

ENROLLED ACT NO. 78, SENATE

SIXTY-FIFTH LEGISLATURE OF THE STATE OF WYOMING  
2019 GENERAL SESSION

AN ACT relating to education; establishing the Wyoming works program at community colleges; providing for grants for students and funding for community college technical programs approved to meet labor and economic development needs; specifying requirements for student grants and for community college program funding; providing for administration; requiring reports; reappropriating funds; specifying funding distributions; and providing for an effective date.

*Be It Enacted by the Legislature of the State of Wyoming:*

**Section 1.** W.S. 21-18-401 through 21-18-409 are created to read:

ARTICLE 4

WYOMING WORKS PROGRAM

**21-18-401. Wyoming works program created; short title.**

This article may be cited as the "Wyoming works program".

**21-18-402. Definitions.**

(a) As used in this article:

(i) "Academic term" means the fall semester or term, the spring semester or term, summer school, or other defined period of time within a term or semester in which the approved credential program or course is offered. In this article, "term" and "semester" have the same meaning. If an approved credential program or course encompasses a defined period of less than a full semester or term the beginning of

ENROLLED ACT NO. 78, SENATE

SIXTY-FIFTH LEGISLATURE OF THE STATE OF WYOMING  
2019 GENERAL SESSION

the defined period shall be considered the beginning of the term or semester for that program or course;

(ii) "College" or "community college" means an institution established under the Wyoming Community College System Code;

(iii) "Commission" means the Wyoming community college commission;

(iv) "Consortium" means two (2) or more colleges sharing or jointly delivering credential programs in more than one (1) geographic location, by sharing resources or otherwise collaborating in order to more efficiently provide access to credential programs for students;

(v) "Cost of attendance" means the sum cost of tuition, mandatory fees, room and board, books and supplies, travel and personal expenses to attend a community college as determined annually by the college in accordance with W.S. 21-18-404(b);

(vi) "Credential" means a license, permit, certificate or other government or industry recognized qualification for working in a trade or occupation in this state, including, but not limited to, drivers of commercial motor vehicles, welders, machine shop operators or other workforce training programs. College academic credit and an applied science degree or certificate may be earned in a credential program, but college academic credit shall not be a requirement for a credential program;

(vii) "Unmet financial need" means the cost of attendance minus the sum of expected family contribution and all federal, state, local, institutional and privately funded

ENROLLED ACT NO. 78, SENATE

SIXTY-FIFTH LEGISLATURE OF THE STATE OF WYOMING  
2019 GENERAL SESSION

scholarships or grants received by the student, all as determined by the community college. The college shall use the most recent federal free application for federal student aid form to determine expected family contribution and shall do so annually in accordance with W.S. 21-18-404.

**21-18-403. Wyoming works program created; eligibility requirements.**

(a) There is created the Wyoming works program for Wyoming community college students.

(b) Under the Wyoming works program, subject to the availability of funds as determined by the legislature, the state may provide grant funds pursuant to this article on behalf of an eligible student who has been accepted by and enrolled in a community college to pursue a credential program approved by the commission for the Wyoming works program, who has demonstrated Wyoming residency as determined by the community college at which the student is enrolled and who is not ineligible under subsection (c) of this section. No college shall require a high school diploma or high school equivalency certificate as a prerequisite for admission to a credential program funded in whole or in part with monies under this article, unless the credential program is included within a college academic credit program requiring the diploma or equivalency certificate and the college provides the student assistance in achieving the diploma or equivalency certificate.

(c) No student shall be eligible for a grant under this article for more than six (6) academic terms. A student is not eligible for a grant under this article if he:

ENROLLED ACT NO. 78, SENATE

SIXTY-FIFTH LEGISLATURE OF THE STATE OF WYOMING  
2019 GENERAL SESSION

(i) Is not a United States citizen or a permanent resident alien who meets the definition of an eligible noncitizen under federal Title IV requirements or requirements of a subsequent similar federal enactment;

(ii) Has not complied with United States selective service system requirements for registration, if the requirements are applicable to the student;

