

WORKING DRAFT

SENATE FILE NO. _____

Hathaway scholarship program.

Sponsored by: (s) Sdraft

A BILL

for

1 AN ACT relating to education; providing for scholarships
2 for attendance at Wyoming community colleges and the
3 University of Wyoming as specified; specifying eligibility
4 criteria, conditions and limitations; imposing duties on
5 the Wyoming department of education, the University of
6 Wyoming, Wyoming community colleges, the community college
7 commission, school districts and the state treasurer;
8 delegating rulemaking authority; defining terms; imposing
9 reporting requirements; modifying other tuition programs;
10 providing for a continuous appropriation; and providing for
11 an effective date.

12

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

14

1 **Section 1.** W.S. 21-16-1301 through 21-16-1310 are
2 created to read:

3

4

ARTICLE 13

5

HATHAWAY SCHOLARSHIP PROGRAM

6

7

21-16-1301. Definitions.

8

9

(a) As used in this article:

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(i) "Academic term" means the fall semester or term or the spring semester or term. In this article, "term" and "semester" have the same meaning except that recipients may elect to use the scholarship during summer school, which counts toward the maximum number of terms for which the student is eligible but does not count toward computation of an academic year;

(ii) "Academic year" means two (2) consecutive semesters or terms and is the period of time a full-time student is expected to complete the equivalent of at least two (2) semesters of academic work;

1 (iii) "ACT score" means a composite score on the
2 American College Test or an equivalent score on the
3 Scholastic Aptitude Test;

4

5 (iv) "Certificate" means a credential other than
6 a degree as defined in paragraph (vi) of this subsection. A
7 "certificate" is either an associate of applied science
8 degree or indicates satisfactory completion of training in
9 an academic year program of study offered by a Wyoming
10 community college;

11

12 (v) "Cost of attendance" means the sum cost of
13 tuition, mandatory fees, room and board, books and
14 supplies, travel and personal expenses to attend an
15 eligible institution as determined annually by the
16 institution in accordance with W.S. 21-16-1306(b);

17

18 (vi) "Degree" means a baccalaureate or an
19 associate degree other than a certificate;

20

21 (vii) "Department" means the Wyoming department
22 of education;

23

1 (viii) "Eligible high school" means a public or
2 private secondary school that is located in Wyoming and is
3 accredited by the department;

4

5 (ix) "Eligible institution" means the University
6 of Wyoming or a Wyoming community college;

7

8 (x) "Equivalent of a full-time semester" means
9 twelve (12) semester hours in a semester;

10

11 (xi) "Expenditure account" means the Hathaway
12 scholarship expenditure account established under W.S.
13 21-16-1302;

14

15 (xii) "Grade point average" or "GPA" means the
16 numbered grade average calculated using a 4.0 scale;

17

18 (xiii) "Graduate of an out-of-state high school"
19 means a person attending and graduating from an out-of-
20 state high-school pursuant to W.S. 21-4-501;

21

22 (xiv) "Satisfactory academic progress" means
23 completing at least six (6) semester hours per semester if
24 enrolled for less than twelve (12) semester hours and

1 completing at least twelve (12) semester hours per semester
2 if enrolled for twelve (12) or more semester hours, and
3 meeting such other criteria as established by the eligible
4 institution to ensure the student earns his degree or
5 certificate in a timely manner. The student's hours of
6 enrollment for purposes of this paragraph shall be the
7 same number of hours of enrollment used to determine the
8 state's obligation to reimburse the eligible institution
9 for the student's scholarship under this article;

10

11 (xv) "Scholarship" means an award provided
12 pursuant to W.S. 21-16-1304, 21-16-1305 or 21-16-1306;

13

14 (xvi) "Semester hour" means each nonremedial
15 semester hour attempted for credit toward a degree or
16 certificate, excluding any semester hour attempted before
17 earning a high school diploma or a general educational
18 development (GED) equivalency diploma;

19

20 (xvii) "Title IV" means Title IV of the federal
21 Higher Education Act of 1965, as amended;

22

23 (xviii) "Unmet financial need" means the cost of
24 attendance minus the sum of expected family contribution

1 and all federal, state, local, institutional and privately
2 funded scholarships or grants received by the student, all
3 as determined by the institution. The institution shall
4 use the most recent federal free application for federal
5 student aid form to determine expected family contribution
6 and shall do so annually in accordance with W.S. 21-16-
7 1306(b);

8

9 (xix) "WORKKEYS SCORE" means qualifying scores
10 on the WORKKEYS job skills assessment test. In the event
11 the WORKKEYS job skills assessment test is superseded,
12 becomes too expensive to administer or goes out of general
13 use, the department shall specify by rule and regulation a
14 replacement test to be used.

15

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

19

20 (a) The Hathaway scholarship expenditure account is
21 created to consist of earnings from the Hathaway student
22 scholarship endowment account created by W.S. 21-16-1201
23 and such other funds appropriated by the legislature to the
24 expenditure account. Eighty percent (80%) of all monies

1 deposited to the expenditure account under this section
2 shall be available for scholarships under W.S. 21-16-1304
3 and 21-16-1305. Twenty percent (20%) of all monies
4 deposited to the expenditure account under this section
5 shall be available for scholarships under W.S. 21-16-1306.
6 Monies within the expenditure account are continuously
7 appropriated to the state treasurer for distribution to
8 eligible institutions based on scholarships awarded under
9 this article. All unexpended and unencumbered monies
10 within the expenditure account at the end of each fiscal
11 year shall be deposited by the state treasurer to the
12 Hathaway student scholarship reserve account.

