

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

### **Chapter 6. Twenty-First Century Scholars Program; Tuition Grants**

#### **IC 21-12-6-1**

##### **Twenty-first century scholars program; established**

Sec. 1. The twenty-first century scholars program is established to do the following:

- (1) Reduce the number of students who withdraw from high school before graduation.
- (2) Increase the number of students who are prepared to enter the workforce upon graduation.
- (3) Increase the number of students entering postsecondary educational institutions in Indiana.
- (4) Encourage eligible students to attend postsecondary educational institutions in Indiana by reducing the financial burden on the eligible students and their families.
- (5) Decrease drug and alcohol abuse by encouraging higher educational pursuits.
- (6) Increase individual economic vitality.
- (7) Improve the overall quality of life for many Indiana residents.

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

#### **IC 21-12-6-2**

##### **Twenty-first century scholars fund; administration**

Sec. 2. (a) The twenty-first century scholars fund is established to provide the financial resources necessary to award the scholarships authorized under the program.

(b) The commission shall administer the fund.

(c) The expenses of administering the fund shall be paid from money in the fund.

(d) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public funds may be invested.

(e) Money in the fund at the end of a state fiscal year does not revert to the state general fund but remains available to be used for providing money for twenty-first century scholarships under this chapter, or it may be transferred to another fund under this article as directed by the commission under IC 21-12-1.2-2.

*As added by P.L.2-2007, SEC.253. Amended by P.L.234-2007, SEC.57; P.L.234-2015, SEC.12.*

#### **IC 21-12-6-3**

##### **Twenty-first century scholars program; conditions**

Sec. 3. Money in the fund must be used to provide annual tuition scholarships to qualified scholarship applicants who enroll as full-time students at a postsecondary educational institution that

qualifies for participation in the program under section 4 of this chapter, unless it is transferred to another fund under this article at the direction of the commission under IC 21-12-1.2-2.

*As added by P.L.2-2007, SEC.253. Amended by P.L.234-2015, SEC.13.*

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

##### **Enrollment**

Sec. 4. A scholarship recipient may apply a scholarship under this chapter to the educational costs of a postsecondary educational institution only if the postsecondary educational institution qualifies under this section. For a postsecondary educational institution to qualify under this section, the postsecondary educational institution must satisfy the following requirements:

- (1) Be an approved postsecondary educational institution.
- (2) Be accredited by an agency that is recognized by the Secretary of the United States Department of Education.
- (3) Operate an organized program of postsecondary education leading to an associate or a baccalaureate degree on a campus located in Indiana.
- (4) Be approved by the commission:
  - (A) under rules adopted under IC 4-22-2; and
  - (B) in consultation with the board for proprietary education established by IC 21-18.5-5-1, if appropriate.

*As added by P.L.2-2007, SEC.253. Amended by P.L.107-2012, SEC.21.*

#### **IC 21-12-6-5**

##### **Qualifications to participate in program**

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 state board of education or by a national or regional accrediting agency whose accreditation is accepted as a school improvement plan under IC 20-31-4-2; 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.

(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 web site.

*As added by P.L.2-2007, SEC.253. Amended by P.L.168-2007,*

*SEC.7; P.L.229-2007, SEC.16; P.L.3-2008, SEC.131; P.L.169-2011, SEC.6; P.L.107-2012, SEC.22; P.L.281-2013, SEC.16; P.L.165-2016, SEC.10.*

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

##### **Twenty-first century scholars program scholarship; eligibility**

Sec. 6. (a) A student may apply to the commission for a scholarship. To qualify for a scholarship, the student must meet the following requirements:

- (1) Be an eligible student who qualified to participate in the program under section 5 of this chapter.
- (2) Be a resident of Indiana.
- (3) Be a graduate from a secondary school located in Indiana that meets the admission criteria of an eligible institution and have achieved a cumulative grade point average in high school of:
  - (A) at least 2.0 on a 4.0 grading scale, if the student is expected to graduate from high school before July 1, 2014; and
  - (B) at least 2.5 on a 4.0 grading scale, if the student is expected to graduate from high school after June 30, 2014.
- (4) Have applied to attend and be accepted to attend as a full-time student an eligible institution.
- (5) Certify in writing that before the student's graduation from high school the student:
  - (A) did not illegally use controlled substances (as defined in IC 35-48-1-9);
  - (B) did not illegally consume alcoholic beverages;
  - (C) did not commit any other crime or a 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));
  - (D) timely filed an application for other types of financial assistance available to the student from the state or federal government; and
  - (E) completed an academic success program required under the rules adopted by the commission.
- (6) Submit to the commission all the information and evidence required by the commission to determine eligibility as a scholarship applicant.
- (7) This subdivision applies only to applicants who initially enroll in the program under section 5 of this chapter or IC 21-12-6.5-2 after June 30, 2011. For purposes of this chapter, applicants who are enrolled in the program before July 1, 2011, will not have an income or financial resources test applied to them when they subsequently apply for a scholarship. Have a lack of financial resources reasonably available to the applicant, as defined by the commission, that, in the absence of

an award under this chapter, would deter the scholarship applicant from completing the applicant's education at the approved postsecondary educational institution that the applicant has selected and that has accepted the applicant.

