

IC 21-18

ARTICLE 18. COMMISSION FOR HIGHER EDUCATION

IC 21-18-1

Chapter 1. General Provisions; Definitions

IC 21-18-1-1

Definitions

Sec. 1. The definitions in this chapter apply throughout this article.

As added by P.L.2-2007, SEC.259.

IC 21-18-1-2

"Advisory committee"

Sec. 2. "Advisory committee" refers to any advisory committee established by the commission.

As added by P.L.2-2007, SEC.259.

IC 21-18-1-3

"Commission"

Sec. 3. "Commission" refers to the commission for higher education.

As added by P.L.2-2007, SEC.259.

IC 21-18-1-4

"Long range plan"

Sec. 4. "Long range plan" refers to the long range plan for postsecondary education developed by the commission.

As added by P.L.2-2007, SEC.259.

IC 21-18-1-5

"Nominating committee"

Sec. 5. "Nominating committee" refers to the nominating committee established under IC 21-18-3-4.

As added by P.L.2-2007, SEC.259.

IC 21-18-1-6

"Statewide committee"

Sec. 6. "Statewide committee" refers to the committee on statewide transfer and articulation established by the commission under the transfer and articulation initiative, March 1, 2000.

As added by P.L.2-2007, SEC.259.

IC 21-18-1-7

"Career and technical education"

Sec. 7. "Career and technical education" means any postsecondary vocational, agricultural, occupational, manpower, employment, or technical training or retraining of less than a baccalaureate level that:

- (1) is offered by a state educational institution; and

(2) enhances an individual's career potential.
As added by P.L.2-2007, SEC.259. Amended by P.L.234-2007, SEC.74.

IC 21-18-1-8

"Vocational education plan"

Sec. 8. "Vocational education plan" refers to the plan for implementing postsecondary vocational education programming developed by the commission.

As added by P.L.2-2007, SEC.259.

IC 21-18-2

Chapter 2. Creation

IC 21-18-2-1

Commission creation

Sec. 1. A commission is established as an instrumentality and an agency of the state.

As added by P.L.2-2007, SEC.259.

IC 21-18-2-2

Name of commission

Sec. 2. The commission shall be known as the "Commission for Higher Education of the State of Indiana".

As added by P.L.2-2007, SEC.259.

IC 21-18-2-3

Powers of commission

Sec. 3. The commission may sue and be sued in the name of the commission.

As added by P.L.2-2007, SEC.259.

IC 21-18-3

Chapter 3. Membership

IC 21-18-3-1

Membership

Sec. 1. The commission consists of fourteen (14) members appointed by the governor as follows:

- (1) Each member must be a citizen of Indiana.
- (2) Each congressional district must be represented by at least one (1) member who resides in the congressional district.
- (3) One (1) member must be a student.
- (4) One (1) member must be a full-time faculty member of a state educational institution.

As added by P.L.2-2007, SEC.259.

IC 21-18-3-2

Membership; restrictions

Sec. 2. Except for the one (1) full-time faculty member and the one (1) student member, a member may not:

- (1) be a full-time employee of; or
- (2) serve on the governing board of;

any state public or private college or university in Indiana.

As added by P.L.2-2007, SEC.259. Amended by P.L.31-2010, SEC.1.

IC 21-18-3-3

Appointments

Sec. 3. The governor shall appoint the student member and the full-time faculty member of the commission from a list that:

- (1) contains at least three (3) names but not more than five (5) names for each appointment; and
- (2) is submitted by a nominating committee.

As added by P.L.2-2007, SEC.259.

IC 21-18-3-4

Nominating committee; membership

Sec. 4. The chairman of the commission shall appoint a ten (10) member nominating committee as follows:

- (1) Five (5) students from state educational institutions, with not more than one (1) student from any one (1) state educational institution.
- (2) Five (5) full-time faculty members from state educational institutions, with not more than one (1) full-time faculty member from any one (1) educational institution.

As added by P.L.2-2007, SEC.259.

IC 21-18-3-5

Membership not public office

Sec. 5. (a) Membership on the commission does not constitute holding a public office.

- (b) A commission member is not required to take and file an oath

of office before serving as a commission member.