13

14 (b) There is created the Hathaway student scholarship
15 reserve account. The reserve account shall consist of
16 those monies deposited to the account pursuant to
17 subsection (a) of this section and such other funds
18 appropriated by the legislature to the reserve account. To
19 the extent funds within the Hathaway scholarship
20 expenditure account are insufficient in any fiscal year to
21 fully fund scholarships awarded under this article, monies
22 within the reserve account shall be deposited by the state
23 treasurer to the expenditure account for distribution to
24 eligible institutions to fund those scholarships. As soon

1 as possible after the end of each of the fiscal years
2 beginning on and after July 1, 2007, the state treasurer
3 shall transfer monies from this reserve account to the
4 Hathaway student scholarship endowment account to the
5 extent monies within the reserve account are in excess of
6 the greater of twelve million dollars (\$12,000,000.00) or
7 an amount equal to three and seventy-five hundredths
8 percent (3.75%) of the previous five (5) year average
9 market value of the Hathaway student scholarship endowment
10 account, calculated from the first day of the fiscal year.

11

12 **21-16-1303. Hathaway scholarship program; eligibility**
13 **requirements.**

14

15 (a) There is created the Hathaway scholarship program
16 for Wyoming students.

17

18 (b) Under the Hathaway scholarship program, subject
19 to availability of funds as determined by the legislature,
20 the state shall provide a scholarship pursuant to W.S.
21 21-16-1304 and 21-16-1305 to any student who has been
22 accepted by and enrolls in an eligible institution to
23 pursue a degree or certificate, and who meets the following
24 qualifications:

1

2 (i) The student has demonstrated Wyoming
3 residency as determined by the eligible institution at
4 which the student is enrolled;

5

6 (ii) The student has successfully completed a
7 curriculum and meets standards for admission to the
8 eligible institution. Until success curricula requirements
9 are established pursuant to W.S. 21-16-1307, the curriculum
10 requirement of this paragraph for degree seeking Hathaway
11 scholarship recipients shall be that applicable for assured
12 admission to the University of Wyoming. Until success
13 curricula requirements are established pursuant to W.S. 21-
14 16-1307, there shall be no curriculum requirement for
15 certificate seeking Hathaway scholarship recipients. For
16 first-time students who enroll in an eligible institution
17 in the fall of 2011, and thereafter, curriculum
18 requirements for a scholarship under this article shall be
19 as established pursuant to W.S. 21-16-1307; and

20

21 (iii) The student has:

22

1 (A) Graduated from an eligible high school
2 or is otherwise eligible under rules promulgated pursuant
3 to W.S. 21-16-1308(b)(iii) and (iv);

4
5 (B) Applied for a scholarship under this
6 article within two (2) years of the date of high school
7 graduation, or is otherwise eligible under rules
8 promulgated pursuant to W.S. 21-16-1308(b)(iii) and (iv).
9 The department shall by rule and regulation establish
10 exceptions to the requirement of this subparagraph for
11 military service, religious service and other good cause
12 shown; and

13
14 (C) The minimum high school cumulative
15 grade point average and minimum composite ACT or cumulative
16 WORKKEYS score specified under this article for the type of
17 scholarship to be awarded.

18
19 (c) Notwithstanding W.S. 21-16-1301(a)(viii),
20 students who are Wyoming residents and graduates of an out-
21 of-state high school shall be deemed to have graduated from
22 an eligible high school for the purpose of qualifying under
23 this article. Notwithstanding W.S. 21-16-1301(a)(viii) or
24 paragraph (b)(i) of this section, a student whose custodial

1 parent or guardian is in active military service and
2 maintains Wyoming as that parent's or guardian's state of
3 domicile is deemed to be a Wyoming resident and if a high
4 school graduate of a high school outside of Wyoming
5 accredited by the appropriate regional accrediting agency
6 shall be deemed to have graduated from an eligible high
7 school for the purpose of qualifying under this article.

8

9 (d) No student shall be eligible for a scholarship
10 under this article for more than the equivalent of eight
11 (8) full-time semesters. No student shall be eligible for
12 a scholarship under this article for any semesters
13 commencing after six (6) academic years following the
14 student's initial eligibility. For purposes of this
15 subsection a student's initial eligibility shall be deemed
16 to commence with the first semester in which the state is
17 obligated to reimburse an eligible institution for the
18 student's scholarship under this article. The department
19 shall by rule and regulation establish exceptions to this
20 subsection for military service, religious service and
21 other good cause shown.

22

23 (e) A student is not eligible for a scholarship under
24 this article if he:

1

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

6

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

10

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

17

18 (iv) Owes a refund under a federal Title IV
19 student financial aid program or a subsequently enacted
20 similar federal student financial aid program, or a student
21 financial aid program administered through the state.
22 Nothing in this paragraph prohibits a student who is
23 otherwise eligible for a scholarship under this article and

1 has fully paid the refund owed, from receiving a
2 scholarship for future academic semesters;

3

4 (v) Owes past due child support in an amount
5 equal to at least triple the obligor's current monthly
6 child support obligation. Nothing in this paragraph
7 prohibits a student who is otherwise eligible for a
8 scholarship under this article and has fully paid all child
9 support obligation owed, from receiving a scholarship for
10 future academic semesters;

11

12 (vi) Is incarcerated; or

13

14 (vii) Does not otherwise qualify under this
15 article for a scholarship.

