

Second Regular Session of the 123rd General Assembly (2024)

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 2023 Regular Session of the General Assembly.

HOUSE ENROLLED ACT No. 1042

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 21-12-16-1.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: **Sec. 1.5. As used in this chapter, "teacher" refers to a person who is employed by a public school or an eligible school (as defined in IC 20-51-1-4.7) as a full-time classroom teacher (as defined in IC 20-18-2-22(d)) whose primary responsibility is the instruction of students.**

SECTION 2. IC 21-12-16-5, AS AMENDED BY P.L.161-2023, SECTION 1, AND AS AMENDED BY P.L.242-2023, SECTION 1, AND AS AMENDED BY THE TECHNICAL CORRECTIONS BILL OF THE 2024 GENERAL ASSEMBLY, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 5. (a) An applicant who is enrolled in an accredited postsecondary educational institution after June 30, 2017, may qualify for a scholarship under this ~~chapter~~. *section*. To qualify for a scholarship, an applicant must:

- (1) apply for a scholarship on a form supplied by the commission;
- (2) except as provided in subsection (b), have graduated from an Indiana nonaccredited nonpublic or state accredited high school accredited under IC 20-31-4.1 and:
 - (A) graduated in the highest twenty percent (20%) of students in the applicant's high school graduating class;
 - (B) received a score in the top twentieth percentile on the SAT

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or ACT examination; or

(C) achieved a cumulative grade point average upon graduation of at least ~~3.5~~ 3.0 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;

(3) have participated in school activities and community service activities during high school;

(4) have applied to and been accepted for enrollment in an accredited postsecondary educational institution approved by the commission under section 10 of this chapter;

(5) agree in writing to:

(A) obtain a license to teach under IC 20-28-5; and

(B) **teach be employed as a teacher** for at least five (5) consecutive years in a public school or an eligible school (as defined in IC 20-51-1-4.7) in Indiana after graduating with a baccalaureate degree from the accredited postsecondary educational institution described in subdivision (4); and

(6) meet any other criteria established by the commission.

(b) A student who graduates from a nonaccredited nonpublic school must meet the requirement described in subsection (a)(2)(B) in order to meet the eligibility requirement described in subsection (a)(2).

SECTION 3. IC 21-12-16-5.5, AS ADDED BY P.L.242-2023, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 5.5. (a) An applicant who is enrolled in a transition to teaching program ~~after June 30, 2023~~, may qualify for a scholarship under section 8.5 of this chapter.

(b) This subsection applies only to an applicant enrolled in a transition to teaching program after June 30, 2023, and before July 1, 2024. To qualify for a scholarship, an applicant must:

(1) apply for a scholarship on a form supplied by the commission;

(2) possess a baccalaureate degree from an accredited postsecondary four (4) year institution;

(3) have enrolled in a transition to teaching program described in IC 20-28-4;

(4) agree in writing to:

(A) complete a transition to teaching program described in IC 20-28-4 and obtain an initial practitioner license under IC 20-28; and

(B) teach for at least five (5) consecutive years in a public school or an eligible school (as defined in IC 20-51-1-4.7) in Indiana after obtaining the initial practitioner license under IC 20-28-4-6; and



(5) meet any other criteria established by the commission.

(c) This subsection applies only to an applicant that initially enrolls in a transition to teaching program after June 30, 2024. To qualify for a scholarship, an applicant must:

(1) apply for a scholarship on a form supplied by the commission;

(2) possess a baccalaureate degree from an accredited postsecondary four (4) year institution;

(3) have enrolled in a transition to teaching program described in IC 20-28-4;

(4) agree in writing to:

(A) complete a transition to teaching program described in IC 20-28-4 and obtain an initial practitioner license under IC 20-28; and

(B) teach for at least five (5) consecutive years in a public school or an eligible school (as defined in IC 20-51-1-4.7) in Indiana after obtaining the initial practitioner license under IC 20-28-4-6;

(5) except as otherwise provided in section 8.5(c) of this chapter, be a member of a household with an annual income of one hundred thousand dollars (\$100,000) or less; and

(6) meet any other criteria established by the commission.

SECTION 4. IC 21-12-16-6, AS AMENDED BY P.L.63-2021, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 6. (a) **This section does not apply to a scholarship awarded under section 8.5 of this chapter.**

(b) The commission shall consider each application and determine the eligibility of the applicant for the scholarship. The commission shall give priority to recent high school graduates, students pursuing teacher shortage areas as described in 34 CFR 682.210(q)(6), and students showing significant financial need when selecting applicants.

~~(b)~~ **(c)** The commission shall also give priority to an individual who is a member of a household with an annual income of not more than the amount required for the individual to qualify for the free or reduced price lunch program under the national school lunch program as determined for the immediately preceding taxable year for the household for which the individual was claimed as a dependent.

SECTION 5. IC 21-12-16-7, AS AMENDED BY P.L.242-2023, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 7. Before receiving a scholarship under this chapter, the applicant must enter into a contract with the commission agreeing to:



- (1) the terms and conditions described in section 5(a)(5), ~~or 5.5(4)~~, **5.5(b)(4), or 5.5(c)(4)** of this chapter, as applicable; and
- (2) any other terms and conditions established by the commission.