(8) Meet any other minimum criteria established by the commission.

(b) This section applies to an individual who graduates from high school after December 31, 2011. To be eligible for a scholarship under this section, a student must initially attend an eligible institution described in subsection (a)(4) not later than the fall semester (or its equivalent, as determined by the commission) in the year immediately following the year in which the student graduates from high school.

*As added by P.L.2-2007, SEC.253. Amended by P.L.169-2011, SEC.7; P.L.229-2011, SEC.228; P.L.6-2012, SEC.146; P.L.107-2012, SEC.23; P.L.234-2015, SEC.14; P.L.165-2016, SEC.11.*

#### **IC 21-12-6-6.5**

##### **One-time award for certain students**

Sec. 6.5. (a) This section applies to a student who:

- (1) initially enrolls in the program after June 30, 2011;
- (2) has not previously received a scholarship under this chapter; and
- (3) does not qualify for a scholarship under section 6 of this chapter solely because the student does not meet the requirements of section 6(a)(7) of this chapter.

(b) The commission shall establish a program to award a one-time tuition scholarship to students who are ineligible for a scholarship under section 6 of this chapter solely because the student fails to meet the financial assistance requirements imposed by section 6(a)(7) of this chapter. The amount of the tuition scholarship shall be determined by the commission. The tuition scholarship may not exceed two thousand five hundred dollars (\$2,500). 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 after awarding scholarships to all students who qualify under section 6 or 7 of this chapter for a scholarship.

(c) A tuition scholarship under this section may be used under the terms prescribed by the commission only for the purposes for which a tuition scholarship granted under section 6 or 7 of this chapter may be used.

(d) A student who meets the criteria described in subsection (a) in any year is not eligible for a scholarship under section 6 or 7 of this chapter in any subsequent year.

*As added by P.L.169-2011, SEC.8.*

### **IC 21-12-6-7**

#### **Scholarship renewal; applying credits; extenuating circumstances**

Sec. 7. (a) Subject to IC 21-12-13-2, a scholarship awarded under section 6 of this chapter or this section may be renewed. To qualify for a scholarship renewal, a scholarship recipient must do the following:

- (1) Submit to the commission a renewal application that contains all the information and evidence required by the commission to determine eligibility for the scholarship renewal.
- (2) Continue to be enrolled as full-time student in good standing at an eligible institution.
- (3) This subdivision applies only to applicants who initially enroll in the program under section 5 of this chapter or IC 21-12-6.5-2 after June 30, 2011. For purposes of this chapter, applicants who are enrolled in the program before July 1, 2011, will not have an income or financial resources test applied to them when they subsequently apply to renew a scholarship. Continue to have a lack of financial resources reasonably available to the applicant, as defined by the commission, that, in the absence of an award under this chapter, would deter the scholarship applicant from completing the applicant's education at the approved postsecondary educational institution that the applicant has selected and that has accepted the applicant.
- (4) Maintain satisfactory academic progress, as determined by the eligible institution.
- (5) If the student initially enrolls in an eligible institution for an academic year beginning after August 31, 2013, the student successfully completes:
  - (A) at least thirty (30) credit hours or the equivalent by the end of the student's first academic year;
  - (B) at least sixty (60) credit hours or the equivalent by the end of the student's second academic year; and
  - (C) at least ninety (90) credit hours or the equivalent by the end of the student's third academic year.

A student's academic years used to determine if the student meets the requirements of this subdivision are not required to be successive calendar years. A recipient who fails to meet the credit hour requirement for a particular academic year becomes ineligible for an award during the next academic year. The recipient may become eligible for an award in subsequent academic years if that recipient meets the aggregate credit hour requirements commensurate with the recipient's academic standing. In addition, the commission may allow a student who is otherwise ineligible under this subdivision for an award during the next academic year to maintain eligibility for an award if the student submits a petition to the commission and the commission makes a determination that extenuating

circumstances (as determined by the commission) prevented the student from meeting the requirements of this subdivision. This subdivision expires June 30, 2017.

(6) Beginning in an academic year beginning after August 31, 2017, the student successfully completes:

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

(B) at least thirty (30) credit hours or the equivalent during the last academic year in which the student was enrolled in postsecondary education.

(7) Continue to meet any other minimum criteria established by the commission.

(b) In determining eligibility under subsection (a)(6), 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 (a)(6)(A) or (a)(6)(B):

(1) Credits earned from dual credit, advanced placement, 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.