16

17 **21-16-1304. Hathaway opportunity, performance and**
18 **honor scholarships.**

19

20 (a) Any student who meets the criteria under W.S.
21 21-16-1303 is eligible to receive a scholarship to pursue a
22 degree or certificate as follows:

23

1 (i) With a minimum cumulative high school GPA of
2 2.50 and a composite ACT score of at least nineteen (19), a
3 Hathaway opportunity scholarship for:

4
5 (A) Eight hundred dollars (\$800.00) per
6 semester at an eligible institution if enrolled for twelve
7 (12) or more semester hours;

8
9 (B) The amount provided under subparagraph
10 (A) of this paragraph times a fraction, the numerator of
11 which is the number of hours for which the student is
12 enrolled and the denominator is twelve (12), if enrolled at
13 an eligible institution for at least six (6) and less than
14 twelve (12) semester hours.

15
16 (ii) With a minimum cumulative high school GPA of
17 3.0 and a composite ACT score of at least twenty-one (21),
18 a Hathaway performance scholarship for:

19
20 (A) One thousand two hundred dollars
21 (\$1,200.00) per semester at an eligible institution if
22 enrolled for twelve (12) or more semester hours;

23

1 (B) The amount provided under subparagraph
2 (A) of this paragraph times a fraction, the numerator of
3 which is the number of hours for which the student is
4 enrolled and the denominator is twelve (12), if enrolled at
5 an eligible institution for at least six (6) and less than
6 twelve (12) semester hours.

7

8 (iii) With a minimum cumulative high school GPA
9 of 3.5 and a composite ACT score of at least twenty-five
10 (25), a Hathaway honor scholarship for:

11

12 (A) One thousand six hundred dollars
13 (\$1,600.00) per semester at an eligible institution if
14 enrolled for twelve (12) or more semester hours;

15

16 (B) The amount provided under subparagraph
17 (A) of this paragraph times a fraction, the numerator of
18 which is the number of hours for which the student is
19 enrolled and the denominator is twelve (12), if enrolled at
20 an eligible institution for at least six (6) and less than
21 twelve (12) semester hours.

22

23 (b) Scholarships under this section shall be for a
24 maximum of the equivalent of eight (8) full time semesters.

1 A scholarship under this section shall be available for
2 attendance at a Wyoming community college for not more than
3 a maximum of the equivalent of four (4) full time semesters.

4
5 (c) To remain eligible for the scholarship under this
6 section, the student shall:

7
8 (i) Make satisfactory academic progress toward a
9 degree. If a student fails to maintain the cumulative
10 grade point average required for continuation in the
11 program as provided in this subsection, the student shall
12 become ineligible for the scholarship in subsequent
13 semesters unless granted an exception for cause by the
14 department or except as otherwise provided in this
15 subsection. The scholarship under this article shall be
16 reinstated for the subsequent semester following attainment
17 of the cumulative grade point average required of the
18 applicable scholarship under paragraph (iii) of this
19 subsection, provided that the student is otherwise eligible
20 and neither the applicable maximum number of full-time
21 equivalent semesters nor the maximum scholarship
22 eligibility time period specified under subsection (b) of
23 this section and W.S. 21-16-1303(d), including semesters
24 for which a scholarship was not received, has been reached;

1

2 (ii) Maintain continuous enrollment for not less
3 than two (2) semesters in each successive academic year.
4 The department shall by rule and regulation establish
5 exceptions to the requirement of this paragraph for
6 military service, religious service and other good cause
7 shown; and

8

9 (iii) Maintain a cumulative grade point average
10 as evaluated at the end of each academic year as follows:

11

12 (A) For Hathaway opportunity scholarships,
13 at least a 2.25 GPA;

14

15 (B) For Hathaway performance scholarships
16 and Hathaway honor scholarships, at least a 2.50 GPA.

17

18 (d) A student receiving a Hathaway honor scholarship
19 or a Hathaway performance scholarship who fails to meet the
20 GPA requirements of subsection (c) of this section
21 necessary to maintain that scholarship may be awarded a
22 Hathaway opportunity scholarship for attendance at an
23 appropriate eligible institution if he meets the
24 requirements necessary to maintain that scholarship.

1

2 (e) The cumulative grade point average required under
3 this section to maintain a scholarship shall be the
4 student's grade point average achieved at all eligible
5 institutions after the student's initial eligibility as
6 determined under W.S. 21-16-1303(d).

7

8 **21-16-1305. Hathaway career scholarships.**

9

10 (a) Any student who meets the criteria under W.S.
11 21-16-1303 is eligible to receive a Hathaway career
12 scholarship to pursue a certificate as follows:

13

14 (i) With a minimum cumulative high school GPA of
15 2.50 and either a composite ACT score of at least seventeen
16 (17) or a cumulative score of at least twelve (12) points
17 on applied math, reading for information and locating
18 information on WORKKEYS tests, a scholarship for:

19

20 (A) Eight hundred dollars (\$800.00) per
21 semester at a Wyoming community college if enrolled for
22 twelve (12) or more semester hours;

23

1 (B) The amount provided under subparagraph
2 (A) of this paragraph times a fraction, the numerator of
3 which is the number of hours for which the student is
4 enrolled and the denominator is twelve (12), if enrolled at
5 a Wyoming community college for at least six (6) and less
6 than twelve (12) semester hours.

