

ARTICLE 8. TWENTY-FIRST CENTURY SCHOLARS PROGRAM

Rule 1. Definitions

585 IAC 8-1-1 Applicability

Authority: IC 21-11-9-4

Affected: IC 20-12-70

Sec. 1. The definitions in this rule apply throughout this article. (*State Student Assistance Commission; 585 IAC 8-1-1; filed Jan 9, 1996, 5:00 p.m.: 19 IR 1354; readopted filed Sep 28, 2001, 4:04 p.m.: 25 IR 529; readopted filed Nov 30, 2007, 8:58 a.m.: 20071226-IR-585070702RFA*)

585 IAC 8-1-2 "Accredited nonpublic and public schools" defined

Authority: IC 21-11-9-4

Affected: IC 20-12-70

Sec. 2. "Accredited nonpublic and public schools" means a school meeting one (1) of the following:

(1) a private Indiana elementary or secondary school that assists a student to meet the eligibility requirements for admission to an institution of higher education of the state of Indiana and is either currently seeking accreditation or is fully accredited under the division of performance-based accreditation of the Indiana department of education; or

(2) a school designated as a freeway, charter, or accredited public school by statute and the Indiana department of education.

(*State Student Assistance Commission; 585 IAC 8-1-2; filed Jan 9, 1996, 5:00 p.m.: 19 IR 1354; readopted filed Nov 30, 2001, 10:52 a.m.: 25 IR 1299; readopted filed Nov 30, 2007, 8:58 a.m.: 20071226-IR-585070702RFA*)

585 IAC 8-1-3 "Commission" defined

Authority: IC 21-11-9-4

Affected: IC 20-12-70

Sec. 3. "Commission" refers to the state student assistance commission. (*State Student Assistance Commission; 585 IAC 8-1-3; filed Jan 9, 1996, 5:00 p.m.: 19 IR 1354; readopted filed Sep 28, 2001, 4:04 p.m.: 25 IR 529; readopted filed Nov 30, 2007, 8:58 a.m.: 20071226-IR-585070702RFA*)

585 IAC 8-1-4 "Eligibility verification" defined

Authority: IC 21-11-9-4

Affected: IC 20-12-70

Sec. 4. "Eligibility verification" refers to the process by which selected program applicants and program appellants shall be required to demonstrate eligibility for the program. Eligibility shall be verified by providing qualifying income and benefits records.

(*State Student Assistance Commission; 585 IAC 8-1-4; filed Jan 9, 1996, 5:00 p.m.: 19 IR 1354; readopted filed Nov 30, 2001, 10:52 a.m.: 25 IR 1299; readopted filed Nov 30, 2007, 8:58 a.m.: 20071226-IR-585070702RFA*)

585 IAC 8-1-5 "Household" defined (Repealed)

Sec. 5. (*Repealed by State Student Assistance Commission; filed Nov 30, 2001, 10:52 a.m.: 25 IR 1303*)

585 IAC 8-1-6 "Eligible institution" defined

Authority: IC 21-11-9-4

Affected: IC 21-7-13-6

Sec. 6. "Eligible institution" includes state universities, the Ivy Tech State College, accredited not-for-profit private (independent) colleges and universities, and accredited proprietary institutions of higher education (see IC 20-12-70-4(2), IC 20-12-70-6(3) [*IC 20-12 was repealed by P.L.2-2007, SECTION 390, effective July 1, 2007.*], and IC 20-1-19-1 [*IC 20-1 was repealed by P.L.1-2005, SECTION 240, effective July 1, 2005.*]) that agree to participate. (*State Student Assistance Commission; 585 IAC 8-1-6;*

filed Jan 9, 1996, 5:00 p.m.: 19 IR 1354; readopted filed Nov 30, 2001, 10:52 a.m.: 25 IR 1299; readopted filed Nov 30, 2007, 8:58 a.m.: 20071226-IR-585070702RFA)

585 IAC 8-1-7 "Private tuition cap" defined

Authority: IC 21-11-9-4

Affected: IC 20-12-21-5; IC 20-12-70

Sec. 7. "Private tuition cap" means the maximum twenty-first century scholarship award that, in conjunction with other state awards, can be offered to applicants who attend eligible independent institutions to pay for tuition and regularly assessed fees. The formula used to determine the private tuition and fee cap is defined under 585 IAC 1-9-8 under the authority of IC 20-12-21-5 *[IC 20-12 was repealed by P.L.2-2007, SECTION 390, effective July 1, 2007.]* (State Student Assistance Commission; 585 IAC 8-1-7; *filed Jan 9, 1996, 5:00 p.m.: 19 IR 1354; readopted filed Sep 28, 2001, 4:04 p.m.: 25 IR 529; readopted filed Nov 30, 2007, 8:58 a.m.: 20071226-IR-585070702RFA)*

