

## **IC 21-14-4**

### Chapter 4. Tuition and Fee Exemption for Children of Veterans

#### **IC 21-14-4-0.2**

##### **Application of certain amendments to prior law**

Sec. 0.2. (a) IC 20-12-19-1 (as added by P.L.52-2000, before its repeal, now codified at section 1 of this chapter) applies to a student enrolled at a state educational institution after July 31, 2000.

(b) IC 20-12-19-2 (as added by P.L.52-2000, before its repeal, now codified at section 8 of this chapter) applies to a student enrolled at a state educational institution after July 31, 2000.

*As added by P.L.220-2011, SEC.346.*

#### **IC 21-14-4-1**

##### **Applicability**

Sec. 1. This chapter applies to the following persons:

(1) A person who:

(A) is a pupil at the Soldiers' and Sailors' Children's Home;

(B) was admitted to the Soldiers' and Sailors' Children's Home because the person was related to a member of the armed forces of the United States;

(C) is eligible to pay the resident tuition rate at the state educational institution the person will attend as determined by the institution; and

(D) possesses the requisite academic qualifications.

(2) A person:

(A) whose mother or father:

(i) served in the armed forces of the United States;

(ii) received the Purple Heart decoration or was wounded as a result of enemy action;

(iii) received a discharge or separation from the armed forces other than a dishonorable discharge; and

(iv) either designated Indiana as home of record at the time of enlistment in the armed forces of the United States or resided in Indiana at least five (5) years before the person first applies for benefits under this chapter;

(B) who is eligible to pay the resident tuition rate at the state educational institution the person will attend as determined by the institution;

(C) who possesses the requisite academic qualifications;

(D) if the person was adopted by the person's mother or father, was adopted before the person was eighteen (18) years of age; and

(E) is not more than thirty-two (32) years of age when the person first applies and becomes eligible for benefits under this chapter.

(3) A person:

(A) whose mother or father:

(i) served in the armed forces of the United States during a war or performed duty equally hazardous that was

- recognized by the award of a service or campaign medal of the United States;
- (ii) suffered a service connected death or disability as determined by the United States Department of Veterans Affairs;
- (iii) received any discharge or separation from the armed forces other than a dishonorable discharge; and
- (iv) either listed Indiana as home of record at the time of enlistment in the armed forces of the United States or resided in Indiana at least five (5) years before the person first applies for benefits under this chapter;
- (B) who is eligible to pay the resident tuition rate at the state educational institution the person will attend, as determined by the institution;
- (C) who possesses the requisite academic qualifications;
- (D) if the person was adopted by the person's mother or father, was adopted before the person was eighteen (18) years of age; and
- (E) is not more than thirty-two (32) years of age when the person first applies and becomes eligible for benefits under this chapter.

*As added by P.L.2-2007, SEC.255. Amended by P.L.169-2011, SEC.15.*

#### **IC 21-14-4-2**

##### **Eligibility**

Sec. 2. (a) Subject to this section and section 2.5 of this chapter, an eligible applicant is entitled to enter, remain, and receive instruction in a state educational institution upon the same conditions, qualifications, and regulations prescribed for other applicants for admission to or scholars in the state educational institutions, without the payment of any educational costs for one hundred twenty-four (124) semester credit hours in the state educational institution.

(b) The maximum amount that an eligible applicant is exempt from paying for a semester hour is an amount equal to the cost of an undergraduate semester credit hour at the state educational institution in which the eligible applicant enrolls.

(c) This subsection applies only to an individual who qualifies for a benefit under this chapter because of a father or mother (or in the case of section 1(1) of this chapter, a related member) who enlisted or otherwise initially served in the armed forces of the United States after June 30, 2011. This subsection applies to a student who initially enrolls in an eligible institution for a semester (or its equivalent) beginning after June 30, 2012. Subject to subsection (d), any benefits awarded under this chapter may not be renewed, subject to subsections (a) and (b), if the eligible individual fails to maintain at least the following cumulative grade point average:

- (1) For credit hours applicable to the equivalent of the applicant's freshman academic year, a cumulative grade point

average that the eligible institution determines is satisfactory academic progress.

(2) For credit hours applicable to the equivalent of the applicant's sophomore academic year, a cumulative grade point average of 2.25 on a 4.0 grading scale or its equivalent as established by the eligible institution.

(3) For credit hours applicable to the equivalent of the applicant's junior or senior academic year, a cumulative grade point average of 2.5 on a 4.0 grading scale or its equivalent as established by the eligible institution.

(d) After the first semester or its equivalent at the eligible institution that a person does not achieve the requisite cumulative grade point average specified in subsection (c), the person is considered to be on probation and must achieve the requisite cumulative grade point average by the next semester or its equivalent at the eligible institution in order to continue to receive benefits under this chapter.

(e) Notwithstanding any other provision of this chapter or another law, a change in the criteria for or the amount of a benefit awarded under this chapter enacted in the 2011 session of the general assembly applies only to an individual who qualifies for a benefit under this chapter because of a father or mother (or in the case of section 1(1) of this chapter, a related member) who enlisted or otherwise initially served in the armed forces of the United States after June 30, 2011.