(c) Except as provided in this chapter, a commission member:

(1) is not disqualified from holding a public office or position by reason of appointment to or membership on the commission; and

(2) does not forfeit an office, a position, or an employment by reason of an appointment to the commission.

As added by P.L.2-2007, SEC.259.

IC 21-18-3-6

Term of appointments

Sec. 6. (a) Appointments to the commission are for a term of four (4) years except:

(1) the student member; and

(2) the full-time faculty member;

who are appointed to a term of two (2) years.

(b) The governor shall promptly make appointments to fill vacancies for the duration of unexpired terms in the same manner as the original appointments.

(c) The term of a member begins on July 1 of the year of appointment and continues until a successor has been appointed.

As added by P.L.2-2007, SEC.259.

IC 21-18-3-7

Per diem; lodging; mileage; expenses reimbursement

Sec. 7. Members of the commission shall:

(1) receive per diem, lodging, and mileage for attendance at regular or special meetings; and

(2) be reimbursed for necessary expenses incurred on other official duties.

As added by P.L.2-2007, SEC.259.

IC 21-18-4

Chapter 4. Officers

IC 21-18-4-1

Organization

Sec. 1. The commission shall elect from its membership:

- (1) a chairman;
- (2) a vice chairman; and
- (3) other necessary officers.

As added by P.L.2-2007, SEC.259.

IC 21-18-5

Chapter 5. Administration

IC 21-18-5-1

Status

Sec. 1. The commission is a public institution for purposes of IC 5-11-1 and subject to the jurisdiction of the state board of accounts as provided in IC 5-11-1.

As added by P.L.2-2007, SEC.259.

IC 21-18-5-2

Application of IC 4-13-1, IC 4-13-2, IC 4-13.6, and IC 5-22 to the commission

Sec. 2. IC 4-13-1, IC 4-13-2, IC 4-13.6, and IC 5-22 apply to the commission to the same extent these provisions apply to state educational institutions.

As added by P.L.2-2007, SEC.259.

IC 21-18-5-3

Application of section; procurement contracts; trust bid; proposal or quotation

Sec. 3. (a) This section applies whenever a contract for the procurement of property for the commission is awarded by acceptance of bids, proposals, or quotations.

(b) A bid, proposal, or quotation submitted by a trust (as defined in IC 30-4-1-1(a)) must identify each:

- (1) beneficiary of the trust; and
- (2) settlor empowered to revoke or modify the trust.

As added by P.L.2-2007, SEC.259.

IC 21-18-5-4

Powers of commission

Sec. 4. The commission may:

- (1) designate and employ an executive officer and necessary employees;
- (2) designate the titles of the executive officer and necessary employees; and
- (3) fix the compensation in terms of the employment.

As added by P.L.2-2007, SEC.259.

IC 21-18-6

Chapter 6. Purposes; General Powers; Limitations

IC 21-18-6-1

Purpose

Sec. 1. The general purposes of the commission are the following:

- (1) Plan for and coordinate Indiana's state supported system of postsecondary education.
- (2) Review appropriation requests of state educational institutions.
- (3) Make recommendations to the governor, budget agency, or the general assembly concerning postsecondary education.
- (4) Perform other functions assigned by the governor or the general assembly, except those functions specifically assigned by law to the state workforce innovation council under IC 22-4.1-19.
- (5) Administer state financial aid programs under IC 21-18.5-4.
- (6) Provide staff and office space for the board for proprietary education established by IC 21-18.5-5-1.

As added by P.L.2-2007, SEC.259. Amended by P.L.234-2007, SEC.75; P.L.7-2011, SEC.15; P.L.107-2012, SEC.57.

IC 21-18-6-2

Designation as the agency to administer funds available for postsecondary education

Sec. 2. (a) If designated by the governor or the general assembly, the commission may serve as the agency to receive or administer funds available for postsecondary education:

- (1) programs;
- (2) projects; and
- (3) facilities;

for any of the acts of the United States Congress if the acts of Congress require the state to designate an agency or commission.

(b) This section does not provide for the designation of the commission by the governor as the recipient of funds provided by acts of the United States Congress if the general assembly designates another agency, board, or commission to receive the funds.