(iii) Is in default on a federal Title IV education loan. Nothing in this paragraph prohibits a student who is otherwise eligible for a grant under this article and has fully repaid a defaulted loan or is no longer in default, from receiving a grant for future academic terms;

(iv) Owes a refund under a federal Title IV student financial aid program or a subsequently enacted similar federal student financial aid program, or a student financial aid program administered through the state. Nothing in this paragraph prohibits a student who is otherwise eligible for a grant under this article and has fully paid the refund owed, from receiving a grant for future academic terms;

(v) For continued enrollment in a credential program if he fails to make satisfactory academic progress as required for the credential program by commission rule;

(vi) Is currently receiving a scholarship under the Hathaway scholarship program established in W.S. 21-16-1301 through 21-16-1311.

**21-18-404. Student grants; amounts.**

ENROLLED ACT NO. 78, SENATE

SIXTY-FIFTH LEGISLATURE OF THE STATE OF WYOMING  
2019 GENERAL SESSION

There shall be made available student grants under the Wyoming works program. The grant amount shall not exceed the amount provided for two (2) semesters under the Hathaway provisional opportunity scholarship pursuant to W.S. 21-16-1305(a)(i)(A), in any one (1) academic year, unless the credential program is in an economic sector determined by the commission to fulfill a critical workforce need. For credential programs in such economic sectors, the grant amount shall not exceed the amount provided for two (2) semesters under the Hathaway honor scholarship pursuant to W.S. 21-16-1304(a)(iii)(A) in any one (1) academic year. One-half (1/2) of the annual award shall be provided to the student at each fall and spring academic term of qualification, unless the credential program or course is for a defined period of less than a full semester or the student elects to reserve any portion of the annual award for attendance at a subsequent summer school term. For credential programs of one (1) term or less, cost of attendance and unmet financial need shall be calculated on a projected annual basis, but the annual award amount shall be provided in full in the term of attendance, on a prorated basis.

**21-18-405. Administration; rules and regulations.**

(a) Distribution of funds for student grants shall be administered by the commission in accordance with the following:

(i) Distributions shall be made from funds available in the Wyoming works student grant account. Distributions for students grants shall not exceed two million dollars (\$2,000,000.00) in appropriated state funds in any academic year;

ENROLLED ACT NO. 78, SENATE

SIXTY-FIFTH LEGISLATURE OF THE STATE OF WYOMING  
2019 GENERAL SESSION

(ii) Student grants shall be limited to students enrolled in an approved credential program;

(iii) Colleges shall apply to the commission for grant funds to be expended by the college on eligible students for approved credential programs. The commission shall provide student grant funding to each college based upon the actual or projected enrollment in the approved program and the commission's prioritization of program funding in accordance with this article and rule of the commission;

(iv) Students shall make application for grants under this article with the community college at the time of applying for admission or in any event prior to the beginning of the applicable credential program at the college. The application shall contain information required by rule of the commission;

(v) For students transferring from a community college to another community college and making application for continuance of a grant, the college from which the student is transferring shall at the student's request provide a list of all academic terms of attendance in which a Wyoming works grant was received by the student;

(vi) Each community college receiving an application from a student applying for a Wyoming works grant shall determine the student's eligibility for the grant. Each community college shall certify to the commission not later than thirty (30) days after the academic term or program commences, a list of students enrolled at the college who qualify for a grant under this article, including the maximum amount of each grant. The executive director of the community college commission shall verify within ten (10) days after receiving a list from a community college whether there is

ENROLLED ACT NO. 78, SENATE

SIXTY-FIFTH LEGISLATURE OF THE STATE OF WYOMING  
2019 GENERAL SESSION

any duplication of students on the community college list with previously submitted student grant lists and shall certify to the commission the maximum amount a college would be eligible to receive for student grants under this article for an approved program;

(vii) For students attending more than one (1) community college the commission may distribute any student grant funds provided on a proportionate basis as determined by rule of the commission;

(viii) Following each spring semester, each college shall refund to the commission the difference, if any, between the amounts distributed to colleges for student grants under this section for the spring term and the previous fall and summer terms and the amount actually expended by colleges on those student grants. Colleges shall refund the difference not later than August 1. The commission shall deposit all payments under this paragraph to the Wyoming works student grant account.