585 IAC 8-1-8 "Program" defined

Authority: IC 21-11-9-4

Affected: IC 20-12-70

Sec. 8. "Program" means the twenty-first century scholars program. (State Student Assistance Commission; 585 IAC 8-1-8; *filed Jan 9, 1996, 5:00 p.m.: 19 IR 1355; readopted filed Sep 28, 2001, 4:04 p.m.: 25 IR 529; readopted filed Nov 30, 2007, 8:58 a.m.: 20071226-IR-585070702RFA)*

585 IAC 8-1-9 "Program appellant" defined

Authority: IC 21-11-9-4

Affected: IC 20-12-70

Sec. 9. "Program appellant" means a student who files an appeal to the twenty-first century scholars program. An appeal may be filed by a program applicant who has been denied enrollment. (State Student Assistance Commission; 585 IAC 8-1-9; *filed Jan 9, 1996, 5:00 p.m.: 19 IR 1355; readopted filed Nov 30, 2001, 10:52 a.m.: 25 IR 1299; readopted filed Nov 30, 2007, 8:58 a.m.: 20071226-IR-585070702RFA)*

585 IAC 8-1-10 "Program applicant" defined

Authority: IC 21-11-9-4

Affected: IC 20-12-70

Sec. 10. "Program applicant" means a student who files a timely application for the twenty-first century scholars program. A timely application is filed within the enrollment period set by the commission. (State Student Assistance Commission; 585 IAC 8-1-10; *filed Jan 9, 1996, 5:00 p.m.: 19 IR 1355; readopted filed Sep 28, 2001, 4:04 p.m.: 25 IR 529; readopted filed Nov 30, 2007, 8:58 a.m.: 20071226-IR-585070702RFA)*

585 IAC 8-1-11 "Scholar" defined

Authority: IC 21-11-9-4

Affected: IC 20-12-70

Sec. 11. "Scholar" means a person who receives a letter of confirmation after meeting the following requirements:

- (1) Is a resident of Indiana. As used in this subdivision, "resident of Indiana" means a United States citizen or eligible noncitizen who was domiciled in the state on or before December 31 of the year preceding application to the twenty-first century scholars program and continuously domiciled in Indiana thereafter. The determination of residency status shall be based upon the permanent place of residence of the parents or legal guardian of an applicant.
- (2) Is enrolled in grade 8 or other grade authorized by the commission for enrollment in the program.
- (3) Is eligible for the program if at the time of application:

(A) he or she is a foster child (ward of the court);

(B) he or she meets the income guidelines for the federal lunch program; or

(C) the student successfully appeals to enroll in the twenty-first century scholars program via the appeals process.

(State Student Assistance Commission; 585 IAC 8-1-11; filed Jan 9, 1996, 5:00 p.m.: 19 IR 1355; readopted filed Nov 30, 2001, 10:52 a.m.: 25 IR 1300; readopted filed Nov 30, 2007, 8:58 a.m.: 20071226-IR-585070702RFA)

585 IAC 8-1-12 "Twenty-first century scholarship" defined

Authority: IC 21-11-9-4

Affected: IC 12-12-1-14; IC 21-12-3-19

Sec. 12. "Twenty-first century scholarship" shall be a tuition scholarship under IC 20-12-70-7 *[IC 20-12 was repealed by P.L.2-2007, SECTION 390, effective July 1, 2007. See IC 21-12-1-14.]* to include financial assistance provided to a student to offset the costs of tuition and other regularly assessed fees incurred by the student in attending an institution of higher learning. Tuition and fee levels must be approved by the commission and reflect current year tuition and regularly assessed fees. Scholarship awards shall be computed as follows:

(1) If the scholarship applicant attends a state educational institution (as defined in IC 20-12-0.5-1 *[IC 20-12 was repealed by P.L.2-2007, SECTION 390, effective July 1, 2007.]*), the award shall be the student's tuition and regularly assessed fees, less any award to which the student is entitled under the Higher Education Award Program (IC 20-12-21-11.5 *[IC 20-12 was repealed by P.L.2-2007, SECTION 390, effective July 1, 2007. See IC 21-12-3-19.]*) and any other tuition specific financial assistance.