7

8 (ii) Scholarships under paragraph (i) of this
9 subsection shall be for a maximum of the equivalent of four
10 (4) full time semesters;

11

12 (iii) A student who receives a scholarship under
13 paragraph (i) of this subsection and who earns a
14 certificate from the community college with a minimum
15 cumulative GPA of 2.25 may receive an additional
16 scholarship at a Wyoming community college to pursue either
17 a certificate or a degree if the student maintains a
18 minimum cumulative GPA of 2.25 and otherwise remains
19 eligible for a scholarship under this article. The
20 scholarship under this paragraph shall be for the same
21 amounts and subject to the same limitations as provided for
22 scholarships under paragraph (a)(i) of this section, except
23 that the student may pursue either an additional
24 certificate or a degree.

1

2 (b) To remain eligible for the scholarship award
3 under this section, the student shall:

4

5 (i) Make satisfactory academic progress toward a
6 certificate or degree. If a student fails to maintain the
7 cumulative grade point average required for continuation in
8 the program provided in paragraph (iii) of this subsection,
9 the student shall become ineligible for the scholarship in
10 subsequent semesters unless granted an exception for cause
11 by the department or except as otherwise provided in this
12 subsection. The scholarship under this article shall be
13 reinstated for the subsequent semester following attainment
14 of the cumulative grade point average required under
15 paragraph (iii) of this subsection provided that the
16 student is otherwise eligible and that neither the maximum
17 number of full-time equivalent semesters nor the maximum
18 scholarship eligibility time period specified under
19 subsection (a) of this section and W.S. 21-16-1303(d),
20 including semesters for which a scholarship was not
21 received, has not been reached;

22

23 (ii) Maintain continuous enrollment for not less
24 than two (2) semesters in each successive academic year.

1 The department shall by rule and regulation establish
2 exceptions to the requirement of this paragraph for
3 military service, religious service and other good cause
4 shown; and

5

6 (iii) Maintain a cumulative grade point average
7 of at least 2.25 GPA, as evaluated at the end of each
8 academic year for certificates or degrees that require more
9 than one (1) academic year.

10

11 (c) The cumulative grade point average required under
12 this section to maintain a scholarship shall be the
13 student's grade point average achieved at all eligible
14 institutions after the student's initial eligibility as
15 determined under W.S. 21-16-1303(d).

16

17 **21-16-1306. Need based scholarships.**

18

19 (a) In addition to scholarships made available under
20 W.S. 21-16-1304 and 21-16-1305 there shall be made
21 available a need based Hathaway scholarship as follows:

22

23 (i) The scholarship shall be available only to
24 students qualifying for a scholarship under W.S. 21-16-1304

1 or 21-16-1305 and for federal financial aid. The
2 scholarships under this section shall be computed and
3 awarded as follows:

4

5 (A) If the student has annual unmet
6 financial need of two thousand dollars (\$2,000.00) or less
7 - no award;

8

9 (B) If the student has annual unmet
10 financial need greater than two thousand dollars
11 (\$2,000.00):

12

13 (I) If the student is eligible for a
14 Hathaway honor scholarship - an award under this section in
15 an amount equal to the annual unmet financial need
16 exceeding two thousand dollars (\$2,000.00). A scholarship
17 under this subdivision shall continue as long as the
18 student remains eligible for a Hathaway honor scholarship;

19

20 (II) If a student is eligible for a
21 scholarship under this article but does not qualify under
22 subdivision (I) of this subparagraph - an award equal to
23 twenty-five percent (25%) of the annual unmet financial
24 need in excess of two thousand dollars (\$2,000.00), but not

1 to exceed one thousand five hundred dollars (\$1,500.00) per
2 year.

3

4 (C) A student qualifying for any award
5 under this section shall receive a minimum amount of one
6 hundred dollars (\$100.00) for each semester of
7 qualification. One-half (1/2) of the annual award amount
8 under this section shall be provided to the student at each
9 semester of qualification.

10

11 (b) The department shall provide scholarships under
12 this section from funds made available under W.S. 21-16-
13 1302 and the state treasurer shall reimburse eligible
14 institutions accordingly under W.S. 21-16-1308. All
15 requirements for scholarship recipients applicable under
16 this article shall be applicable to scholarships under this
17 section. The department, in consultation with each
18 eligible institution, shall by rule designate a date for
19 each academic year upon which each eligible institution
20 shall make the final computation for unmet need for
21 students receiving a scholarship under this section,
22 consistent with each institution's schedule for determining
23 actual cost of attendance for students at that institution.

24

1 **21-16-1307. Success curriculum; test standards.**

2

3 (a) Not later than October 1, 2006, the department
4 shall recommend to the governor and the joint education
5 interim committee of the legislature, in consultation with
6 the University of Wyoming, each Wyoming community college
7 and the Wyoming community college commission:

8

9 (i) The contents of an appropriate success
10 curriculum for Hathaway opportunity, performance and honor
11 scholarship students and, in consultation with each
12 community college and the commission, the contents of an
13 appropriate success curriculum for Hathaway career
14 scholarship students. The success curricula and cumulative
15 GPA requirements for performance in the success curricula
16 shall, upon approval of the legislature, enable students
17 entering high school in the fall of 2007 to pursue those
18 curricula for scholarship eligibility under this article
19 beginning with the fall of 2011. The success curricula
20 shall include at least four (4) years each of mathematics,
21 science, and reading/language arts, three (3) years of
22 social studies and a study of a foreign language in grades
23 9 through 12;

24

1 (ii) Components of the success curricula to be
2 included in the criteria for eligibility for scholarships
3 during each year of the phase-in of the Hathaway
4 scholarship program prior to complete implementation in the
5 fall of 2011;

6
7 (iii) The adoption of statewide student
8 assessment standards and scores administered pursuant to
9 W.S. 21-2-304(a) to augment qualifying ACT or WORKKEYS
10 scores for scholarships under this article. The
11 recommended adoption of statewide assessment standards and
12 scores shall be designed to provide incentives for students
13 to pursue a rigorous curriculum and strive to achieve
14 academic success in high school.