SECTION 6. IC 21-12-16-8.5, AS ADDED BY P.L.242-2023, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 8.5. (a) Subject to subsection (b), if an applicant meets the requirements under section 5.5 of this chapter, the commission may award a one (1) time nonrenewable scholarship to the applicant in an amount of up to ten thousand dollars (\$10,000) for transition to teaching program and initial practitioner licensure costs under IC 20-28-4.

(b) The total annual amount of scholarships awarded by the commission under this section may not exceed one million dollars (\$1,000,000). ~~If the total amount of scholarships exceeds the limit under this subsection, the commission shall reduce the scholarships awarded under subsection (a) in a manner prescribed by the commission.~~

(c) Notwithstanding subsection (b), any balance in the next generation Hoosier educators scholarship fund established by section 3 of this chapter remaining after the commission has awarded next generation Hoosier educators scholarships for a fiscal year may be used to fund additional transition to teaching scholarships as described in section 5.5 of this chapter. The commission shall give priority for scholarships awarded under this subsection to an applicant who is a member of a household with an annual income of one hundred thousand dollars (\$100,000) or less in accordance with section 5.5(c)(5) of this chapter. However, if there is a remaining balance in the next generation Hoosier educators scholarship fund established by section 3 of this chapter after awarding scholarships to individuals who meet the income requirement described in section 5.5(c)(5) of this chapter, the commission may award transition to teaching scholarships to applicants who are members of a household with an annual income that exceeds one hundred thousand dollars (\$100,000).

SECTION 7. IC 21-12-16-12, AS AMENDED BY P.L.242-2023, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 12. (a) Except as provided in subsections (b) and (c), if an individual:

- (1) receives a scholarship under section 5 or 5.5 of this chapter; and
- (2) fails to teach in a public school or an eligible school (as defined in IC 20-51-1-4.7) in Indiana for at least five (5)



consecutive years as described in section 5(a)(5), ~~or 5.5(4)~~ **5.5(b)(4), or 5.5(c)(4)** of this chapter, as applicable; the individual shall repay the total amount of the scholarship awarded to the individual under this chapter in a timely fashion. The total amount that an individual is required to repay shall be reduced by twenty percent (20%), as determined by the commission, for each consecutive year the individual teaches at a public school or eligible school (as defined in IC 20-51-1-4.7).

(b) The commission may extend the length of time in which an individual must complete the requirements of an agreement described in section 5(a)(5), ~~or 5.5(4)~~ **5.5(b)(4), or 5.5(c)(4)** of this chapter if the individual submits a petition to the commission in a manner prescribed by the commission and the commission makes a determination that extenuating circumstances, as determined by the commission, prevented the individual from timely meeting the requirements described in section 5(a)(5), ~~or 5.5(4)~~ **5.5(b)(4), or 5.5(c)(4)** of this chapter, as applicable.

(c) The commission may waive repayment under subsection (a) if the individual has been declared to be totally and permanently disabled under 34 CFR 685.213.

(d) The commission may enter into an agreement with the department of state revenue established by IC 6-8.1-2-1 or another third party vendor to assist in the enforcement of subsection (a) and section 11 of this chapter.

SECTION 8. IC 21-12-16.5-1.5 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 1.5. As used in this chapter, "teacher" refers to a person who is employed by a public school or an eligible school (as defined in IC 20-51-1-4.7) as a full-time classroom teacher (as defined in IC 20-18-2-22(d)) whose primary responsibility is the instruction of students.**

SECTION 9. IC 21-12-16.5-5, AS ADDED BY P.L.161-2023, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 5. (a) An applicant who is enrolled in an accredited postsecondary educational institution may qualify for a scholarship under this chapter. To qualify for a scholarship, an applicant must:

- (1) apply for a scholarship on a form supplied by the commission;
- (2) except as provided in subsection (b), have graduated from an Indiana nonaccredited nonpublic or state accredited high school accredited under IC 20-31-4.1 and:
 - (A) graduated in the highest twenty percent (20%) of students



- in the applicant's high school graduating class;
 - (B) received a score in the top twentieth percentile on the SAT or ACT examination; or
 - (C) achieved a cumulative grade point average upon graduation of at least 3.0 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;
- (3) have participated in school activities and community service activities during high school;
- (4) have applied to and been accepted for enrollment in an accredited postsecondary educational institution approved by the commission under section 10 of this chapter;
- (5) agree in writing to:
- (A) obtain a license to teach under IC 20-28-5; and
 - (B) **teach be employed as a teacher** for at least five (5) consecutive years in a public school or an eligible school (as defined in IC 20-51-1-4.7) in Indiana after graduating with a baccalaureate degree from the accredited postsecondary educational institution described in subdivision (4);
- (6) meet the definition of a minority under IC 21-13-1-6; and
- (7) meet any other criteria established by the commission.
- (b) A student who graduates from a nonaccredited nonpublic school must meet the requirement described in subsection (a)(2)(B) in order to meet the eligibility requirement described in subsection (a)(2).



Speaker of the House of Representatives

President of the Senate

President Pro Tempore

Governor of the State of Indiana

Date: _____ Time: _____

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