

First Regular Session of the 120th General Assembly (2017)

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 2016 Regular Session of the General Assembly.

## HOUSE ENROLLED ACT No. 1281

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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 21-12-1-11.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 11.5. "Prior learning assessment" refers to an evaluation through which an eligible institution grants college credit for knowledge or skills learned outside the eligible institution (as defined in section 8(2) of this chapter) without requiring that a student:**

- (1) enroll in a course; or**
- (2) pay the equivalent of full tuition and fees for an equivalent course.**

SECTION 2. IC 21-12-13-1, AS AMENDED BY HEA 1617-2017, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 1. (a) This section applies to the following scholarships and tuition and fee remission statutes:

- (1) IC 10-12-2-6.
- (2) IC 10-12-2-11.
- (3) IC 10-17-7.
- (4) IC 21-14-4.
- (5) ~~IC 21-14-6-3~~; **IC 21-14-6.**
- (6) IC 21-14-6.5.
- (7) IC 21-14-7.
- (8) IC 21-14-10.

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(b) Except as provided in ~~section 3 of this chapter~~, **subsection (c)**, 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 one hundred twenty-four (124) undergraduate credit hours or its equivalent, 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 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 has closed. The extension of eligibility may not exceed the number of credit hours used by the recipient at the postsecondary educational institution that closed.**

SECTION 3. IC 21-12-13-2, AS AMENDED BY P.L.159-2016, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: 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 21-12-8.~~
- ~~(5)~~ **(4)** IC 21-12-9.
- ~~(6)~~ **(5)** IC 21-13-2.
- ~~(7)~~ **(6)** IC 21-13-7.
- ~~(8)~~ **(7)** IC 21-13-8.
- ~~(9)~~ **(8)** IC 21-13-4.
- ~~(10)~~ **(9)** IC 21-14-5.
- ~~(11) IC 21-14-6-2.~~
- (10) IC 21-12-16.**

(b) Except as provided in ~~section 3 of this chapter~~ **subsection (c)**, and except for a stipend 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 four (4) undergraduate 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 21-12-13-3, AS AMENDED BY P.L.6-2012, SECTION 147, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 3. (a) This section applies to a grant or reduction in tuition or fees described in section 1 or 2 of this chapter.

(b) As used in this section, "professional **degree program or accelerated graduate degree program**" refers to a four (4) or five (5) year postsecondary school course of study:

- (1) to which an individual may be admitted without completing ~~an undergraduate a baccalaureate~~ **a baccalaureate** degree;
- (2) that requires an individual to enroll in graduate level or professional degree courses before completing a baccalaureate degree; and**
- ~~(2) (3) that leads to a degree that is not an undergraduate or graduate degree, as determined by the commission. and~~
- ~~(3) that prepares the holder of the degree for a profession.~~

(c) **An individual who has previously received a grant or reduction in tuition or fees described in section 1 or 2 of this chapter including may continue to use all renewals and extensions may be used for a professional degree program or accelerated graduate degree program.** The total grant or reduction in tuition or fees under a statute listed in section 1 or 2 of this chapter for all:

- (1) undergraduate credit hours or semesters; and
- (2) professional degree program or accelerated graduate degree program credit hours or semesters;**

may not exceed the maximum credit hours or semesters permitted under section 1 or 2 of this chapter, as applicable and must be used within eight (8) years after the date the individual first applies and becomes eligible for benefits under the applicable law.

SECTION 5. IC 21-12-17 IS ADDED TO THE INDIANA CODE AS A **NEW CHAPTER** TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]:

#### **Chapter 17. Prior Learning Assessments**

**Sec. 1. A recipient of a grant, scholarship, or remission of fees listed under IC 21-12-13-1 or IC 21-12-13-2 may use the funds from the grant, scholarship, or remission of fees to pay for costs associated with a prior learning assessment that the student attempts to earn during the academic year in which the student receives the grant, scholarship, or remission of fees if the prior**



**learning assessment:**

- (1) has been approved by the commission; and
- (2) costs not more than fifty percent (50%) of the full tuition and fees for an equivalent number of credits at Ivy Tech Community College of Indiana.

**Sec. 2. A recipient described in section 1 of this chapter who attempts to earn credits for a prior learning assessment may count the anticipated credit hours for that academic term, as determined by the commission, toward the full-time and part-time attendance requirements under:**

- (1) IC 21-12-3-1;
- (2) IC 21-12-6-3;
- (3) IC 21-12-8-3;
- (4) IC 21-13-2-4; and
- (5) IC 21-13-4.

SECTION 6. IC 21-13-9-3, AS ADDED BY P.L.205-2013, SECTION 219, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 3. (a) The **commission, in coordination with the** Marian University College of Osteopathic Medicine, shall administer a student scholarship program to increase the availability of primary care for residents in primary care shortage areas by providing incentives to medical students who agree to provide primary care in a shortage area immediately after becoming a licensed physician.

