

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

Chapter 7. Tuition and Fee Exemption for Children and Spouses of National Guard Members

### **IC 21-14-7-0.2**

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

Sec. 0.2. The addition of IC 20-12-19.7 (before its repeal, now codified in this chapter) by P.L.157-2005 applies to all individuals whose father, mother, or spouse:

- (1) was a member of the Indiana National Guard; and
- (2) suffered a service connected death while serving on state active duty (as described in IC 10-16-7-7);

whether the father's, mother's, or spouse's service connected death occurred before, on, or after July 1, 2005.

*As added by P.L.220-2011, SEC.348.*

### **IC 21-14-7-1**

#### **Applicability**

Sec. 1. This chapter applies to an individual:

- (1) whose father, mother, or spouse:
  - (A) was a member of the Indiana National Guard; and
  - (B) suffered a service connected death while serving on state active duty (as described in IC 10-16-7-7);
- (2) who is eligible to pay the resident tuition rate (as determined by the state educational institution) at the state educational institution in which the individual is enrolled or will enroll; and
- (3) who possesses the requisite academic qualifications.

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

### **IC 21-14-7-2**

#### **Exemption from costs**

Sec. 2. (a) Subject to subsection (b), an eligible applicant is exempt from the payment of educational costs for instruction at the state educational institution in which the eligible applicant is enrolled or will enroll.

(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.

*As added by P.L.2-2007, SEC.255. Amended by P.L.141-2008, SEC.3.*

### **IC 21-14-7-3**

#### **Term of exemption**

Sec. 3. An eligible applicant may receive the tuition exemption under this chapter for all semester credit hours in which the eligible applicant enrolls up to a maximum of one hundred twenty-four (124) semester credit hours.

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

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

##### **Conditions of educational opportunities**

Sec. 4. An eligible applicant qualifying for or receiving the tuition exemption under this chapter is entitled to enter, remain, and receive instruction at a state educational institution under the same conditions, qualifications, and regulations that apply to:

- (1) applicants for admission to; or
- (2) students enrolled in;

the state educational institution who do not qualify for or receive the educational costs exemption.

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

#### **IC 21-14-7-5**

##### **Mandatory fees**

Sec. 5. The commission for higher education shall define the mandatory fees that are exempt educational costs in consultation with the commission.

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

#### **IC 21-14-7-6**

##### **Deduction of financial assistance**

Sec. 6. If an eligible applicant:

- (1) qualifies for or is receiving the educational costs exemption under this chapter; and
- (2) receives other financial assistance specifically designated for educational costs at the state educational institution in which the individual is enrolled or will enroll;

the state educational institution shall deduct the amount of the financial assistance specifically designated for educational costs from the amount of the educational costs exemption under this chapter.

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

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

##### **Credit of cash scholarships**

Sec. 7. If an eligible applicant:

- (1) qualifies for or is receiving the educational costs exemption under this chapter; and
- (2) earns or is awarded a cash scholarship from any source that is paid or payable to the state educational institution in which the eligible applicant is enrolled or will enroll;

the state educational institution shall credit the amount of the cash scholarship to the eligible applicant for the payment of incidental expenses incurred by the eligible applicant in attending the state educational institution, with the balance, if any, of the award, if the terms of the scholarship permit, paid to the eligible applicant.

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

#### **IC 21-14-7-8**

##### **Determination of eligibility**

Sec. 8. The determination as to whether an individual is eligible for the educational costs exemption authorized by this chapter is vested exclusively with the military department established by IC 10-16-2-1.

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

#### **IC 21-14-7-9**

##### **Written request for determination of eligibility**

Sec. 9. An eligible applicant for the educational costs exemption must make a written request to the adjutant general for a determination of the individual's eligibility.

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

#### **IC 21-14-7-10**

##### **Duties of adjutant general**

Sec. 10. In response to each request under this chapter for an educational costs exemption, the adjutant general shall make a written determination of the applicant's eligibility.

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

#### **IC 21-14-7-11**

##### **Appeals procedure**

Sec. 11. (a) An applicant for an educational costs exemption under this chapter may appeal an adverse determination in writing to the military department not more than fifteen (15) business days after the date the applicant receives the determination under this chapter.

(b) The military department shall issue a final order not more than fifteen (15) business days after the department receives a written appeal under subsection (a).

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

#### **IC 21-14-7-12**

##### **Violation**

Sec. 12. A person who knowingly or intentionally:

- (1) submits a false or misleading application or another document; or
- (2) makes a false or misleading statement;

to obtain a benefit under this chapter commits a Class A misdemeanor.

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