions under which:

- (1) the eligible institution will award credit for specified classes successfully completed by students in the school corporation; and
- (2) the school corporation will award credit for specified classes successfully completed by students at the eligible institution.

SECTION 29. IC 21-43-4-14 IS REPEALED [EFFECTIVE JULY 1, 2013]. ~~Sec. 14. A school corporation shall grant secondary credit for a course successfully completed by a student at an eligible institution if the school corporation approved the course for secondary credit. The student's school records must reflect that the secondary credits were~~



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earned at an eligible institution:

SECTION 30. IC 21-43-4-15, AS ADDED BY P.L.2-2007, SECTION 284, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 15. If A student enrolls in an eligible institution after graduation from secondary school; the eligible institution shall award postsecondary credit for a course successfully completed by the student at the eligible institution. If the student enrolls in another eligible institution, that eligible institution may grant credit for courses successfully completed by the student. **is entitled to receive postsecondary credit toward meeting the degree requirements at the eligible institution offering a postsecondary enrollment opportunity upon the student's successful completion of a course.**

SECTION 31. IC 21-43-4-16, AS ADDED BY P.L.2-2007, SECTION 284, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 16. At the end of each school year, each school corporation shall submit to the department of education the following:

- (1) A list of the students in the school corporation who are enrolled in ~~the program.~~ **postsecondary enrollment opportunities.**
- (2) A list of the courses successfully completed by each student who is enrolled in ~~the program.~~ **postsecondary enrollment opportunities.**

SECTION 32. IC 21-43-4-17, AS ADDED BY P.L.2-2007, SECTION 284, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 17. (a) A school corporation shall make and maintain, for each student enrolled in ~~the program,~~ **a postsecondary enrollment opportunity,** records of the following:

- (1) The courses and credit hours in which the student enrolls.
- (2) The courses that the student successfully completes and fails to complete.
- (3) The secondary credit granted to the student.
- (4) Other information requested by the department of education.

(b) The department of education is entitled to have access to the records made and maintained under subsection (a).

SECTION 33. IC 21-43-4-18, AS ADDED BY P.L.2-2007, SECTION 284, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 18. (a) An eligible institution shall make and maintain, for each student enrolled in ~~the program,~~ **a postsecondary enrollment opportunity,** records of the following:

- (1) The courses in which the student enrolls and the credit hours

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awarded for those courses.

(2) The courses that the student successfully completes and the courses that the student fails to complete.

(3) The postsecondary credit granted to the student.

(4) Other information requested by the commission for higher education.

(b) The commission for higher education is entitled to have access to the records made and maintained under subsection (a).

SECTION 34. IC 21-43-4-19, AS ADDED BY P.L.2-2007, SECTION 284, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 19. (a) The department of education, in consultation with the commission for higher education, shall:

(1) establish guidelines to carry out this chapter; and

(2) evaluate ~~the program~~ **postsecondary enrollment opportunities** annually and report to the Indiana state board of education concerning the ~~program~~ **postsecondary enrollment opportunities**.

(b) The guidelines established under this section must encourage participation by students:

(1) at all achievement levels; and

(2) in a variety of academic and vocational subjects.

SECTION 35. IC 21-43-4-19.2 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: **Sec. 19.2. A state educational institution or campus of a state educational institution that offers concurrent college courses in liberal arts, professional, or career and technical disciplines must be either:**

(1) **accredited by the National Alliance of Concurrent Enrollment Partnerships; or**

(2) **approved by the commission for higher education.**

SECTION 36. IC 21-43-4-19.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: **Sec. 19.5. Ivy Tech Community College is entitled to reimbursement for the costs incurred to deliver courses under this chapter that are taken:**

(1) **at an Ivy Tech Community College site; and**

(2) **by a student for whom Ivy Tech Community College has waived tuition under this chapter or IC 21-14-8.**

The school corporation in which the student described in subdivision (2) resides shall pay the individual's tuition to Ivy Tech Community College for each year the student is included in the

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school corporation's ADM.

SECTION 37. IC 21-43-5 IS REPEALED [EFFECTIVE JULY 1, 2013]. (Double Up Program).

SECTION 38. IC 21-43-6 IS REPEALED [EFFECTIVE JULY 1, 2013]. (High School Fast Track; Ivy Tech Community College).

SECTION 39. IC 21-43-7 IS REPEALED [EFFECTIVE JULY 1, 2013]. (High School Fast Track to College Program; Vincennes University).

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President of the Senate

President Pro Tempore

Speaker of the House of Representatives

Governor of the State of Indiana

Date: _____ Time: _____

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