(2) If the scholarship applicant attends a private institution of higher education (as defined in IC 20-12-63-3 *[IC 20-12 was repealed by P.L.2-2007, SECTION 390, effective July 1, 2007.]*), the award shall be the lesser of:

(A) the tuition cap established by the commission, less any award to which the student is entitled under the Higher Education Award Program (IC 20-12-21-11.5 *[IC 20-12 was repealed by P.L.2-2007, SECTION 390, effective July 1, 2007. See IC 21-12-3-19.]*) and the Freedom of Choice Program (IC 20-12-21-15 *[IC 20-12 was repealed by P.L.2-2007, SECTION 390, effective July 1, 2007.]*);

(B) the actual tuition and regularly assessed fees, less any award to which the student is entitled under the Higher Education Award Program (IC 20-12-21-11.5 *[IC 20-12 was repealed by P.L.2-2007, SECTION 390, effective July 1, 2007. See IC 21-12-3-19.]*), the Freedom of Choice Program (IC 20-12-21-15 *[IC 20-12 was repealed by P.L.2-2007, SECTION 390, effective July 1, 2007.]*), and any other tuition specific financial assistance; or

(C) an average of the full tuition and fee amounts of all state educational institutions not including the Ivy Tech State College.

(3) If the scholarship applicant attends a proprietary institution of higher education (as defined in IC 20-1-19-1 *[IC 20-1 was repealed by P.L.1-2005, SECTION 240, effective July 1, 2005.]*), the award shall be the amount of an award the student could receive if the student were enrolled at Ivy Tech State College.

(State Student Assistance Commission; 585 IAC 8-1-12; filed Jan 9, 1996, 5:00 p.m.: 19 IR 1355; readopted filed Nov 30, 2001, 10:52 a.m.: 25 IR 1300; readopted filed Nov 30, 2007, 8:58 a.m.: 20071226-IR-585070702RFA)

585 IAC 8-1-13 "Twenty-first century scholarship applicant" defined

Authority: IC 21-11-9-4

Affected: IC 9-30-5; IC 21-12-6-5; IC 31-37-1-2; IC 31-37-2; IC 35-48-1-9

Sec. 13. "Twenty-first century scholarship applicant" means a student who meets the following requirements:

(1) Is an eligible student. Under IC 20-12-70 *[IC 20-12 was repealed by P.L.2-2007, SECTION 390, effective July 1, 2007.]* students who enroll in the twenty-first century scholars program after June 30, 1994, must also achieve a grade average of at least 2.0 on a 4.0 scale or its equivalent if another grading scale is used on courses taken during grades 9, 10, 11, and 12.

(2) Is a resident of Indiana. As used in this subdivision, "resident of Indiana" means one who was domiciled in Indiana on or before December 31 of the year preceding application for the scholarship and is continuously domiciled in Indiana thereafter. For:

(A) dependent students as defined for federal student aid purposes, the determination of residency status shall be based upon the permanent place of residence of the parents of an applicant just as it is for the Indiana higher education grant;

and

(B) independent students as defined for federal student aid purposes, the determination of residency status shall be based upon the permanent place of residence of the applicant just as it is for the Indiana higher education grant.

(3) Has applied for admission to attend an eligible institution as a full-time student and has timely filed an application for financial assistance as required by the commission.

(4) Together with the custodial parent or legal guardian, certifies in writing that the student, since enrolling in the twenty-first century scholars program, has fulfilled the terms of the pledge under IC 20-12-70-2(4)[*IC 20-12 was repealed by P.L.2-2007, SECTION 390, effective July 1, 2007. See IC 21-12-6-5.*] and that the student:

(A) has not:

(i) illegally used controlled substances (as defined in IC 35-48-1-9);

(ii) committed a crime or infraction described in IC 9-30-5; and

(iii) committed 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));

(B) has not been suspended or expelled from school for having illegally used or possessed alcohol or a controlled substance; and

(C) agrees to release criminal and juvenile records and school records of disciplinary proceedings to the commission upon request.

