

Second Regular Session 118th General Assembly (2014)

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 2013 Regular Session and 2013 First Regular Technical Session of the General Assembly.

SENATE ENROLLED ACT No. 330

AN ACT to amend the Indiana Code concerning education.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 20-24.2-4-2, AS ADDED BY P.L.201-2013, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 2. (a) During each school year, a qualified district or qualified high school shall provide at least sixty-four thousand eight hundred (64,800) minutes of instruction and learning for grades 9 through 12.

(b) A qualified district or qualified high school is not required to provide at least one hundred eighty (180) student instructional days. However, the total number of minutes of instruction provided in a school year under subsection (a) may not be less than the greatest total number of minutes provided during any one (1) school year of the five (5) school years immediately preceding the school year.

(c) Student activities that:

- (1) are organized by the qualified district or qualified high school;
- (2) occur outside the traditional classroom; and
- (3) are designed to provide instruction, ~~or~~ academic enrichment, **or college and career readiness training;**

are included as student instructional time under subsection (a).

SECTION 2. IC 20-30-10-5 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: **Sec. 5. Notwithstanding any other law, a high school may**

SEA 330 — Concur



replace high school courses on the high school transcript with dual credit courses (as defined in IC 21-43-1-2.5) or advanced placement courses on the same subject matter with equal or greater rigor to the required high school course and may count such a course as satisfying academic honors or another special diploma requirement. A dual credit course must be authorized by an eligible institution (as described in IC 21-43-4-3.5) that is a member of a national dual credit accreditation organization, or the eligible institution must make assurances that the final assessment for the course given for dual credit under this section is substantially equivalent to the final assessment given in the college course in that subject.

SECTION 3. IC 21-12-8-2, AS ADDED BY P.L.2-2007, SECTION 253, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 2. The commission shall do the following:

- (1) Adopt rules under IC 4-22-2 governing the operation of the fund, including rules specifying the procedures that applicants must follow to appeal determinations made under subdivisions (3) and (4).
- (2) Prescribe the form and manner in which applications for part-time student grants may be submitted.
- (3) Determine the eligibility of applicants.
- (4) Determine the amount of a part-time student grant awarded to a recipient.
- (5) Award part-time student grants totaling at least fifty percent (50%) of the available appropriation each fiscal year to students who are identified by the commission as:**
 - (A) financially independent from their parents; and**
 - (B) pursuing a program of study that will lead to a specific high demand, high wage job.**
- (6) Submit not later than November 1, 2014, to the legislative council, in an electronic format under IC 5-14-6, a report that includes the following:**
 - (A) The size of student populations in Indiana that:**
 - (i) attend a postsecondary educational institution part-time; or**
 - (ii) combine part-time and full-time enrollment in a postsecondary educational institution.**
 - (B) The financial need of the student populations described in clause (A).**
 - (C) The completion rates of the student populations described in clause (A).**



(D) Recommendations for increasing the completion rates of the student populations described in clause (A) by using financial support and student incentives.

SECTION 4. IC 21-13-10 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]:

Chapter 10. Teacher Loan Repayment Program and Fund

Sec. 1. As used in this chapter, "critical shortage area" means a geographic area determined annually by the department of education established by IC 20-19-3-1 to have, or projected within the next twelve (12) months to have, a shortage of licensed, full-time elementary or high school teachers.

Sec. 2. As used in this chapter, "fund" refers to the teacher loan repayment fund established by section 3 of this chapter.

Sec. 3. (a) The teacher loan repayment fund is established.

(b) The purpose of the fund is to attract qualified teachers who:

(1) graduated from an accredited Indiana high school after June 30, 2014, and either:

(A) were in the highest twenty percent (20%) of students in their high school graduating classes; or

(B) received scores in the top twentieth percentile on the SAT or ACT examination;

(2) graduated from a four (4) year postsecondary educational institution with at least a 3.5 grade point average on a 4.0 scale or its equivalent; and

(3) teach, for at least three (3) consecutive years in public schools in Indiana:

(A) science, technology, engineering, mathematics, or special education classes; or

(B) in a critical shortage area;

by granting loan repayment assistance authorized under this chapter to eligible applicants.

(c) The fund consists of appropriations to the fund and gifts, grants, devises, or bequests made to the state to achieve the purposes of the fund.

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

(e) Loan repayment assistance payments shall be made from the fund by the treasurer of state upon a warrant issued by the auditor of state in accordance with rules adopted by the commission.

Sec. 4. The commission shall receive and consider all



applications for loan repayment assistance received from qualified teachers with outstanding guaranteed student loans made, issued, or guaranteed under a program authorized by Title IV of the federal Higher Education Act of 1965 (20 U.S.C. 1070 et seq.).

Sec. 5. (a) To qualify for loan repayment assistance for student loans under this chapter, an applicant must:

- (1) hold a license to teach under IC 20-28-5;
- (2) agree in writing to the employment requirements set forth in section 7 of this chapter; and
- (3) meet any additional criteria established by the commission.

(b) At the end of the third consecutive school year in which a teacher who qualifies under subsection (a) has taught, the commission shall pay directly to the financial institution that holds the qualified teacher's student loans an amount not to exceed the lesser of:

- (1) the total principal and interest of the guaranteed student loans owed by the teacher at the end of the third year; or
- (2) an amount determined by the commission based on the funds appropriated to the program;

which must be used to reduce the principal and interest on a guaranteed student loan owed by that qualified teacher.

