

Second Regular Session of the 122nd General Assembly (2022)

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 2021 Regular Session of the General Assembly.

## SENATE ENROLLED ACT No. 89

---

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 21-12-1.7-3, AS AMENDED BY P.L.10-2019, SECTION 91, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2022]: Sec. 3. (a) This section applies to an academic year beginning after August 31, 2014. The commission shall publish annually a schedule of award amounts for the higher education award and freedom of choice grant issued under this article. The schedule must provide award amounts on the basis of the ~~recipient's expected family contribution~~ **federal needs calculation**. The ~~expected family contribution~~ **federal needs calculation** shall be derived from information submitted on the recipient's financial aid application form. The commission shall determine award amounts separately for:

- (1) recipients attending approved public state educational institutions (except Ivy Tech Community College);
- (2) Ivy Tech Community College;
- (3) recipients attending a nonprofit college or university listed in IC 21-7-13-6(a)(1)(C); and
- (4) recipients attending approved postsecondary credit bearing proprietary institutions.

(b) This subsection applies to an academic year beginning after August 31, 2017. The schedule of award amounts published under subsection (a) must offer a larger award to first time and prior recipients who successfully completed:

SEA 89



(1) at least thirty (30) credit hours or the equivalent during the last academic year in which the student received state financial aid;  
or

(2) at least thirty (30) credit hours or the equivalent during the last academic year in which the student was enrolled in a postsecondary educational institution.

(c) In determining eligibility under subsection (b), the commission shall apply all the following types of credits regardless of whether the credits were completed during the last academic year described in subsection (b)(1) or (b)(2):

(1) Credits earned from dual credit, advanced placement, Cambridge International, and international baccalaureate courses.

(2) College credits earned during high school.

(3) Credits earned exceeding thirty (30) credit hours during a previous academic year in which a student received state financial aid.

(d) The schedule of award amounts shall set forth an amount for recipients described in subsection (a)(1) that is equal to fifty percent (50%) of the amount for recipients described in subsection (a)(3).

SECTION 2. IC 21-12-6-10.3, AS AMENDED BY P.L.178-2018, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2022]: Sec. 10.3. (a) This section applies to a student who qualifies for a scholarship under section 6 or 7 of this chapter, if the student initially enrolls in the program after June 30, 2011. Applicants who are enrolled in the program before July 1, 2011, will not have an income or financial resources test applied to them under this section when they subsequently apply for a scholarship or apply to renew a scholarship.

(b) A scholarship applicant shall be awarded the following amount as adjusted under subsections (c) and (d):

(1) If the scholarship applicant attends an approved postsecondary educational institution that is a state educational institution, the full educational costs that the scholarship applicant would otherwise be required to pay at the eligible institution.

(2) If the scholarship applicant attends an approved postsecondary educational institution that is private, the greater of the:

(A) average of the educational costs of all state educational institutions, not including Ivy Tech Community College; or

(B) amount the applicant is eligible to receive under IC 21-12-4.

(3) If the scholarship applicant attends an approved postsecondary educational institution that is a postsecondary credit bearing



proprietary educational institution, the lesser of the educational costs that the scholarship applicant would otherwise be required to pay at the postsecondary credit bearing proprietary educational institution or the educational costs of Ivy Tech Community College.

(c) The amount of an award under subsection (b) shall be reduced by:

- (1) for an amount awarded before September 1, 2014:
  - (A) the amount of the Frank O'Bannon grant awarded to the scholarship applicant; plus
  - (B) an additional amount based on the ~~expected family contribution~~, **federal needs calculation**, if necessary, as determined by the commission, to provide scholarships within the available appropriation; or
- (2) for an amount awarded after August 31, 2014, the amount based on the ~~expected family contribution~~, **federal needs calculation**, if necessary, as determined by the commission, to provide scholarships within the available appropriation.

(d) The total of all tuition scholarships awarded under this section in a state fiscal year may not exceed the amount available for distribution from the fund for scholarships under this chapter. If the total amount to be distributed from the fund in a state fiscal year exceeds the amount available for distribution, the amount to be distributed to each eligible applicant shall be proportionately reduced so that the total reductions equal the amount of the excess based on the relative financial need of each eligible applicant.

SECTION 3. IC 21-12-13-2, AS AMENDED BY P.L.63-2021, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2022]: Sec. 2. (a) This section applies to the following scholarship, stipend, and fee remission statutes:

- (1) IC 21-12-3.
- (2) IC 21-12-4.
- (3) IC 21-12-6.
- (4) IC 21-13-2.
- (5) IC 21-13-7.
- (6) IC 21-13-8.
- (7) IC 21-13-4.
- (8) IC 21-14-5.
- (9) IC 21-12-16.

(b) Except as provided in subsection (c), and except for a **stipend scholarship** granted under IC 21-13-8 to an individual described in IC 21-13-8-1(b)(2)(B), a grant or reduction in tuition or fees, including



all renewals and extensions, under any of the laws listed in subsection (a) may not exceed the number of terms that constitutes:

- (1) except as provided in subdivision (2), four (4) undergraduate academic years, as determined by the commission; or
- (2) for purposes of IC 21-13-4, six (6) academic years as determined by the commission;

and must be used within eight (8) years after the date the individual first applies and becomes eligible for benefits under the applicable law.