(b) The commission, in consultation with each community college, shall by rule designate a date or dates for each academic year upon which each college shall make the final computation for unmet need for students eligible to receive a grant under this section, consistent with each college's schedule for determining actual cost of attendance for students at that college.

(c) The commission shall, in consultation with community college admissions officers and financial aid officers, promulgate rules and regulations necessary to implement student grant provisions under this article, including:

ENROLLED ACT NO. 78, SENATE

SIXTY-FIFTH LEGISLATURE OF THE STATE OF WYOMING  
2019 GENERAL SESSION

(i) A means for informing potential students of the availability of the grants under this article;

(ii) Applications, forms, financial and program audit procedures, eligibility and other matters related to efficient operation;

(iii) Any other rules and regulations necessary for the implementation and administration of student grants under this article.

(d) The commission may conduct an audit of any college participating in the student grant program under this article to determine compliance with any student grant provision of this article.

**21-18-406. Student grant limitations.**

To the extent a student grant under this article would, when combined with any grant or scholarship from a student financial aid program administered through the state or any state institution, in any academic term exceed the cost of attendance at the community college, the grant under this article shall be reduced by the amount necessary to not exceed the cost of attendance. The commission shall by rule require that student grant funds under this article shall be provided for unmet financial need and only after all other public or private grants, scholarship or other financial aid available for the student's enrollment in the credential program have been applied.

**21-18-407. College program grant funds; distribution by community college commission; matching funds requirements.**



ENROLLED ACT NO. 78, SENATE

SIXTY-FIFTH LEGISLATURE OF THE STATE OF WYOMING  
2019 GENERAL SESSION

(a) From monies within the Wyoming works program account the commission shall distribute to colleges funds for instructor positions and to acquire instructional and resource materials and classroom equipment necessary to support the Wyoming works program. The community colleges may collaborate on the use of funds received from the Wyoming works program account, including entering into consortium agreements for operation of credential programs.

(b) Funds distributed under this section shall be subject to the following:

(i) The funds shall be designated as Wyoming works program funding, accounted for separately from funding provided under the allocation model under W.S. 21-18-205(c) and special purpose funding under W.S. 21-18-205(e) and shall not be transferred to or expended for any other purpose;

(ii) The funds shall be expended only for credential programs approved by the commission. The commission shall develop by rule criteria under which to approve credential programs and to determine the amount of funding provided. The process for approving programs for funding shall reflect the primary goals of the Wyoming works program to develop technical skills most in demand in a college's service area or colleges' combined service areas and to fund programs which are most able to immediately respond to that demand by making grant funds available to students able to acquire the credential needed. The criteria for funding amounts shall include, at a minimum, the need for the program in the community, the region's workforce needs and the contribution of the program to the state's overall economic development. Priority shall be given to programs developed and delivered through consortiums and partnerships of colleges, to those programs which, based upon enrollment

ENROLLED ACT NO. 78, SENATE

SIXTY-FIFTH LEGISLATURE OF THE STATE OF WYOMING  
2019 GENERAL SESSION

and projected enrollment, are most able to respond to industry training needs in the community and region. Colleges shall make application for funding of credential programs to the commission at times determined by rule of the commission;

(iii) Funds shall only be distributed if matched in the ratio of two dollars (\$2.00) of Wyoming works program account funds to not less than one dollar (\$1.00) of matching nonstate funds. The commission shall distribute matching funds at the time any accumulated matching funds actually received by or pledged to the community college or consortium of community colleges total ten thousand dollars (\$10,000.00) or more. Matching nonstate funds under this paragraph include but are not limited to the following:

(A) Cash or cash equivalents;

(B) The fair market value, as determined by the commission, of in-kind donations of facilities, equipment or services to support approved credential programs,

ENROLLED ACT NO. 78, SENATE

SIXTY-FIFTH LEGISLATURE OF THE STATE OF WYOMING  
2019 GENERAL SESSION

including donations actually received prior to the effective date of this section but after June 30, 2018.

(iv) Any amount of funding distributed under this section which remains unexpended or unencumbered at the end of the biennial budget period for which it was distributed shall revert to the Wyoming works program account.

