

**DRAFT ONLY
NOT APPROVED FOR
INTRODUCTION**

HOUSE BILL NO.

Hathaway private post secondary institution scholarships.

Sponsored by: Joint Education Interim Committee

A BILL

for

1 AN ACT relating to the use of Hathaway scholarships at
2 private post secondary institutions; defining terms;
3 creating a scholarship; establishing eligibility
4 requirements; establishing payment of scholarship funds to
5 private post secondary institutions; specifying success
6 curriculum requirements; modifying the duties of the
7 department of education; requiring rulemaking; requiring
8 reporting; making conforming amendments; and providing for
9 an effective date.

10

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

12

13 **Section 1.** W.S. 21-16-1313 is created to read:

1 The definition of the institutions eligible to receive
2 funds pursuant this scholarship is a policy decision for
3 the Committee. Likewise, the credentials or certificates
4 that students may pursue under this scholarship is a policy
5 decision.

6 *****
7 *****
8

9 (b) Awards of the private post secondary institution
10 scholarships to students shall be contingent on available
11 funds and anticipated revenue to the Hathaway scholarship
12 expenditure account created by W.S. 21-13-1302(a).

13
14 (c) The Hathaway private post secondary institution
15 scholarship shall be used only for a student's cost of
16 attendance at a private post secondary institution to
17 obtain a certificate or degree.

18
19 (d) Except as specified in this subsection, initial
20 eligibility for the Hathaway private post secondary
21 institution scholarship shall be as specified by W.S.
22 21-16-1303(b), (c) and (e). The department shall promulgate
23 rules to establish eligibility criteria for students that
24 complete a home-based educational program and students that
25 receive a high school equivalency certificate that comply
26 with the requirements contained in W.S. 21-13-1308(b)(iii)

1 and (iv). Except for students that complete a home-based
2 educational program or that receive a high school
3 equivalency certificate, recipients shall:

4

5 (i) Meet the success curriculum requirements
6 contained in W.S. 21-16-1307(b);

7

8 (ii) Have a minimum cumulative high school grade
9 point average (GPA) of 3.5;

10

11 (iii) A score equal to or greater than the
12 2015-2016 national percentile rank of seventy-nine (79) on
13 an examination administered throughout the United States
14 and relied upon by institutions of higher education to
15 determine acceptance of students for attendance.

16

17 (e) No student shall be eligible for a Hathaway
18 private post secondary institution scholarship for more
19 than the equivalent of five hundred dollars (\$500.00) per
20 semester at a private post secondary institution.
21 Scholarships under this section shall be available for
22 attendance at a private post secondary institution for not
23 more than eight (8) full-time semesters. Not more than two

1 hundred (200) students shall receive a Hathaway private
2 post secondary institution scholarship. Notwithstanding
3 any other provision of law, minimum continuing eligibility,
4 satisfactory academic progress and reinstatement
5 eligibility requirements for a Hathaway private post
6 secondary institution scholarship shall be as prescribed by
7 department rule.

8

9 (f) Except as provided in subsections (d) and (g) of
10 this section, the Hathaway private post secondary
11 institution scholarships shall not be subject to the
12 provisions of W.S. 21-16-1308, but shall be administered by
13 the department in accordance with this section and the
14 following:

15

16 (i) The department shall, in consultation with
17 private post secondary institution's admissions officers
18 and financial aid officers, promulgate rules necessary to
19 implement this section;

20

21 (ii) Students shall apply for Hathaway private
22 post secondary institution scholarships with the department
23 at the time of applying for admission at a private post

1 secondary institution or at an earlier time as established
2 by rule of the department. The application shall contain
3 information required by rule of the department. The
4 application shall require each applicant to verify under
5 penalty of false swearing under W.S. 6-5-303, that the
6 applicant has not been convicted of a felony in this state
7 or another jurisdiction;

8

9 (iii) Upon request of a student applying to a
10 private post secondary institution and applying for a
11 Hathaway private post secondary institution scholarship,
12 each school district shall provide the department an
13 official transcript of the student's academic record
14 through the student's most recent semester of attendance.
15 Following graduation and upon the student's request the
16 school district shall also provide the department an
17 official transcript of the student's complete academic
18 record. All transcripts provided pursuant to this paragraph
19 shall designate each course that satisfies the success
20 curriculum requirements established under W.S.
21 21-16-1307(b);

22

1 (iv) The department shall preliminarily
2 determine the student's eligibility for the Hathaway
3 private post secondary institution scholarship. For
4 students applying for a scholarship, unless the student's
5 complete academic record is available, the GPA used to
6 preliminarily determine eligibility shall be based upon the
7 student's official high school transcript after either the
8 end of the first semester of a student's senior year or the
9 second semester of a student's junior year, at the sole
10 discretion of the eligible institution. For students
11 graduating prior to their senior year, the GPA used to
12 preliminarily determine eligibility shall be based upon the
13 student's official high school transcript as of the end of
14 the semester immediately prior to the last semester before
15 the student's graduation. High school GPAs for final
16 eligibility determinations for students applying for a
17 scholarship under this section shall be based upon the
18 student's complete high school academic record;

19

20 (v) The department shall determine and certify
21 to the state treasurer the amount of scholarships awarded
22 under this section for attendance at each eligible private
23 post secondary institution in the same manner and form

1 required by W.S. 21-16-1308(a)(v). The state treasurer
2 shall pay from the scholarship expenditure account the
3 amount certified by the department to each private post
4 secondary institution.