(c) The commission may pay a qualified teacher's student loans under subsection (b) only if the following requirements are met:

- (1) The qualified teacher received the student loans for an undergraduate degree that was necessary for either the subject area in which the qualified teacher teaches or for the qualified teacher to receive a teaching license.
- (2) The qualified teacher's repayment of the loans is current at the time the commission makes the payment under subsection (b).

The requirements under this subsection are in addition to the requirements set forth in section 7 of this chapter.

Sec. 6. A qualified teacher must apply for a loan repayment on a form supplied by the commission. The commission shall consider each application and determine the eligibility of the applicant for the loan repayment assistance.

Sec. 7. (a) Before being granted loan repayment assistance under this chapter, a teacher must:

- (1) apply for the loan repayment assistance not later than twenty-four (24) months after graduating from a postsecondary educational institution; and



(2) enter into a contract with the commission agreeing to the terms and conditions upon which the loan repayment assistance will be granted to the teacher.

(b) As a condition of being granted loan repayment assistance under this chapter, a teacher must agree to employment for a period of at least three (3) consecutive years as a licensed teacher in a public school in Indiana in science, technology, engineering, mathematics, or special education, or in a critical shortage area. The teacher is not required to teach at the same public school for three (3) consecutive years.

(c) Service rendered by a teacher in a public school before the teacher becomes a participant in the program may not be considered to have fulfilled the employment commitment required by subsection (b).

Sec. 8. A teacher is eligible to receive loan repayment assistance under this chapter only if an appropriation has been made to carry out the specific purposes of this chapter.

Sec. 9. The commission shall maintain complete and accurate records in implementing the fund, including records of the following:

- (1) The receipt, disbursement, and uses of money from the fund.
- (2) The number of applications for loan repayment assistance.
- (3) The number and amount of loans for which loan repayment assistance has been provided by the department.
- (4) Other pertinent information requested by the commission.

Sec. 10. The commission may adopt rules under IC 4-22-2 necessary to carry out this chapter, including rules governing the enforcement of any employment requirements.

SECTION 5. IC 21-18.5-4-3, AS ADDED BY P.L.107-2012, SECTION 58, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 3. For purposes of administering this chapter, the commission shall do the following:

- (1) Prepare and supervise the issuance of public information concerning this chapter, IC 21-12-2, IC 21-12-3, IC 21-12-4, and IC 21-12-5.
- (2) Prescribe the form and regulate the submission of applications for higher education awards and the commission's programs.
- (3) Conduct conferences and interviews with applicants as appropriate.
- (4) Determine the eligibility of applicants.
- (5) Select qualified applicants.



- (6) Determine annually the maximum higher education award (IC 21-12-3) and freedom of choice award (IC 21-12-4), subject to approval by the budget agency with review by the budget committee.
- (7) Determine the respective amounts of, and award, the appropriate higher education awards, grants, and scholarships.
- (8) Determine eligibility for, and award, annual renewals of higher education awards, grants, and scholarships.
- (9) Act as the designated state agency for participation in any federal program for reinsurance of student loans.
- (10) Receive federal funds made available to the commission for awards, grants, and scholarships, and disburse these funds in the manner prescribed by federal law.
- (11) One (1) time every year, submit a report to the legislative council that provides data and statistical information regarding the number of individuals who received assistance under IC 21-12-6 and IC 21-12-6.5. The report made to the legislative council must be in an electronic format under IC 5-14-6.
- (12) One (1) time every year, submit a report to the budget committee that provides data and statistical information regarding the number of individuals who received assistance under IC 21-12, IC 21-13, and IC 21-14.
- (13) Administer and determine the eligibility of applicants for, and award amounts under, the teacher loan repayment program established under IC 21-13-10.**

SECTION 6. IC 22-4.1-4-6 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: **Sec. 6. (a) This section applies to state fiscal years beginning after June 30, 2014.**

(b) The council shall allocate as provided in this section a percentage of the funds made available to Indiana under the Workforce Investment Act of 1998 (29 U.S.C. 2801 et seq.) for adult and dislocated worker training described in 29 U.S.C. 2864(d)(4)(D) for performance based funding training.

(c) The following conditions apply to amounts awarded under subsection (b):

- (1) Only a provider approved by the council is eligible to provide the performance based funding training described in subsection (b), with priority given to a provider that assists in job placement activities after the training is completed.**
- (2) The council shall establish performance based funding criteria for eligible training providers.**



- (3) Training is limited to training that leads to occupations:**
 - (A) that the department has categorized as high demand, high wage jobs; and**
 - (B) that are tied to existing employer demand in the region in which the training is offered.**
 - (4) Training must be available to eligible individuals who have received a high school diploma or equivalency certificate.**
 - (5) Training is limited to training that leads to:**
 - (A) industry recognized credentials as designated by the department; or**
 - (B) associate degrees.**
- (d) The department shall report to the Indiana workforce intelligence system established by IC 22-4.5-10-3 the following data for each individual who receives training provided under this section:**
- (1) The name and address of the training provider.**
 - (2) The amount of funding that was provided for the training.**
 - (3) The outcome or results of the training, including any license, credential, or degree awarded, or the job obtained by the individual.**



President of the Senate

President Pro Tempore

Speaker of the House of Representatives

Governor of the State of Indiana

Date: _____ Time: _____

SEA 330 — Concur