*As added by P.L.2-2007, SEC.255. Amended by P.L.141-2008, SEC.2; P.L.169-2011, SEC.16.*

#### **IC 21-14-4-2.5**

##### **Eligibility for certain students**

*Revisor's Note: P.L.169-2011, SECTION 17 added a new section IC 20-14-4-2.5 to the Indiana Code. This citation contained a typographical error. The citation of the added section should have been IC 21-14-4-2.5 and is placed at this location of the Indiana Code.*

IC 21-14-4-2.5 Sec. 2.5. (a) This section applies to an individual who qualifies as an eligible applicant under section 1(3) of this chapter because the individual's father or mother:

- (1) enlisted or otherwise initially served in the armed forces of the United States after June 30, 2011; and
- (2) suffered a disability as determined by the United States Department of Veterans Affairs.

(b) This subsection does not apply to an individual who:

- (1) is an eligible applicant under section 1(3) of this chapter; and
- (2) qualifies as an eligible applicant under section 1(1) or 1(2) of this chapter.

(c) Subject to subsection (d) and section 2(b) of this chapter, the eligible applicant is entitled to a reduction in the educational costs that would otherwise apply as follows:

(1) If the individual's father or mother suffered a disability as determined by the United States Department of Veterans Affairs with a rating of eighty percent (80%) or more, the individual is entitled to a one hundred percent (100%) reduction in education costs.

(2) If the individual's father or mother suffered a disability as determined by the United States Department of Veterans Affairs with a rating of less than eighty percent (80%), the individual is entitled to a reduction in education costs equal to the sum of:

(A) twenty percent (20%); plus

(B) the disability rating of the individual's father or mother.

(d) The latest disability rating determined by the United States Department of Veterans Affairs for an individual's father or mother shall be used to compute the percentage by which education costs are reduced under this section. If the disability rating of the individual's father or mother changes after the beginning of an academic semester, quarter, or other period for which educational costs have been reduced under this section, the change in disability rating shall be applied beginning with the immediately following academic semester, quarter, or other period.

*As added by P.L.169-2011, SEC.17.*

### **IC 21-14-4-3**

#### **Purpose**

Sec. 3. For purposes of this chapter, the commission for higher education shall define mandatory fees that qualify as educational costs in consultation with the commission.

*As added by P.L.2-2007, SEC.255.*

### **IC 21-14-4-4**

#### **Payment of incidental expenses**

Sec. 4. If an eligible applicant:

(1) is permitted to matriculate in the state educational institution;

(2) qualifies under this chapter; and

(3) has earned or has been awarded a cash scholarship that is paid or payable to a state educational institution, from any source;

the amount paid shall be applied to the credit of the eligible applicant in the payment of incidental expenses of the eligible applicant's attendance at the state educational institution. The balance, if the terms of the scholarship permit, must be returned to the eligible applicant.

*As added by P.L.2-2007, SEC.255.*

### **IC 21-14-4-5**

#### **Determination of eligibility; administration of benefits**

Sec. 5. (a) Determination of eligibility for higher education benefits authorized under this chapter is vested exclusively in the

Indiana department of veterans' affairs. Any applicant for benefits under this chapter may make a written request for a determination of eligibility by the Indiana department of veterans' affairs. The director or deputy director of the Indiana department of veterans' affairs shall make a written determination of eligibility in response to each request. In determining the amount of an applicant's benefit, the commission shall consider other higher education financial assistance in conformity with this chapter.

(b) The commission shall administer the benefits and ensure compliance with this chapter.

*As added by P.L.2-2007, SEC.255. Amended by P.L.169-2011, SEC.18.*

#### **IC 21-14-4-6**

##### **Appeals**

Sec. 6. An appeal from an adverse determination under section 5(a) of this chapter must be made in writing to the veterans' affairs commission not more than fifteen (15) working days following the applicant's receipt of the determination. A final order must be made by a simple majority of the veterans' affairs commission not more than fifteen (15) days following receipt of the written appeal.

*As added by P.L.2-2007, SEC.255. Amended by P.L.169-2011, SEC.19.*

#### **IC 21-14-4-7**

##### **Violation**

Sec. 7. A person who knowingly or intentionally submits a false or misleading application or other document under this chapter commits a Class A misdemeanor.

*As added by P.L.2-2007, SEC.255.*

#### **IC 21-14-4-8**

##### **Amount of benefits**

Sec. 8. The amount of the benefits under this chapter is equal to one (1) of the following amounts:

(1) If the applicant does not receive financial assistance specifically designated for educational costs, the amount determined under sections 2 through 6 of this chapter.

(2) If the applicant receives any financial assistance, including federal assistance, specifically designated for educational costs:

(A) the amount determined under sections 2 through 6 of this chapter; minus

(B) the financial assistance specifically designated for educational costs.

*As added by P.L.2-2007, SEC.255. Amended by P.L.169-2011, SEC.20.*