5

6 (g) The same information required to be reported
7 under W.S. 21-16-1308(c) shall be reported to the
8 department by each private post secondary institution
9 receiving funds pursuant to this section for the Hathaway
10 private post secondary institution scholarship. The annual
11 report by the department shall be submitted to the governor
12 and the legislature in accordance with W.S. 9-2-1014.

13

14 (h) The department may conduct an audit of any
15 private post secondary institution receiving funds from the
16 scholarship program under this section to determine
17 compliance with any provision of this article and rules.

18

19 (j) This section is repealed July 1, 2029.

20

21 **Section 2.** W.S. 21-16-1301(a)(ix) and (xv),
22 21-16-1302(a), 21-16-1309(b)(i), (ii) and (iv) and
23 21-16-1311 are amended to read:

1

2 **21-16-1301. Definitions.**

3

4 (a) As used in this article:

5

6 (ix) "Eligible institution" means the University
7 of Wyoming or a Wyoming community college. For the purpose
8 of awarding private post secondary institution scholarships
9 under W.S. 21-16-1313 only, the term shall include private
10 post secondary institutions, as defined by W.S.
11 21-16-1313(a);

12

13 (xv) "Scholarship" means an award provided
14 pursuant to W.S. 21-16-1304, 21-16-1305, ~~or~~ 21-16-1306 or
15 21-16-1313;

16

17 **21-16-1302. Hathaway scholarship expenditure account**
18 **created; reserve account created; use and appropriation of**
19 **funds.**

20

21 (a) The Hathaway scholarship expenditure account is
22 created to consist of earnings from the Hathaway student
23 scholarship endowment fund created by W.S. 9-4-204(u)(vii)

1 and such other funds appropriated by the legislature to the
2 expenditure account. Eighty percent (80%) of all monies
3 deposited to the expenditure account under this section
4 shall be available for scholarships under W.S. 21-16-1304,
5 ~~and 21-16-1305~~ and 21-16-1313. Twenty percent (20%) of all
6 monies deposited to the expenditure account under this
7 section shall be available for scholarships under W.S.
8 21-16-1306. Monies within the expenditure account are
9 continuously appropriated to the state treasurer for
10 distribution to eligible institutions based on scholarships
11 awarded under this article. Except as otherwise provided in
12 this subsection, all unexpended and unencumbered monies
13 within the expenditure account at the end of each fiscal
14 year shall be deposited by the state treasurer to the
15 Hathaway student scholarship reserve account. For ~~calendar~~
16 ~~year 2023 and~~ each calendar year, thereafter, all
17 unexpended and unencumbered monies within the expenditure
18 account on October 15 shall be deposited by the state
19 treasurer to the Hathaway student scholarship reserve
20 account on October 15.

21

22 **21-16-1309. Scholarship amounts.**

23

1 (b) To the extent sufficient funds are not available
2 in the expenditure account to fund all scholarships as
3 provided under this article:

4

5 (i) Funds available for scholarships under W.S.
6 21-16-1304, ~~and~~ 21-16-1305 and 21-16-1313 shall be used for
7 scholarships under W.S. 21-16-1306 after all scholarships
8 under W.S. 21-16-1304, ~~and~~ 21-16-1305 and 21-16-1313 have
9 been paid;

10

11 (ii) Funds available for scholarships under W.S.
12 21-16-1306 shall be used for scholarships under W.S.
13 21-16-1304, ~~and~~ 21-16-1305 and 21-16-1313 after all
14 scholarships under W.S. 21-16-1306 have been paid;

15

16 (iv) If no funds remain available in the
17 expenditure account or reserve account at the time payment
18 is required to be made to an institution for any semester,
19 the payment to the eligible institutions and private post
20 secondary institutions shall be reduced on a first come
21 first served basis using the student's application date for
22 the scholarship.

23

1 **21-16-1311. Hathaway scholarship program reporting.**

2

3 The University of Wyoming, ~~and~~ each community college and
4 each private post secondary institution receiving funds
5 under this act shall report on the use of all scholarship
6 funds controlled by the institution, exclusive of federal
7 funds. The report shall show the total scholarship funds,
8 including scholarship funds granted via tuition discounts,
9 for the most recently completed biennium contrasted with
10 the biennium ending June 30, 2006. The report shall show
11 how any funds supplanted by Hathaway scholarships have been
12 reallocated for other scholarship and student financial aid
13 programs or have been rebudgeted for other purposes and the
14 plans for such funds for the coming biennium. The report
15 shall describe the extent to which the university, ~~and~~
16 community colleges and private post secondary institutions
17 receiving funds under this act have included within regular
18 written or electronic communications transmitted to alumni
19 of the institutions, information on the progress of the
20 scholarship programs established under this article and
21 information on making contributions to the Hathaway student
22 scholarship endowment account. The Wyoming community
23 college commission shall specify the format of, and combine

1 and transmit the reports on behalf of each college. The
2 University of Wyoming and the community college commission
3 shall include the reports within the respective biennial
4 budget requests submitted under W.S. 9-2-1013.

5

6 **Section 3.**

7

8 (a) Students graduating school year 2025-2026 through
9 school year 2028-2029 shall be eligible for Hathaway
10 private post secondary institution scholarship, as created
11 by section 1 of this act.

12

13 (b) Any student awarded the Hathaway private post
14 secondary institution scholarship, as created by section 1
15 of this act, in school year 2025-2026 through school year
16 2028-2029 shall receive funds in accordance with W.S.
17 21-16-1313, contingent upon the student's continued
18 eligibility in accordance with W.S. 21-16-1313(e).

19

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

5

6

(END)