

First Regular Session of the 123rd General Assembly (2023)

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 2022 Regular Session of the General Assembly.

HOUSE ENROLLED ACT No. 1449

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 21-12-6-5, AS AMENDED BY P.L.92-2020, SECTION 99, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 5. (a) Unless a student qualifies under subsection (b), 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:
 - (i) public school; or
 - (ii) nonpublic school that is accredited either by the **Indiana** state board of education or by a national or regional accrediting agency whose accreditation is accepted as a school improvement plan under IC 20-31-4.1-2; or
 - (B) otherwise qualified under the rules of the commission that are adopted under IC 21-18.5-4-9(2) to include students who are in grades other than grade 8 as eligible students.
- (3) Be a member of a household with an annual income of not more than the amount required for the individual to qualify for free or reduced priced lunches under the national school lunch program, as determined for the immediately preceding taxable year for the household for which the student was claimed as a dependent.

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- (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;
 - (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;
 - (F) achieve a cumulative grade point average upon graduation of:
 - (i) at least 2.0, if the student graduates from high school before July 1, 2014; and
 - (ii) at least 2.5, if the student graduates from high school after June 30, 2014;
 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; and
 - (G) complete an academic success program required under the rules adopted by the commission, if the student initially enrolls in high school after June 30, 2013.
- (b) A student qualifies to participate in the program if the student:
- (1) before or during grade 7 or grade 8, is placed by or with the consent of the department of child services, by a court order, or by a child placing agency in:
 - (A) a foster family home;
 - (B) the home of a relative or other unlicensed caretaker;
 - (C) a child caring institution; or
 - (D) a group home;
 - (2) meets the requirements in subsection (a)(1) through (a)(2); and
 - (3) agrees in writing, together with the student's caseworker (as defined in IC 31-9-2-11) or legal guardian, to the conditions set



forth in subsection (a)(4).

(c) The commission may require that an applicant apply electronically to participate in the program using an online Internet application on the commission's ~~Internet web site~~. **website.**

SECTION 2. IC 21-12-6-5.5 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: **Sec. 5.5. The commission shall do the following:**

(1) In cooperation with the department of education, identify students who meet the requirements under section 5 of this chapter to participate in the program.

(2) Notify a student identified under subdivision (1) and the custodial parent or guardian of the student, if the student is an unemancipated minor, that:

(A) the student is eligible to participate in the program;

(B) to participate in the program, the student must agree to the conditions listed in section 5(a)(4) of this chapter; and

(C) the student has the right to opt out of the program at any time.



Speaker of the House of Representatives

President of the Senate

President Pro Tempore

Governor of the State of Indiana

Date: _____ Time: _____

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