(c) The commission may allow a student who is otherwise ineligible under subsection (a)(6) for an award during the next academic year to maintain eligibility for an award if the student submits a petition to the commission and the commission makes a determination that extenuating circumstances (as determined by the commission) prevented the student from meeting the requirements under subsection (a)(6).

*As added by P.L.2-2007, SEC.253. Amended by P.L.169-2011, SEC.9; P.L.229-2011, SEC.229; P.L.281-2013, SEC.17; P.L.165-2016, SEC.12.*

#### **IC 21-12-6-8**

##### **Scholarship renewal; term**

Sec. 8. A scholarship may be renewed under this chapter for a total scholarship award that does not exceed the number of academic terms that constitutes four (4) undergraduate academic years.

*As added by P.L.2-2007, SEC.253. Amended by P.L.281-2013, SEC.18.*

#### **IC 21-12-6-9**

##### **Scholarship disqualification**

Sec. 9. If an eligible student, a scholarship applicant, or a scholarship recipient violates an agreement entered into under this chapter, the eligible student, scholarship applicant, or scholarship recipient is disqualified from further consideration as a scholarship

recipient under this chapter.  
*As added by P.L.2-2007, SEC.253.*

### **IC 21-12-6-10**

#### **Amount of scholarship**

Sec. 10. (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 before July 1, 2011.

(b) The amount of a scholarship is equal to the lowest of the following amounts:

(1) If the scholarship applicant attends an eligible institution that is a state educational institution and:

(A) receives no other financial assistance specifically designated for educational costs, a full tuition scholarship to the state educational institution; or

(B) receives other financial assistance specifically designated for educational costs, the balance required to attend the state educational institution, not to exceed the amount described in clause (A).

(2) If the scholarship applicant attends an eligible institution that is private and:

(A) receives no other financial assistance specifically designated for educational costs, an average of the full tuition scholarship amounts of all state educational institutions not including Ivy Tech Community College; or  
(B) receives other financial assistance specifically designated for educational costs, the balance required to attend the college or university not to exceed the amount described in clause (A).

(3) If the scholarship applicant attends an eligible institution that is a postsecondary credit bearing proprietary educational institution and:

(A) receives no other financial assistance specifically designated for educational costs, the lesser of:

(i) the full tuition scholarship amounts of Ivy Tech Community College; or

(ii) the actual tuition and regularly assessed fees of the eligible institution; or

(B) receives other financial assistance specifically designated for educational costs, the balance required to attend the eligible institution, not to exceed the amount described in clause (A).

*As added by P.L.2-2007, SEC.253. Amended by P.L.169-2011, SEC.10; P.L.107-2012, SEC.24.*

### **IC 21-12-6-10.3**

#### **Calculation of scholarship amounts**

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 lesser of the educational costs that the scholarship applicant would otherwise be required to pay at the private eligible institution, or the average of the educational costs of all state educational institutions, not including Ivy Tech Community College.

(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, 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, 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.

*As added by P.L.169-2011, SEC.11. Amended by P.L.229-2011,*

*SEC.230; P.L.107-2012, SEC.25; P.L.281-2013, SEC.19.*

**IC 21-12-6-11**

**Repealed**

*(As added by P.L.2-2007, SEC.253. Amended by P.L.107-2012, SEC.26. Repealed by P.L.281-2013, SEC.20.)*

**IC 21-12-6-12**

**Mentoring programs; development**

Sec. 12. Each eligible institution shall develop specific mentoring programs for scholarship recipients to assist the scholarship recipients through particularized academic and social counseling.

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

**IC 21-12-6-13**

**Repealed**

*(As added by P.L.2-2007, SEC.253. Repealed by P.L.281-2013, SEC.21.)*

**IC 21-12-6-14**

**Foster care children; caseworker to provide information**

Sec. 14. (a) This section applies to a student described in section 5(b) of this chapter.

(b) A caseworker (as defined in IC 31-9-2-11) shall provide each student to whom the caseworker is assigned information concerning the program at the appropriate time for the student to receive the information, shall explain the program to the student, and shall provide the student with information concerning:

- (1) Pell grants;
- (2) Chafee grants;
- (3) federal supplemental grants;
- (4) the Free Application for Federal Student Aid;
- (5) individual development accounts (as described under IC 4-4-28); and
- (6) the commission for higher education's programs under IC 21-18.5-3-1.

(c) A student who receives information under this section shall sign a written acknowledgment that the student received the information. The written acknowledgment must be placed in the student's case file.

*As added by P.L.168-2007, SEC.8. Amended by P.L.100-2009, SEC.2; P.L.39-2010, SEC.1; P.L.107-2012, SEC.27.*

**IC 21-12-6-15**

**Foster parents; caseworker to provide information**

Sec. 15. A caseworker (as defined in IC 31-9-2-11) shall provide each foster parent of a student described in section 5(b) of this chapter to whom the caseworker is assigned information concerning

individual development accounts (as described under IC 4-4-28).  
*As added by P.L.39-2010, SEC.2.*