15
16 (b) Not later than October 1, 2007, and by October 1
17 in each odd-numbered year thereafter, the department, in
18 consultation with the University of Wyoming, Wyoming
19 community colleges and the community college commission,
20 shall report to the governor and the joint education
21 interim committee of the legislature on recommendations for
22 modifications to the minimum cumulative GPA and minimum
23 composite ACT or cumulative WORKKEYS scores contained in
24 this article to ensure that the Hathaway scholarship

1 program is designed to provide the desired incentives for
2 students to pursue a rigorous curriculum and strive to
3 achieve academic success.

4

5 **21-16-1308. Administration; rules and regulations.**

6

7 (a) This article shall be administered by the
8 department in accordance with the following:

9

10 (i) Students shall make application for
11 scholarships under this article with the eligible
12 institution at the time of applying for admission or in any
13 event prior to the beginning of the semester at the
14 eligible institution. The application shall contain
15 information as required by rule of the department. The
16 application shall require each applicant to verify under
17 penalty of false swearing under W.S. 6-3-505, that if the
18 applicant is subject to any order requiring payment of
19 child support, the applicant at the time of completing the
20 application does not owe past due child support of at least
21 triple the applicant's current monthly obligation;

22

23 (ii) Upon request of a student applying to an
24 eligible institution and initially applying for a Hathaway

1 scholarship, each school district shall provide to the
2 eligible institution an official transcript of the
3 student's academic record through the student's most recent
4 semester of attendance. Following graduation and upon the
5 student's request the school district shall also provide to
6 the eligible institution an official transcript of the
7 student's complete academic record;

8

9 (iii) For students transferring from an eligible
10 institution to another eligible institution and making
11 application for continuance of a scholarship, the
12 institution from which the student is transferring shall at
13 the student's request provide an official transcript to the
14 new institution and shall provide a list of all semesters
15 of attendance in which a Hathaway scholarship was received
16 by the student and, if applicable, a list of all semesters
17 for which a student previously qualifying for a Hathaway
18 scholarship was determined ineligible for the Hathaway
19 scholarship;

20

21 (iv) Each eligible institution receiving an
22 application from a student applying for a Hathaway
23 scholarship shall preliminarily determine the student's
24 eligibility for the scholarship. For students initially

1 applying for a scholarship, unless the student's complete
2 academic record is available, the GPA used to preliminarily
3 determine eligibility shall be based upon the student's
4 official high school transcript after either the end of the
5 first semester of a student's senior year or the second
6 semester of a student's junior year, at the sole discretion
7 of the eligible institution. For students graduating prior
8 to their senior year the GPA used to preliminarily
9 determine eligibility shall be based upon the student's
10 official high school transcript as of the end of the
11 semester immediately prior to the last semester before the
12 student's graduation. High school GPAs for final
13 eligibility determinations for students initially applying
14 for a scholarship under this article shall be based upon
15 the student's complete high school academic record. Upon
16 final determination of scholarship eligibility, each
17 community college shall certify to the community college
18 commission not later than thirty (30) days after the
19 semester commences, a list of students enrolled at the
20 institution who qualify for a scholarship under this
21 article, including the amount of each scholarship. The
22 University shall certify to the department within forty-
23 five (45) days after the semester commences a like list for
24 students enrolled at the University. The director of the

1 community college commission shall verify within ten (10)
2 days after receiving all lists from community colleges that
3 there is no duplication of students on the community
4 college lists, shall provide the lists to the department
5 and shall certify to the department the amount each college
6 is to receive under this article;

7

8 (v) The department shall determine and certify
9 to the state treasurer the amount which is equal to
10 seventy-five percent (75%) of the total amount the eligible
11 institution received during the preceding semester under
12 this subsection. Not later than September 1 for the fall
13 semester and not later than January 15 for the spring
14 semester, the state treasurer shall pay from the
15 scholarship expenditure account the amount certified by the
16 department. The department shall review the lists provided
17 under paragraph (iv) of this subsection, determine there is
18 no duplication of students, and determine and certify to
19 the state treasurer the balance of the amount due under
20 this article to each institution for the semester. The
21 state treasurer shall pay from the scholarship expenditure
22 account the balance of the amount due. Payments of the
23 balance due under this paragraph shall be made not later
24 than seventy-five (75) days after the institution's

1 semester has commenced. Payments to the University shall
2 be made directly to the University. Payments to the
3 community colleges shall be made directly to each college
4 and be reported by the state treasurer to the community
5 college commission. Should a prepayment under this
6 paragraph exceed the amount actually due the institution
7 for any semester, the excess amount shall be calculated by
8 the department and deducted from the next payment made.
9 For purposes of this subsection, payments due for summer
10 terms shall be included within the calculations and
11 payments for the subsequent fall semester.