(State Student Assistance Commission; 585 IAC 8-1-13; filed Jan 9, 1996, 5:00 p.m.: 19 IR 1356; readopted filed Nov 30, 2001, 10:52 a.m.: 25 IR 1300; readopted filed Nov 30, 2007, 8:58 a.m.: 20071226-IR-585070702RFA)

Rule 2. Program Administration

585 IAC 8-2-1 High school graduation requirements

Authority: IC 21-11-9-4

Affected: IC 20-30-4-2; IC 20-30-10

Sec. 1. Twenty-first century scholars must meet all applicable requirements for high school graduation. These requirements include the same requirements as for all other students. *(State Student Assistance Commission; 585 IAC 8-2-1; filed Jan 9, 1996, 5:00 p.m.: 19 IR 1356; readopted filed Nov 30, 2001, 10:52 a.m.: 25 IR 1301; readopted filed Nov 30, 2007, 8:58 a.m.: 20071226-IR-585070702RFA)*

585 IAC 8-2-2 College admission requirements

Authority: IC 21-11-9-4

Affected: IC 20-30-4-2; IC 20-30-10

Sec. 2. Twenty-first century scholars must meet all applicable requirements for admission to an eligible institution of higher learning. These requirements include the same requirements as for all other Indiana students. *(State Student Assistance Commission; 585 IAC 8-2-2; filed Jan 9, 1996, 5:00 p.m.: 19 IR 1356; readopted filed Nov 30, 2001, 10:52 a.m.: 25 IR 1301; readopted filed Nov 30, 2007, 8:58 a.m.: 20071226-IR-585070702RFA)*

585 IAC 8-2-3 Scholarship deferral

Authority: IC 21-11-9-4

Affected: IC 20-30-4-2; IC 20-30-10

Sec. 3. Absent specific legislative language, twenty-first century scholars shall matriculate by the third academic year following high school completion. During the student's senior year in high school, and for up to two (2) academic years following, the student shall apply for the twenty-first century scholarship or for deferral. The commission shall administer this process. *(State Student Assistance Commission; 585 IAC 8-2-3; filed Jan 9, 1996, 5:00 p.m.: 19 IR 1356; readopted filed Nov 30, 2001, 10:52 a.m.: 25 IR 1301; readopted filed Nov 30, 2007, 8:58 a.m.: 20071226-IR-585070702RFA)*

585 IAC 8-2-4 Duration of award

Authority: IC 21-11-9-4

Affected: IC 20-30-4-2; IC 20-30-10

Sec. 4. Absent specific legislative language, scholarship recipients will receive no more than eight (8) semesters or twelve (12) trimesters or quarters of undergraduate scholarship assistance. The scholarship recipient shall remain eligible for the scholarship for not more than ten (10) consecutive years beginning with the year of the initial award. (*State Student Assistance Commission; 585 IAC 8-2-4; filed Jan 9, 1996, 5:00 p.m.: 19 IR 1356; readopted filed Nov 30, 2001, 10:52 a.m.: 25 IR 1301; readopted filed Nov 30, 2007, 8:58 a.m.: 20071226-IR-585070702RFA*)

585 IAC 8-2-5 Scholarship renewal

Authority: IC 21-11-9-4

Affected: IC 20-30-4-2; IC 20-30-10

Sec. 5. (a) To qualify for a scholarship renewal, the scholarship recipient shall submit to the commission a renewal application, continue to comply with the requirements of the program, and continue to be an undergraduate student in good standing and make satisfactory academic progress at an institution of higher learning. Subject to the fulfillment of renewal qualifications and absent specific legislative language, each scholarship may be renewed for a total award that does not exceed eight (8) semesters or twelve (12) trimesters or quarters within a ten (10) consecutive year period from the first receipt of a scholarship.

(b) A twenty-first century scholarship recipient must maintain satisfactory academic progress, as defined by each institution, and must maintain a primary place of residence in Indiana continuously during each semester or term that the student receives a twenty-first century scholarship to remain eligible for the program. (*State Student Assistance Commission; 585 IAC 8-2-5; filed Jan 9, 1996, 5:00 p.m.: 19 IR 1356; readopted filed Nov 30, 2001, 10:52 a.m.: 25 IR 1301; readopted filed Nov 30, 2007, 8:58 a.m.: 20071226-IR-585070702RFA*)

585 IAC 8-2-6 Prospective rules

Authority: IC 21-11-9-4

Affected: IC 20-30-4-2; IC 20-30-10

Sec. 6. Beginning on July 1, 1996, this article shall be prospective. Students who enroll in the twenty-first century scholars program on or after July 1, 1996, shall not be held accountable to standards not in effect at the time of enrollment. (*State Student Assistance Commission; 585 IAC 8-2-6; filed Jan 9, 1996, 5:00 p.m.: 19 IR 1357; readopted filed Sep 28, 2001, 4:04 p.m.: 25 IR 529; readopted filed Nov 30, 2007, 8:58 a.m.: 20071226-IR-585070702RFA*)

585 IAC 8-2-7 Program administration

Authority: IC 21-11-9-4

Affected: IC 4-21.5; IC 20-30-4-2; IC 20-30-10

Sec. 7. Acting on behalf of the commission, the executive director or an authorized designee shall do the following:

- (1) Establish administrative policies to carry out the purposes of the program.
- (2) Determine eligibility of applicants for enrollment. The commission, in conjunction with the Indiana College Placement and Assessment Center, will administer the verification process at the point of entry for those who apply to the program.
- (3) Determine compliance for awarding of scholarships. The commission will make a determination of compliance which will consist of an affirmation statement to be signed by a parent or legal guardian and student applying for the scholarship. The statement shall indicate that the student promises to repay scholarship money if conditions of the pledge are proven to have been violated. Violators shall be subject to prosecution under applicable state laws.
- (4) Disburse funds to approved institutions to be administered on behalf of individual recipients.
- (5) Enter into agreements with approved institutions for the administration of commission funds. Specific responsibilities for the administration of the program may be contracted outside of the commission.
- (6) Coordinate with eligible institutions a program to develop an ongoing mentoring program for twenty-first century scholars and monitor institutional compliance for mentoring.

(7) Hear appeals and handle complaints regarding compliance. An appeal shall be reviewed by the appeals officer designated by the commission, by the executive director, and by the commission, in that sequence.

(A) An appeal must be made in writing to the commission.

(B) If an appeal contains extenuating circumstances, the appeal documentation may be reviewed by an appeals board.

(C) An appeal decision made by both the appeals officer and the appeals board regarding the applicant's appeal shall be reduced in writing and shall be mailed to the applicant making the appeal.

(D) An appeal decision rendered by the appeals officer and/or appeals board may be appealed in writing to the executive director.

(E) An appeal decision made by the executive director regarding the applicant's appeal shall be reduced in writing and shall be mailed to the applicant making the appeal.

(F) An appeal decision rendered by the executive director may be appealed to the commission.

(G) An appeal to the commission shall be heard at a regular or specially called meeting. An applicant appealing to the commission is entitled to advance notice of the date, time, and place of the hearing. The applicant shall receive a copy of the official minutes which contain the decision made by the commission on the appeal.

(H) An appeal decision by the commission on letters of denial shall be final within the meaning of IC 4-21.5.

(State Student Assistance Commission; 585 IAC 8-2-7; filed Jan 9, 1996, 5:00 p.m.: 19 IR 1357; readopted filed Nov 30, 2001, 10:52 a.m.: 25 IR 1302; readopted filed Nov 30, 2007, 8:58 a.m.: 20071226-IR-585070702RFA)

585 IAC 8-2-8 Responsibilities of approved institutions

Authority: IC 21-11-9-4

Affected: IC 20-30-4-2; IC 20-30-10

Sec. 8. The commission shall execute agreements with each eligible institution that participates in the program which shall be responsible to:

(1) Execute an agreement to participate in the program.

(2) Process state funds from the commission on behalf of scholarship recipients.

(3) Develop an ongoing mentor program for providing support services to twenty-first century scholars. The plan for a mentor program may include the following:

(A) Academic and social support services to be provided.

(B) Expectations for frequency and duration of support services.

(C) Outreach strategies.

(D) Strategies for identification of key constituencies, including possible mentors.

(E) Strategies for the selection and introduction of mentors and mentees.

(F) Evaluation plans.

(4) Monitor the academic progress of each scholarship recipient in attendance.

(5) Notify the commission of any changes in status of scholarship recipients that may affect the student eligibility, including:

(A) A recipient's failure to enroll or maintain status as a full-time student.

(B) A recipient's failure to maintain satisfactory academic progress as that may be defined by each eligible institution.

(C) A recipient's receipt of any financial assistance, other than state aid, that is specifically designated for tuition and regularly assessed fees.

(D) A recipient's default of any educational loan.

(E) A recipient's receipt of a bachelor's degree.

(F) A recipient's state of residency if other than Indiana.

(G) A recipient's due process adjudication by the institution in which there is a finding of fact that a program pledge violation (specifically related to the illegal use of alcohol, controlled substances, or other illegal activities) was committed by the recipient.

(6) To comply with all applicable state laws and regulations, including 585 IAC 1-9-12, for reconciliation of funds and return unused, or inappropriately used, state grant funds to the commission by the established deadline date.

(State Student Assistance Commission; 585 IAC 8-2-8; filed Jan 9, 1996, 5:00 p.m.: 19 IR 1357; readopted filed Nov 30, 2001, 10:52 a.m.: 25 IR 1302; readopted filed Nov 30, 2007, 8:58 a.m.: 20071226-IR-585070702RFA)

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