

## **IC 21-18.5-2**

### **Chapter 2. Definitions**

#### **IC 21-18.5-2-1**

##### **Definitions**

Sec. 1. Unless otherwise provided, the definitions in this chapter apply throughout this article.

*As added by P.L.107-2012, SEC.58.*

#### **IC 21-18.5-2-2**

##### **Repealed**

*(As added by P.L.107-2012, SEC.58. Repealed by P.L.273-2013, SEC.4.)*

#### **IC 21-18.5-2-3**

##### **"Agent"**

Sec. 3. "Agent", for purposes of IC 21-18.5-6, means a person who:

- (1) enrolls or seeks to enroll a resident of Indiana through:
  - (A) personal contact;
  - (B) telephone;
  - (C) advertisement;
  - (D) letter; or
  - (E) publications;

in a course offered by a postsecondary credit bearing proprietary educational institution; or

- (2) otherwise holds the person out to the residents of Indiana as representing a postsecondary credit bearing proprietary educational institution.

*As added by P.L.107-2012, SEC.58.*

#### **IC 21-18.5-2-4**

##### **Repealed**

*(As added by P.L.107-2012, SEC.58. Repealed by P.L.273-2013, SEC.5.)*

#### **IC 21-18.5-2-5**

##### **"Application"**

Sec. 5. "Application", for purposes of IC 21-18.5-6, means a written request for authorization on forms supplied by the board for proprietary education.

*As added by P.L.107-2012, SEC.58. Amended by P.L.273-2013, SEC.6.*

#### **IC 21-18.5-2-5.5**

##### **"Authorization"**

Sec. 5.5. "Authorization", for purposes of IC 21-18.5-6, means certification of a status of approval or authorization by the board for

proprietary education to conduct business as a postsecondary credit bearing proprietary educational institution.

*As added by P.L.273-2013, SEC.7.*

**IC 21-18.5-2-6**

**"Caretaker relative"**

Sec. 6. "Caretaker relative" means a relative by blood or law who lives with a minor and exercises parental responsibility, care, and control over the minor in the absence of the minor's parent.

*As added by P.L.107-2012, SEC.58.*

**IC 21-18.5-2-7**

**"Commission"**

Sec. 7. "Commission" means the commission for higher education established by IC 21-18-2-1.

*As added by P.L.107-2012, SEC.58.*

**IC 21-18.5-2-8**

**"Course"**

Sec. 8. "Course", for purposes of IC 21-18.5-6, means a plan or program of instruction or training, whether conducted in person, by mail, or by any other method.

*As added by P.L.107-2012, SEC.58.*

**IC 21-18.5-2-9**

**"Enrollment"**

Sec. 9. "Enrollment" means the establishment and maintenance of an individual's status as an undergraduate student in a postsecondary credit bearing proprietary educational institution.

*As added by P.L.107-2012, SEC.58.*

**IC 21-18.5-2-10**

**"Higher education award"**

Sec. 10. "Higher education award" means a monetary award.

*As added by P.L.107-2012, SEC.58.*

**IC 21-18.5-2-11**

**"Person"**

Sec. 11. "Person", for purposes of IC 21-18.5-6, means an individual, a partnership, a limited liability company, an association, a corporation, a joint venture, a trust, a receiver, or a trustee in bankruptcy.

*As added by P.L.107-2012, SEC.58.*

**IC 21-18.5-2-12**

**"Postsecondary credit bearing proprietary educational institution"**

Sec. 12. (a) "Postsecondary credit bearing proprietary educational institution" means a degree granting and credit bearing institution

that provides instructional or educational services or training, whether onsite, online, or through any combination of these or other instructional modalities, and is accredited by an accrediting agency recognized by the United States Department of Education or is seeking and progressing toward accreditation by an accrediting agency recognized by the United States Department of Education.

(b) The term does not include the following:

(1) An Indiana state educational institution or another Indiana educational institution established by law and financed in whole or in part by public funds.

(2) A postsecondary proprietary educational institution approved or regulated by any other state regulatory board, agency, or commission other than the board for proprietary education.

(3) An elementary or secondary school attended by students in kindergarten or grades 1 through 12 and supported in whole or in part by private tuition payments.

(4) Any educational institution or educational training that:

(A) is maintained or given by an employer or a group of employers, without charge, for employees or for individuals the employer anticipates employing;

(B) is maintained or given by a labor organization, without charge, for its members or apprentices;

(C) offers exclusively instruction that is clearly self-improvement, motivational, or avocational in intent (including instruction in dance, music, or self-defense, and private tutoring); or

(D) is a Montessori or nursery school.

(5) A privately endowed two (2) or four (4) year degree granting institution that is regionally accredited and whose principal campus is located in Indiana.

(6) Out-of-state public and nonprofit degree granting institutions offering instructional or educational services or training in Indiana.

(7) A religious institution that offers educational instruction or an educational program of a clearly religious nature.

*As added by P.L.107-2012, SEC.58. Amended by P.L.273-2013, SEC.8.*