12

13 (b) The department shall, in consultation with
14 University of Wyoming and community college admissions
15 officers and financial aid officers and school districts,
16 promulgate rules and regulations necessary to implement
17 this article, including:

18

19 (i) A means for informing all students and their
20 parents or guardians of the availability of the
21 scholarships under this article in sufficient time to
22 enable the student to plan for and complete the success
23 curriculum. The means shall at a minimum include:

24

1 (A) A requirement that each written
2 communication from a school district to a parent or
3 guardian of a student include on any envelope used, or on
4 the communication if no separate envelope is used, a
5 statement that the State of Wyoming provides Hathaway merit
6 and need scholarships to Wyoming students attending the
7 University of Wyoming and Wyoming community colleges and
8 that every Wyoming student who meets the merit requirements
9 can earn a Hathaway merit scholarship;

10

11 (B) A summary of available Hathaway
12 scholarships and requirements to earn a scholarship. The
13 summary shall be made available on the department's website
14 on the Internet, the World Wide Web or similar proprietary
15 or common carrier electronic system;

16

17 (C) Provision for each school district to
18 provide a one (1) week unit of instruction in the eighth
19 grade regarding preparation for post-secondary work,
20 including an overview of a curriculum needed to be
21 successful in post-secondary education, standardized test
22 requirements, scholarships available for post-secondary
23 education and earning differences anticipated at various
24 post-secondary education levels. The unit of instruction

1 provided under this subparagraph shall be developed by the
2 department in consultation with school districts and shall
3 be delivered to school districts. The department in
4 consultation with the school districts shall develop a
5 program of a curriculum needed to be successful in post-
6 secondary education, standardized test requirements,
7 scholarships available for post-secondary education and
8 earning differences anticipated at various post-secondary
9 education levels.

10

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

14

15 (iii) Criteria and procedures under which
16 students in a home-based educational program can qualify
17 for scholarships under this article. A student in a home-
18 based educational program:

19

20 (A) Shall make application for an initial
21 scholarship before his twenty-first birthday;

22

23 (B) Shall meet the initial eligibility
24 requirements of this article other than attendance and

1 graduation from an eligible high school and corresponding
2 GPA requirements;

3

4 (C) Who is otherwise eligible and who
5 achieves the requisite composite ACT or cumulative WORKKEYS
6 score shall be eligible for the scholarships provided under
7 this article at the same level and to the same extent as
8 students graduating from eligible high schools.

9

10 (iv) Criteria and procedures under which
11 students who receive a general educational development
12 (GED) equivalency diploma can qualify for scholarships
13 under this article. A student receiving a GED shall:

14

15 (A) Receive the GED and make application for
16 the initial scholarship no later than two (2) years after
17 and no sooner than the graduation date of the student's
18 high school class, unless ordered by a court to complete
19 the requirements for a GED prior to that graduation date or
20 for other good cause shown as determined by the department;

21

22 (B) Meet the initial eligibility
23 requirements of this article other than curriculum

1 requirements, attendance and graduation from an eligible
2 high school and corresponding GPA requirements;

3

4 (C) If otherwise eligible, be eligible for
5 a scholarship as follows:

6

7 (I) With a minimum GED standard score
8 of 500, a scholarship at same level and to the same extent
9 as a Hathaway opportunity scholarship or career
10 scholarship;

11

12 (II) With a minimum GED standard score
13 of 540, a scholarship at the same level and to the same
14 extent as a Hathaway performance scholarship;

15

16 (III) With a minimum GED standard
17 score of 575, a scholarship at same level and to the same
18 extent as a Hathaway honor scholarship.

19

20 (v) Any other rules and regulations necessary
21 for the implementation and administration of this article.

22

23 (c) The department shall establish annual reporting
24 procedures for purposes of policy analysis and program

1 evaluation and providing accurate data to the legislature
2 and governor relative to the program's impact on the state
3 and on students. In developing the annual reporting
4 procedure the department shall consult with the University
5 of Wyoming and community college financial aid officers and
6 registrars or their designees. It is the intention of the
7 legislature that the reporting system and the requirements
8 thereof shall be applicable to all recipients of
9 scholarships under this article. Compliance with this
10 section shall be made a condition of receiving a
11 scholarship under this article. The reporting system shall
12 include the following information:

13

14 (i) A report prepared for each semester or
15 equivalent periods of time during each academic year
16 relative to the rate of retention of program participants;

17

18 (ii) Scholarships by students as they progress
19 from semester to semester or other equivalent periods of
20 time as may be applicable once enrolled at an eligible
21 institution. The data shall be reported by institution
22 attended, by the instructional program, and by scholarship
23 category and shall include the percent of students losing
24 scholarship eligibility due to not earning the minimum

1 number of credit hours, the percent of students losing
2 scholarship eligibility due to not having the required
3 cumulative grade point average, the percent of students
4 losing scholarship eligibility for failing to make
5 satisfactory academic progress and the percentage of
6 students losing scholarship eligibility for failing to
7 enroll. The same information shall also be reported by
8 categories showing those students qualifying through
9 WORKKEYS scores and GED scores and by the group of students
10 who attended a home based educational program and did not
11 graduate from an eligible high school;

12

13 (iii) The persistence rates at the eligible
14 institutions of freshmen, sophomore, junior and senior
15 students receiving a scholarship reported by scholarship
16 category and by award year;

17

18 (iv) The graduation rates or rates of completion
19 of the chosen postsecondary education program if otherwise
20 applicable for students receiving a scholarship reported by
21 scholarship category and award year, including for those
22 graduating with an academic degree at the baccalaureate
23 level the rate for persons graduating within four (4)
24 years, within five (5) years and within six (6) years,

1 respectively and including for those graduating with a
2 certificate or associate degree the rate for persons
3 graduating within one (1), two (2) and three (3) years;

