

## **IC 21-12-4**

### **Chapter 4. Freedom of Choice Grant**

#### **IC 21-12-4-1**

##### **Freedom of choice program; establishment**

Sec. 1. The freedom of choice grant program is established. The commission shall administer the freedom of choice grant program.  
*As added by P.L.2-2007, SEC.253.*

#### **IC 21-12-4-2**

##### **Eligibility**

Sec. 2. A person is eligible for a freedom of choice grant if:

- (1) the person is qualified for a higher education award under the terms of IC 21-12-3-1, IC 21-12-3-2, and IC 21-12-3-3 or IC 21-12-3-4, even if lack of funds prevents the award or grant;
- (2) for a freedom of choice grant awarded before September 1, 2014, the person has a financial need that exceeds the award, as determined in accordance with:

(A) this chapter, IC 21-18.5-4, IC 21-12-2, and IC 21-12-3; and

(B) the rules of the commission; and

- (3) the person will attend an approved postsecondary educational institution that:

(A) either:

(i) operates in Indiana, provides an organized two (2) year or longer program of collegiate grade directly creditable toward a baccalaureate degree, is operated by a nonprofit entity, and is accredited by a recognized regional accrediting agency or the board for proprietary education under IC 21-18.5-6; or

(ii) is a hospital that operates a nursing diploma program that is accredited by the Indiana state board of nursing; and

(B) is operated privately and not administered or controlled by any state agency or entity.

*As added by P.L.2-2007, SEC.253. Amended by P.L.107-2012, SEC.19; P.L.281-2013, SEC.13.*

#### **IC 21-12-4-3**

##### **Renewal of grant; conditions**

Sec. 3. Freedom of choice grant renewals are governed by the same conditions as are set forth in IC 21-12-3-9.

*As added by P.L.2-2007, SEC.253.*

#### **IC 21-12-4-4**

##### **Amount of grant**

Sec. 4. (a) This subsection applies before September 1, 2014. The amount of a freedom of choice grant may not exceed the difference between:

- (1) the amount of the total financial need of the student, as

determined under the commission's rules; and

(2) the:

(A) higher education award made under IC 21-12-3-1, IC 21-12-3-2, and IC 21-12-3-3 or IC 21-12-3-4 and IC 21-12-3-5; or

(B) sum necessary to pay educational costs at the institution; whichever is smaller.

(b) This subsection applies after August 31, 2014. The freedom of choice grant is the amount published under IC 21-12-1.7 for recipients attending an institution described in IC 21-12-4-2.

*As added by P.L.2-2007, SEC.253. Amended by P.L.281-2013, SEC.14.*

#### **IC 21-12-4-5**

##### **Freedom of choice grant fund**

Sec. 5. The auditor of the state shall create a separate and segregated freedom of choice grant fund distinct from the higher education award fund.

*As added by P.L.2-2007, SEC.253.*

#### **IC 21-12-4-6**

##### **Conditions on transfer of money in fund**

Sec. 6. Except as provided in section 9 of this chapter and IC 21-12-3-21, money shall not be exchanged or transferred among these funds.

*As added by P.L.2-2007, SEC.253. Amended by P.L.229-2011, SEC.226.*

#### **IC 21-12-4-7**

##### **Freedom of choice grant fund; conditions**

Sec. 7. All money disbursed from the freedom of choice grant fund shall be in accordance with the provisions of this chapter.

*As added by P.L.2-2007, SEC.253.*

#### **IC 21-12-4-8**

##### **Restrictions on reversion of money in fund**

Sec. 8. Money remaining in the freedom of choice grant fund at the end of any fiscal year does not revert to the state general fund, but remains available to be used for making freedom of choice grants under this chapter.

*As added by P.L.2-2007, SEC.253.*

#### **IC 21-12-4-9**

##### **Administrative order directing transfer of funds**

Sec. 9. The commission may order the auditor of state to transfer money among the freedom of choice grant fund, the higher education award fund, and the twenty-first century scholars fund, as needed to meet the obligations of the funds. The auditor of state shall make the transfer ordered by the commission with the approval of the budget director and the governor.

*As added by P.L.229-2011, SEC.227. Amended by P.L.281-2013,  
SEC.15.*