(c) The commission may, subject to the availability of funds, extend eligibility under subsection (b) for a recipient who used a grant or reduction in tuition or fees under any of the statutes listed in subsection (a) at a postsecondary educational institution that closed. The extension of eligibility may not exceed the number of terms used by the recipient at the postsecondary educational institution that closed.

SECTION 4. IC 21-13-7-1, AS AMENDED BY P.L.92-2020, SECTION 104, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2022]: Sec. 1. An individual may apply for a **stipend scholarship** under this chapter if the individual:

(1) is a student who is enrolled in a course of study at an eligible institution that would enable the student, upon graduation, to teach in a state accredited school accredited under IC 20-31-4.1 in Indiana in:

- (A) special education; or
- (B) a high-need field;

(2) will participate in student teaching as part of the student's degree requirements;

(3) has earned a cumulative grade point average upon entering student teaching that:

- (A) is required by an eligible institution for admission to the eligible institution's school of education; or
- (B) is at least a 2.0 on a 4.0 grading scale or its equivalent as determined by the eligible institution, if the eligible institution's school of education does not require a certain minimum cumulative grade point average;

(4) agrees, in writing, to apply for a teaching position at an accredited school in Indiana following the student's certification as a teacher, and, if hired, to teach for at least three (3) years; and

(5) meets any other minimum criteria established by the commission.

SECTION 5. IC 21-13-7-2, AS AMENDED BY P.L.148-2016, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2022]: Sec. 2. ~~(a) A student who has applied for the stipend~~



**scholarship** under section 1 of this chapter ~~and has been approved by the commission may request payment of the stipend after demonstrating that the student will engage in student teaching during the upcoming academic term.~~

~~(b) The stipend may not exceed four thousand dollars (\$4,000).~~

~~(c) The commission shall pay the stipend directly to the student.~~

SECTION 6. IC 21-13-7-3, AS ADDED BY P.L.205-2013, SECTION 328, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2022]: Sec. 3. (a) The amount of a stipend awarded under this chapter may not be reduced because the student receives other scholarships or forms of financial aid.

(b) Except as otherwise permitted by law **and except as provided in subsection (c)**, the amount of any other state financial aid received by a student may not be reduced because the student receives a **stipend scholarship** under this chapter.

(c) ~~A student may concurrently receive a stipend under this chapter and a stipend under IC 21-13-8. The total amount of scholarships or other financial aid a student receives may not exceed the total amount of expenses to attend the accredited postsecondary educational institution, including tuition, room, board, and other fees.~~

SECTION 7. IC 21-13-8-1, AS AMENDED BY P.L.92-2020, SECTION 105, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2022]: Sec. 1. (a) The Earline S. Rogers student teaching **stipend scholarship** for minority students is established.

(b) An individual may apply for a **stipend scholarship** under this chapter if the individual:

- (1) is a minority student enrolled in an eligible institution;
- (2) will participate in:
  - (A) student teaching as part of the student's degree requirements; or
  - (B) a school administration internship as part of the student's graduate degree program;
- (3) has earned a cumulative grade point average:
  - (A) upon entering student teaching that:
    - (i) is required by an eligible institution for admission to the eligible institution's school of education; or
    - (ii) is at least a 2.0 on a 4.0 grading scale or its equivalent as determined by the eligible institution, if the eligible institution's school of education does not require a certain minimum cumulative grade point average; or
  - (B) upon beginning a school administration internship that is



at least 3.0 on a 4.0 scale, or its equivalent as determined by the eligible institution;

(4) agrees, in writing, in the case of an individual entering student teaching, to apply for a teaching position at a state accredited school accredited under IC 20-31-4.1 in Indiana following the student's certification as a teacher, and, if hired, to teach for at least three (3) years; and

(5) meets any other minimum criteria established by the commission.

SECTION 8. IC 21-13-8-2, AS AMENDED BY P.L.159-2016, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2022]: Sec. 2. (a) ~~A student who has applied for the stipend scholarship under section 1 of this chapter and has been approved by the commission may request payment of the stipend after demonstrating that the student will engage in student teaching or a school administration internship during the upcoming academic term. The commission shall give priority to student teaching applicants when selecting applicants.~~

~~(b) The stipend may not exceed four thousand dollars (\$4,000).~~

~~(c) The commission shall pay the stipend directly to the student.~~

SECTION 9. IC 21-13-8-3, AS ADDED BY P.L.205-2013, SECTION 329, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2022]: Sec. 3. (a) The amount of a **stipend scholarship** awarded under this chapter may not be reduced because the student receives other scholarships or forms of financial aid.

(b) Except as otherwise permitted by law **and except as provided in subsection (c)**, the amount of any other state financial aid received by a student may not be reduced because the student receives a **stipend scholarship** under this chapter.

(c) A student may concurrently receive a stipend under this chapter and a stipend under ~~IC 21-13-7~~. **The total amount of scholarships or other financial aid a student receives may not exceed the total amount of expenses to attend the accredited postsecondary educational institution, including tuition, room, board, and other fees.**



---

President of the Senate

---

President Pro Tempore

---

Speaker of the House of Representatives

---

Governor of the State of Indiana

Date: \_\_\_\_\_ Time: \_\_\_\_\_

**SEA 89**