4

5 (v) The mean length of time required for a
6 student receiving a scholarship under this article to
7 graduate with a degree or to complete the certificate
8 program with such information being reported by scholarship
9 category and by award year;

10

11 (vi) An annual report on the number of
12 applicants as well as the percent of high school graduates
13 by high school district who apply for a scholarship by
14 scholarship category, and the percent of those students who
15 are awarded a scholarship and subsequently enroll in an
16 eligible institution;

17

18 (vii) Statistical studies on the relationship
19 between the courses taken and grades earned by a high
20 school student and the student's score on the ACT or
21 WORKKEYS test. Relative to public high schools, such
22 statistical studies shall use student course and grade data
23 that is otherwise available from the schools and such

1 studies shall be conducted at no additional cost to the
2 governing authority of any public high school;

3

4 (viii) Statistical studies on the relationship
5 between the courses taken and the grades earned in high
6 school and the student's college or university GPA.

7

8 (d) The annual report by the department shall be
9 submitted to the governor and the legislature in accordance
10 with W.S. 9-2-1014.

11

12 (e) The department may conduct an audit of any
13 eligible institution participating in the scholarship
14 program under this article to determine compliance with any
15 provision of this article.

16

17 **21-16-1309. Scholarship amounts.**

18

19 (a) To the extent a scholarship under this article
20 would, when combined with any non-need based scholarship
21 from a student financial aid program administered through
22 the state or any state institution, in any semester exceed
23 the cost of attendance at the eligible institution, the

1 scholarship under this article shall be reduced by the
2 amount necessary to not exceed that cost of attendance.

3

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

7

8 (i) Funds available for scholarships under W.S.
9 21-16-1304 and 21-16-1305 shall be used for scholarships
10 under W.S. 21-16-1306 after all scholarships under 21-16-
11 1304 and 21-16-1305 have been paid;

12

13 (ii) Funds available for scholarships under W.S.
14 21-16-1306 shall be used for scholarships under W.S. 21-16-
15 1304 and 21-16-1305 after all scholarships under 21-16-1306
16 have been paid;

17

18 (iii) After all funds within the expenditure
19 account have been expended, funds within the Hathaway
20 student scholarship reserve account shall be used to fund
21 any remaining scholarships awarded under this article;

22

23 (iv) If no funds remain available in the
24 expenditure account or reserve account at the time payment

1 is required to be made to an institution for any semester,
2 the payment to the eligible institutions shall be reduced
3 on a first come first served basis using the student's
4 application date for the scholarship.

5

6 **21-16-1310. Legislative oversight and authority.**

7

8 Nothing in this article shall be construed to
9 constitute an entitlement to a scholarship established and
10 funded by the legislature. Wyoming Hathaway scholarships
11 shall be subject to legislative appropriation and the
12 legislature reserves the right to modify or terminate the
13 program established under this article at any time.

14

15 **Section 2.** W.S. 20-6-106 by creating a new subsection
16 (aa), 21-4-501 by creating a new subsection (d), 21-16-
17 1201(d), 21-17-105(a) and (b)(intro) and 21-17-114 (a) are
18 amended to read:

19

20 **20-6-106. Powers and duties of department regarding**
21 **collection of support.**

22

23 (aa) The department shall report to the department of
24 education a list of all obligors who owe past due child

1 support in an amount equal to at least triple the obligor's
2 current monthly child support obligation. The department
3 shall report this information by September 15 and January
4 15 of each year, with information current as of the
5 preceding August 31 for the September report and current as
6 of the preceding December 31 for the January report. For
7 any obligor reported under this subsection, the department
8 shall make available to the department of education
9 information concerning the amount of outstanding child
10 support due for purposes of verifying eligibility for
11 Hathaway scholarships under W.S. 21-16-1301 et. seq.

12

13 **21-4-501. Payment of tuition for children resident in**
14 **districts which maintain no high school; admission of**
15 **children to high schools in other districts; state board**
16 **approval for out-of-state placements; duties of admitting**
17 **districts; tuition amount.**

18

19 (d) Any out-of-state placement under subsection (a)
20 of this section shall include within the agreement with the
21 out-of-state school district, that district's agreement to
22 provide student transcripts as required under W.S. 21-16-
23 1308(a)(ii).

24

1 **21-16-1201. Excellence in higher education endowment**
2 **account; student scholarship endowment account;**
3 **distributions by state treasurer; legislative restrictions.**

4
5 (d) Commencing with the fiscal year beginning July 1,
6 2007, earnings from the Hathaway student scholarship
7 endowment account created by this article shall be
8 transferred by the state treasurer to the Hathaway
9 scholarship expenditure account created by W.S. 21-16-1302.

10 Any subsequent deposits to this the Hathaway student
11 scholarship endowment account mandated by law or
12 appropriation shall remain in the account until otherwise
13 used to support scholarship programs as specified by law.

14
15 **21-17-105. Tuition to be as nearly free as possible;**
16 **number, qualifications and selection of students for**
17 **reduced tuition; reciprocal residency.**

18
19 (a) To the end that none of the youth of the state who
20 crave the benefits of higher education may be denied, and
21 that all may be encouraged to avail themselves of the
22 advantages offered by the university or community colleges,
23 tuition shall be as nearly free as possible, and it shall
24 be ~~wholly free~~ reduced by five hundred dollars (\$500.00)

1 per semester to either the university or any community
2 college in the state, as elected by the student, to three
3 (3) students annually from each county as are selected and
4 appointed by the board of county commissioners therein.
5 Scholarships under this section shall be in addition to any
6 Hathaway scholarship awarded a student under W.S. 21-16-
7 1301 et. seq., but shall be considered for purposes of
8 calculating unmet financial need for Hathaway need based
9 scholarships.