(b) A scholarship awarded under this chapter must be used to provide supplemental support to a medical student enrolled at the Marian University College of Osteopathic Medicine and may not be used to reduce any other financial aid, grant, or scholarship the student may otherwise receive.

SECTION 7. IC 21-13-9-4, AS ADDED BY P.L.205-2013, SECTION 219, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 4. Before providing a scholarship to a student, the **commission, in coordination with the** Marian University College of Osteopathic Medicine, must find that the applicant satisfies all the following conditions:

- (1) The applicant is and remains an Indiana resident.
- (2) The applicant is enrolled full time in the first year class at the Marian University College of Osteopathic Medicine in a program that will prepare the applicant to provide primary care as a licensed physician.
- (3) If the applicant is receiving a scholarship for the second through fourth year of the program, the applicant successfully



completed the academic work required for the previous school year.

(4) The applicant remains in good standing with the Marian University College of Osteopathic Medicine program.

(5) The applicant agrees to execute a written primary care practice agreement with the ~~Marian University College of Osteopathic Medicine~~ **commission** as required by section 6 of this chapter.

SECTION 8. IC 21-13-9-5, AS ADDED BY P.L.205-2013, SECTION 219, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 5. (a) The **commission, in coordination with the** Marian University College of Osteopathic Medicine, shall select from among the qualified students who will receive a scholarship under this chapter. The ~~Marian University College of Osteopathic Medicine~~ **commission** may not create or use a waiting list for scholarships under this chapter.

(b) The amount of the scholarship that may be awarded to a qualified student for a particular school year shall be determined by the **commission, in coordination with the** Marian University College of Osteopathic Medicine, and may not exceed ten thousand dollars (\$10,000). A qualified student may not qualify for a scholarship for more than four (4) school years.

SECTION 9. IC 21-13-9-6, AS ADDED BY P.L.205-2013, SECTION 219, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 6. A scholarship recipient must execute a written primary care practice agreement with the ~~Marian University College of Osteopathic Medicine~~ **commission**, with the terms and conditions and in the form and manner required by the ~~Marian University College of Osteopathic Medicine~~ **commission**. The agreement must provide that the scholarship recipient shall do at least the following:

- (1) Continually satisfy the requirements of section 4 of this chapter during the school year.
- (2) Complete the requirements of the Marian University College of Osteopathic Medicine program by the end of the fourth year after receiving the first scholarship under this chapter.
- (3) Will practice primary care in a primary care shortage area for four (4) years. This requirement includes the time spent in any residency program that is located in a primary care shortage area.
- (4) Return the amount specified in the agreement, not to exceed the total of all scholarships received, to the ~~commission for higher education~~ **commission** if the scholarship recipient fails to comply with all the terms and conditions of the agreement. If the noncompliance is



because the scholarship recipient did not comply with subdivision (3), the minimum amount that must be returned is the highest scholarship amount received for a school year multiplied by the number of years the scholarship recipient did not comply with subdivision (3).

SECTION 10. IC 21-13-9-7, AS AMENDED BY P.L.2-2014, SECTION 94, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 7. (a) To receive a distribution under this chapter, the Marian University College of Osteopathic Medicine shall make a written request for the distribution to the commission ~~for higher education~~ specifying the amount of the distribution requested. The commission ~~for higher education~~ shall review the request and determine the amount of the request that should be approved for distribution.

(b) The budget agency may not allot money appropriated for scholarship distributions under this chapter until after the distribution request by the Marian University College of Osteopathic Medicine is approved by the commission, ~~for higher education~~, after review by the budget committee.

SECTION 11. IC 21-14-4-9 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 9. (a) The tuition and fee exemption reimbursement fund is established to provide reimbursement to state educational institutions for tuition and fee remissions listed in IC 21-12-13-1 that were provided to eligible applicants.**

**(b) The fund consists of the following:**

**(1) Appropriations made by the general assembly.**

**(2) Gifts, grants, devises, or bequests made to the state to achieve the purposes of the fund.**

**(c) The fund shall be administered by the commission.**

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

**(e) 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 are invested.**

**(f) 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 reimbursement for tuition and fee remissions as provided under subsection (a).**

SECTION 12. [EFFECTIVE JULY 1, 2017] **(a) As used in this SECTION, "commission" refers to the commission for higher education established by IC 21-18-2-1.**



**(b) The commission shall:**

- (1) study and make recommendations regarding the benefits of a reverse transfer policy for Indiana students; and**
- (2) prepare a report regarding the recommendations described in subdivision (1).**

**(c) The commission shall, not later than November 1, 2017, submit the report described in subsection (b)(2) to the:**

- (1) budget agency; and**
- (2) legislative council in an electronic format under IC 5-14-6.**

**(d) This SECTION expires July 1, 2018.**



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Speaker of the House of Representatives

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President of the Senate

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President Pro Tempore

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Governor of the State of Indiana

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

**HEA 1281 — Concur**