As added by P.L.2-2007, SEC.259.

IC 21-18-6-3

Additional powers of the commission

Sec. 3. The commission may employ all powers properly incident to or connected with any of the purposes, powers, or duties under this article, including the power to adopt rules.

As added by P.L.2-2007, SEC.259.

IC 21-18-6-4

Management of state educational institutions

Sec. 4. The commission has no powers or authority relating to the management, operation, or financing of a state educational institution

except as expressly set forth by law. All management, operations, and financing of state educational institutions remain exclusively vested in the board of trustees or other governing boards or bodies of the state educational institutions.

As added by P.L.2-2007, SEC.259.

IC 21-18-6-5

Restrictions

Sec. 5. The commission does not have the authority to obligate any tax funds or other funds of the state except for appropriations made to the commission by the general assembly.

As added by P.L.2-2007, SEC.259.

IC 21-18-7

Chapter 7. Advisory Committees; Committee on Statewide Transfer and Articulation

IC 21-18-7-1

Advisory committees; creation

Sec. 1. The commission may create advisory committees to assist the commission in performing the duties of the commission.

As added by P.L.2-2007, SEC.259.

IC 21-18-7-2

Advisory committees; composition

Sec. 2. An advisory committee must be composed of:

- (1) representatives of state educational institutions;
- (2) representatives of private colleges and universities;
- (3) students;
- (4) faculty; and
- (5) other qualified persons.

As added by P.L.2-2007, SEC.259.

IC 21-18-7-3

Commission's power to direct activities of the committee

Sec. 3. The commission may direct the activities of the statewide committee, including the activities set forth in IC 21-42-6.

As added by P.L.2-2007, SEC.259.

IC 21-18-8

Chapter 8. Long Range Planning

IC 21-18-8-1

Long range plan

Sec. 1. The commission may develop, update, and implement a long range plan for postsecondary education.

As added by P.L.2-2007, SEC.259.

IC 21-18-8-2

Long range plan; factors pertinent to the development of the plan

Sec. 2. In developing the long range plan, the commission shall take into account:

- (1) the plans and interests of the state private postsecondary educational institutions;
- (2) anticipated enrollments in state public and private postsecondary educational institutions;
- (3) financial needs of students; and
- (4) other factors pertinent to the quality of educational opportunity available to the citizens of Indiana.

As added by P.L.2-2007, SEC.259.

IC 21-18-8-3

Long range plan; educational missions and projected enrollments of state educational institutions

Sec. 3. The long range plan must define the educational missions and the projected enrollments of the various state educational institutions.

As added by P.L.2-2007, SEC.259.

IC 21-18-8-4

Powers of the commission; recommendations

Sec. 4. The commission may:

- (1) make recommendations to the general assembly and the governor concerning the long range plan; and
- (2) prepare and offer proposed legislation needed to implement the long range plan.

As added by P.L.2-2007, SEC.259.

IC 21-18-8-5

Coordination with state board of education and department of workforce development to develop entrepreneurship education; technology and innovation commercialization projects

Sec. 5. (a) The commission shall coordinate with the Indiana state board of education (IC 20-19-2) and the department of workforce development (IC 22-4.1-2) to develop entrepreneurship education programs for elementary and secondary education, higher education, and individuals in the work force.

(b) The commission shall require each state educational institution to expand technology and innovation commercialization programs.

As added by P.L.172-2011, SEC.127.

IC 21-18-9

Chapter 9. Educational Program Review

IC 21-18-9-1

Powers of commission; budget review; recommendations

Sec. 1. The commission may:

- (1) review the legislative request budgets of all state educational institutions preceding each session of the general assembly; and
- (2) make recommendations concerning appropriations and bonding authorizations to state educational institutions, including public funds for financial aid to students by any state agency.

As added by P.L.2-2007, SEC.259.

IC 21-18-9-2

Powers of commission; program review; recommendations

Sec. 2. The commission may:

- (1) review all programs of any state educational institution, regardless of the source of funding; and
- (2) make recommendations to the board of trustees of the state educational institution, the governor, and the general assembly concerning the funding and the disposition of the programs.