**21-18-408. Accounts created.**

(a) The Wyoming works program account is created. The account shall consist of funds appropriated by the legislature, gifts and grants accepted by the state and such other funds as directed by law. Monies within the account are continuously appropriated to the commission for distribution to colleges as provided in this article. Interest and other earnings on funds within the account shall be credited to the account. Unexpended and unencumbered monies within the account at the end of each fiscal year shall not lapse but shall remain in the account.

ENROLLED ACT NO. 78, SENATE

SIXTY-FIFTH LEGISLATURE OF THE STATE OF WYOMING  
2019 GENERAL SESSION

(b) The Wyoming works student grant account is created. The account shall consist of funds appropriated by the legislature, gifts and grants accepted by the state and such other funds as directed by law. Monies within the account are continuously appropriated to the commission for distribution as provided in this article. Interest and other earnings on funds within the account shall be credited to the account. Unexpended and unencumbered monies within the account at the end of each fiscal year shall not lapse but shall remain in the account.

(c) Appropriated state funds within the Wyoming works student grant account and within the Wyoming works program account shall be accounted for separately from all other funds within each account.

**21-18-409. Legislative oversight and authority; reporting.**

(a) Nothing in this article shall be construed to constitute an entitlement to a grant established and funded

ENROLLED ACT NO. 78, SENATE

SIXTY-FIFTH LEGISLATURE OF THE STATE OF WYOMING  
2019 GENERAL SESSION

by the legislature. Wyoming works grants shall be subject to legislative appropriation and the legislature reserves the right to modify or terminate the program established under this article at any time.

(b) The Wyoming community college commission shall report to the legislature by October 1 of each year the colleges, programs, industries and total number of students served by the Wyoming works program in the preceding school year. The report shall specify the funding provided to each college from the Wyoming works student grant account and the Wyoming works program account. The commission may require information from each college as necessary to provide the report required by this section.

**Section 2.** W.S. 21-18-102(a)(xxiii) and 21-18-205 by creating a new subsection (h) are amended to read:

**21-18-102. Definitions.**

(a) As used in this act:

(xxiii) "This act" means W.S. 21-18-101 through ~~21-18-319~~ 21-18-409.

**21-18-205. Appropriation and distribution of state funds; restrictions; budget authority.**

(h) The commission may request funding for and shall distribute funds to colleges as provided in the Wyoming works program. Funds requested for the Wyoming works program shall be requested by an exception budget and designated as separate special funding for the Wyoming works program only. Funds distributed pursuant to the Wyoming works program shall be accounted for and distributed separately from the funding

ENROLLED ACT NO. 78, SENATE

SIXTY-FIFTH LEGISLATURE OF THE STATE OF WYOMING  
2019 GENERAL SESSION

allocation model under subsection (c) of this section and from special funding distributed pursuant to subsection (e) of this section.

**Section 3.** Of the unobligated, unencumbered balance in the Wyoming workforce development-priority economic sector partnership subaccount created by W.S. 9-12-1404(a)(iii), two million dollars (\$2,000,000.00) shall be deposited to the Wyoming works program account and the remainder shall be deposited to the Wyoming works student grant account. These appropriations shall be made upon the effective date of this act. All funds deposited to the Wyoming works program account and to the Wyoming works student grant account under this section shall only be expended as provided by the Wyoming works program and this act. Notwithstanding any other provision of law, these appropriations shall not be transferred or expended for any other purpose.

ORIGINAL SENATE  
FILE NO. SF0122

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ENROLLED ACT NO. 78, SENATE

SIXTY-FIFTH LEGISLATURE OF THE STATE OF WYOMING  
2019 GENERAL SESSION

**Section 4.** This act is effective immediately upon completion of all acts necessary for a bill to become law as provided by Article 4, Section 8 of the Wyoming Constitution.

(END)

\_\_\_\_\_  
Speaker of the House

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Governor

TIME APPROVED: \_\_\_\_\_

DATE APPROVED: \_\_\_\_\_

I hereby certify that this act originated in the Senate.

\_\_\_\_\_  
Chief Clerk