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

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

2 21-16-1313. Hathaway private post secondary

3 institution scholarship; specifying eligible institutions;

4 certification and payment of institutions; reporting

5 requirements; sunset.

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7 (a) There is created the Hathaway private post secondary institution scholarship. Subject to the 8 requirements of this section, the scholarship shall be 9 10 awarded to eligible students to attend private post secondary institutions. For purposes of this section, 11 12 "private post secondary institution" means 13 accredited private post secondary degree granting educational institution authorized to operate and provide 14 instruction in Wyoming in accordance with W.S. 21-2-401 15 16 through 21-2-407, including private post secondary degree granting institutions exempt from licensure pursuant to 17 W.S. 21-2-406(a)(i)(C). The term includes institutions 18 19 offering programs that result in a certificate, as defined 20 by W.S. 21-16-1302(a)(iv), or a degree, as defined by W.S.

21 21-16-1302(a)(vi).

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24 STAFF COMMENT

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The definition of the institutions eligible to receive 1 2 funds pursuant this scholarship is a policy decision for the Committee. Likewise, the credentials or certificates 3 that students may pursue under this scholarship is a policy 4 5 decision. ******************** 6 7 ****** 8 9 (b) Awards of the private post secondary institution 10 scholarships to students shall be contingent on available funds and anticipated revenue to the Hathaway scholarship 11 expenditure account created by W.S. 21-13-1302(a). 12 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 (d) Except as specified in this subsection, initial 19 20 eligibility for the Hathaway private post secondary institution scholarship shall be as specified by W.S. 21 21-16-1303(b), (c) and (e). The department shall promulgate 22 rules to establish eligibility criteria for students that 23

complete a home-based educational program and students that

receive a high school equivalency certificate that comply

with the requirements contained in W.S. 21-13-1308(b)(iii)

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and (iv). Except for students that complete a home-based 1 2 educational program or that receive high school a 3 equivalency certificate, recipients shall: 4 5 (i) Meet the success curriculum requirements contained in W.S. 21-16-1307(b); 6 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 and relied upon by institutions of higher education to 14 determine acceptance of students for attendance. 15 16 17 (e) No student shall be eligible for a Hathaway private post secondary institution scholarship for more 18 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

attendance at a private post secondary institution for not

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.

- 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:

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- 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;

- 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;

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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);

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;

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.

- 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.

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- 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.

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

- 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 (ix) "Eligible institution" means the University 6 of Wyoming or a Wyoming community college. For the purpose 7 of awarding private post secondary institution scholarships 8 under W.S. 21-16-1313 only, the term shall include private 9 10 post secondary institutions, as defined by W.S. 11 21-16-1313(a); 12 13 (xv) "Scholarship" means an award provided pursuant to W.S. 21-16-1304, 21-16-1305, or 21-16-1306 or 14 15 21-16-1313; 16 17 21-16-1302. Hathaway scholarship expenditure account created; reserve account created; use and appropriation of 18 19 funds. 20 21 (a) The Hathaway scholarship expenditure account is created to consist of earnings from the Hathaway student 22 scholarship endowment fund created by W.S. 9-4-204(u)(vii) 23

Τ	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 <u>,</u> 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.

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

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 (i) Funds available for scholarships under W.S. 5 21-16-1304, and 21-16-1305 and 21-16-1313 shall be used for 6 scholarships under W.S. 21-16-1306 after all scholarships 7 8 under W.S. 21-16-1304, and 21-16-1305 and 21-16-1313 have been paid; 9 10 11 (ii) Funds available for scholarships under W.S. 21-16-1306 shall be used for scholarships under W.S. 12 21-16-1304, and 21-16-1305 and 21-16-1313 after all 13 scholarships under W.S. 21-16-1306 have been paid; 14 15 16 (iv) If no funds remain available in 17 expenditure account or reserve account at the time payment is required to be made to an institution for any semester, 18 19 the payment to the eligible institutions and private post 20 secondary institutions shall be reduced on a first come first served basis using the student's application date for 21

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the scholarship.

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

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3 The University of Wyoming, and each community college and 4 each private post secondary institution receiving funds under this act shall report on the use of all scholarship 5 funds controlled by the institution, exclusive of federal 6 funds. The report shall show the total scholarship funds, 7 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 how any funds supplanted by Hathaway scholarships have been 11 12 reallocated for other scholarship and student financial aid 13 programs or have been rebudgeted for other purposes and the plans for such funds for the coming biennium. The report 14 shall describe the extent to which the university, and 15 16 community colleges and private post secondary institutions 17 receiving funds under this act have included within regular written or electronic communications transmitted to alumni 18 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 account. 22 scholarship endowment The Wyoming 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.

6 Section 3.

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- 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.

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- 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).

1 Section 4. This act is effective immediately upon

completion of all acts necessary for a bill to become law 2

as provided by Article 4, Section 8 of the Wyoming 3

4 Constitution.

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6 (END)