As added by P.L.2-2007, SEC.259.

IC 21-18-9-3

Request for receipts and expenditures

Sec. 3. In making a review under section 1 or 2 of this chapter, the commission may request and shall receive, in the form reasonably required by the commission, from all state educational institutions, complete information concerning all receipts and all expenditures.

As added by P.L.2-2007, SEC.259.

IC 21-18-9-4

Powers of commission; studies; recommendations

Sec. 4. The commission may:

- (1) make, or cause to be made, studies of the needs for various types of postsecondary education; and
- (2) make recommendations to the general assembly and the governor concerning the organization of these programs.

As added by P.L.2-2007, SEC.259.

IC 21-18-9-5

Powers of commission; approval or disapproval of branches, degrees, and programs

Sec. 5. The commission may approve or disapprove the:

- (1) establishment of any new branches, regional or other campuses, or extension centers;
- (2) establishment of any new college or school; or
- (3) offering of any proposed or existing:

- (A) associate, baccalaureate, or graduate degree; or
- (B) program leading to a certificate or other indication of accomplishment.

As added by P.L.2-2007, SEC.259. Amended by P.L.169-2011, SEC.21; P.L.101-2012, SEC.1.

IC 21-18-9-6

Entrepreneurship programs

Sec. 6. (a) The commission shall inventory the entrepreneurship programs conducted by postsecondary educational institutions in Indiana. The commission shall publish the inventory on the commission's Internet web site in a form that allows students to identify the educational opportunities that are available in the field of entrepreneurship, after consulting with the department of workforce development and the Indiana economic development corporation.

(b) The commission shall report the findings under subsection (a) to the legislative council not later than November 1, 2011, in an electronic format under IC 5-14-6.

(c) This section expires June 30, 2013.

As added by P.L.114-2011, SEC.6.

IC 21-18-9-7

Common course numbering system

Sec. 7. In collaboration with the state educational institutions, the commission shall develop, implement, and maintain a common course numbering system to be used by the state educational institutions for all courses in the core transfer library (as defined in IC 21-42-1-3). The commission shall create a state course numbering system into which each state educational institution shall map the state educational institution's unique course numbers.

As added by P.L.88-2012, SEC.1.

IC 21-18-9-8

Undergraduate degree programs; number of credit hours

Sec. 8. (a) Each state educational institution shall review each undergraduate degree program offered by the state educational institution to determine the number of credit hours required for the degree and report the results to the commission. If a degree program requires more than:

- (1) sixty (60) credit hours for an associate degree; or
- (2) one hundred twenty (120) credit hours for a baccalaureate degree;

the state educational institution must provide justification to the commission in the report for the additional credit hours required.

(b) In providing justification under subsection (a):

- (1) if the state educational institution documents that the additional credit hours are required by:

- (A) specific program standards established by external accreditation bodies; or

(B) occupational certification or licensure;
the commission shall accept the justification; and
(2) if the state educational institution documents that the
additional credit hours are related to:

(A) employer requirements; or

(B) enhanced program quality and content;
the commission may accept the justification.

(c) The commission shall require a review and report of the credit
hours required for degree programs under this section at least every
three (3) years.

(d) A proposal submitted to the commission under section 5 of
this chapter must provide justification for a degree that requires more
than:

(1) sixty (60) credit hours for an associate degree; or

(2) one hundred twenty (120) credit hours for a baccalaureate
degree.

As added by P.L.101-2012, SEC.2.

IC 21-18-10

Repealed

(Repealed by P.L.7-2011, SEC.26.)

IC 21-18-11

Chapter 11. Transfer of Courses and Programs; Report

IC 21-18-11-1

Annual report

Sec. 1. The commission may submit a report to the legislative council not later than August 30 of each year on the status of the transfer of courses and programs between state educational institutions, including any initiative under IC 21-42.

As added by P.L.2-2007, SEC.259.

IC 21-18-11-2

Annual report; changes from preceding academic year

Sec. 2. The commission report under section 1 of this chapter must include any changes made during the immediately preceding academic year.

As added by P.L.2-2007, SEC.259.