10

11 (b) Students shall be appointed after due
12 consideration of the individual student's extra curricular
13 activity, scholastic ability and American college testing
14 score. Grade point average and American college testing
15 scores shall be equally weighted. For any entering student
16 who fails a math or English placement test, the reduced
17 tuition scholarship under this section is not effective.
18 Notwithstanding the provisions of subsection (a) of this
19 section, the county commissioners may award one (1)
20 additional scholarship each year as a renewal to a student
21 maintaining above a 2.50 average, provided that the total
22 number of students receiving original and renewal
23 scholarships in any county in any year shall not exceed:

24

1 **21-17-114. Scholarship fund for students planning**
2 **teaching careers authorized; eligibility; rulemaking**
3 **authority granted.**

4
5 (a) The board of trustees is authorized to establish a
6 tuition scholarship fund for students planning teaching
7 careers. The purpose of this tuition scholarship fund is to
8 encourage Wyoming students demonstrating superior academic
9 achievement to pursue careers in teaching within the state
10 of Wyoming. Each year the board may award scholarships to
11 sixteen (16) Wyoming high school graduates covering ~~costs~~
12 five hundred dollars (\$500.00) per semester of the cost of
13 tuition at the university or any community college in the
14 state who major in education. No student is eligible to
15 apply for a scholarship under this section unless the
16 student or his mother, father or lawful guardian is a
17 resident of Wyoming and has been a resident of Wyoming for
18 at least five (5) years. Scholarships under this section
19 shall be in addition to any Hathaway scholarship awarded a
20 student under W.S. 21-16-1301 et. seq., but shall be
21 considered for purposes of calculating unmet financial need
22 for Hathaway need based scholarships.

23

24 **Section 3.**

1 (a) The legislature recognizes that eligible
2 institutions will have made substantial scholarship
3 commitments to students who plan to enroll for the fall of
4 2006 school year by the time this act is enacted into law.
5 Notwithstanding any other provision of this act:

6
7 (i) For the 2006-2007 school year, any Hathaway
8 scholarship provided under this act, except need based
9 scholarships provided under W.S. 21-16-1306, shall be
10 reduced by the amount of the eligible institution's
11 scholarship commitment made to that student for that school
12 year, but the institution shall honor that commitment to
13 the student in accordance with its terms for that year;

14
15 (ii) In subsequent years for students receiving
16 Hathaway scholarships for the 2006-2007 school year to whom
17 eligible institutions made institutional scholarship
18 commitments beyond the 2006-2007 school year, the Hathaway
19 scholarships provided under this act shall not be reduced
20 as provided in paragraph (i) of this subsection, but the
21 institution may reduce its annual institutional scholarship
22 commitment to the student by an amount not to exceed the
23 Hathaway scholarship funds provided to the student,
24 excluding need based scholarships provided under W.S. 21-

1 16-1306, so that the Hathaway scholarship supplants and is
2 not an addition to the institutional scholarship. To the
3 extent that the institution reduces its scholarship
4 commitments under this paragraph, the institution shall
5 specify the purposes for which those commitments were
6 reallocated in its report required under section 4 of this
7 act.

8

9 (b) For purposes of this section "scholarship
10 commitment" means an existing scholarship, a scholarship
11 award letter or a scholarship offer made by the eligible
12 institution.

13

14 **Section 4.** The University of Wyoming and each
15 community college shall report biennially to the joint
16 education and joint appropriations interim committees on
17 the use of all scholarship funds controlled by the
18 institution, exclusive of federal funds. The report shall
19 show the total scholarship funds, including scholarship
20 funds granted via tuition discounts, for the most recently
21 completed biennium contrasted with the biennium ending June
22 30, 2006. The report shall show how any funds supplanted
23 by Hathaway scholarships have been reallocated for other
24 scholarship and student financial aid programs or have been

1 rebudgeted for other purposes and the plans for such funds
2 for the coming biennium. The reports shall be due November
3 1 of each even numbered year.

4

5 **Section 5.** Notwithstanding W.S. 21-16-1308(a)(v)
6 created by this act, the state treasurer shall make
7 prepayments under this act to eligible institutions in
8 accordance with this section for the school years
9 commencing in the fall of 2006, 2007, 2008 and 2009. For
10 each of those school years the state treasurer, in
11 consultation with the University of Wyoming, the Wyoming
12 community college commission and the department of
13 education, shall project the anticipated payments due each
14 eligible institution under this act. For the fall
15 semesters of each of those school years the state
16 treasurer, not later than September 1 of each year, shall
17 pay each institution seventy-five percent (75%) of the
18 anticipated payment due for that semester. The same
19 prepayment shall be made for the following spring semester
20 not later than January 15. Payments of the balance due
21 the institution shall be made in accordance with W.S. 21-
22 16-1308(a)(v). Should a prepayment under this section
23 exceed the amount actually due the institution under this

1 act for any semester, the excess amount shall be deducted
2 from the next payment made.

3

4 **Section 6.** The scholarships provided under this act
5 shall begin for students graduating from an eligible high
6 school or a home-based educational program or receiving a
7 GED after April 1, 2006 and shall be provided beginning
8 with the fall semester 2006.

9

10 **Section 7.** This act is effective immediately upon
11 completion of all acts necessary for a bill to become law
12 as provided by Article 4, Section 8 of the Wyoming
13 Constitution.

14

15

(END)