

SENATE FILE NO. SF0085

Hathaway scholarship program.

Sponsored by: Joint Education Interim Committee

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

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

17

1

ARTICLE 13

2

HATHAWAY SCHOLARSHIP PROGRAM

3

4

21-16-1301. Definitions.

5

6

(a) As used in this article:

7

8

(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;

15

16

(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;

20

21

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

24

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

7
8 (v) "Cost of attendance" means the sum cost of
9 tuition, mandatory fees, room and board, books and
10 supplies, travel and personal expenses to attend an
11 eligible institution as determined annually by the
12 institution in accordance with W.S. 21-16-1306(b);

13
14 (vi) "Degree" means a baccalaureate or an
15 associate degree other than a certificate;

16
17 (vii) "Department" means the Wyoming department
18 of education;

19
20 (viii) "Eligible high school" means a public or
21 private secondary school that is located in Wyoming and is
22 accredited or licensed by the department or is exempt from
23 licensure pursuant to W.S. 21-2-406(a)(i);

24

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

3

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

6

7 (xi) "Expenditure account" means the Hathaway
8 scholarship expenditure account established under W.S.
9 21-16-1302;

10

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

13

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

17

18 (xiv) "Satisfactory academic progress" means
19 completing at least six (6) semester hours per semester if
20 enrolled for less than twelve (12) semester hours and
21 completing at least twelve (12) semester hours per semester
22 if enrolled for twelve (12) or more semester hours, and
23 meeting such other criteria as established by the eligible
24 institution to ensure the student earns his degree or

1 certificate in a timely manner. The student's hours of
2 enrollment for purposes of this paragraph shall be the same
3 number of hours of enrollment used to determine the state's
4 obligation to reimburse the eligible institution for the
5 student's scholarship under this article;

6
7 (xv) "Scholarship" means an award provided
8 pursuant to W.S. 21-16-1304, 21-16-1305 or 21-16-1306;

9
10 (xvi) "Semester hour" means each nonremedial
11 semester hour attempted for credit toward a degree or
12 certificate, excluding any semester hour attempted before
13 earning a high school diploma or a general educational
14 development (GED) equivalency diploma;

15
16 (xvii) "Title IV" means Title IV of the federal
17 Higher Education Act of 1965, as amended;

18
19 (xviii) "Unmet financial need" means the cost of
20 attendance minus the sum of expected family contribution
21 and all federal, state, local, institutional and privately
22 funded scholarships or grants received by the student, all
23 as determined by the eligible institution. The institution
24 shall use the most recent federal free application for

1 federal student aid form to determine expected family
2 contribution and shall do so annually in accordance with
3 W.S. 21-16-1306(b);

4
5 (xix) "WORKKEYS SCORE" means qualifying scores
6 on the WORKKEYS job skills assessment test. In the event
7 the WORKKEYS job skills assessment test is superseded,
8 becomes too expensive to administer or goes out of general
9 use, the department shall specify by rule and regulation a
10 replacement test to be used.

11
12 **21-16-1302. Hathaway scholarship expenditure account**
13 **created; reserve account created; use and appropriation of**
14 **funds.**

15
16 (a) The Hathaway scholarship expenditure account is
17 created to consist of earnings from the Hathaway student
18 scholarship endowment account created by W.S. 21-16-1201
19 and such other funds appropriated by the legislature to the
20 expenditure account. Eighty percent (80%) of all monies
21 deposited to the expenditure account under this section
22 shall be available for scholarships under W.S. 21-16-1304
23 and 21-16-1305. Twenty percent (20%) of all monies
24 deposited to the expenditure account under this section

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

9
10 (b) There is created the Hathaway student scholarship
11 reserve account. The reserve account shall consist of
12 those monies deposited to the account pursuant to
13 subsection (a) of this section and such other funds
14 appropriated by the legislature to the reserve account. To
15 the extent funds within the Hathaway scholarship
16 expenditure account are insufficient in any fiscal year to
17 fully fund scholarships awarded under this article, monies
18 within the reserve account shall be deposited by the state
19 treasurer to the expenditure account for distribution to
20 eligible institutions to fund those scholarships. As soon
21 as possible after the end of each of the fiscal years
22 beginning on and after July 1, 2007, the state treasurer
23 shall transfer monies from this reserve account to the
24 Hathaway student scholarship endowment account to the

1 extent monies within the reserve account are in excess of
2 the greater of twelve million dollars (\$12,000,000.00) or
3 an amount equal to three and seventy-five hundredths
4 percent (3.75%) of the previous five (5) year average
5 market value of the Hathaway student scholarship endowment
6 account, calculated from the first day of the fiscal year.

7

8 **21-16-1303. Hathaway scholarship program; eligibility**
9 **requirements.**

10

11 (a) There is created the Hathaway scholarship program
12 for Wyoming students.

13

14 (b) Under the Hathaway scholarship program, subject
15 to availability of funds as determined by the legislature,
16 the state shall provide a scholarship pursuant to W.S.
17 21-16-1304 and 21-16-1305 to any student who has been
18 accepted by and enrolls in an eligible institution to
19 pursue a degree or certificate, and who meets the following
20 qualifications:

21

22 (i) The student has demonstrated Wyoming
23 residency as determined by the eligible institution at
24 which the student is enrolled;

1

2 (ii) The student has successfully completed a
3 curriculum and meets standards for admission to the
4 eligible institution. Until success curricula requirements
5 are established pursuant to W.S. 21-16-1307, the curriculum
6 requirement of this paragraph for Hathaway scholarship
7 recipients shall be that required for high school
8 graduation under W.S. 21-2-304(a)(iii). For first-time
9 students who enroll in an eligible institution in the fall
10 of 2011, and thereafter, curriculum requirements for a
11 scholarship under this article shall be as established
12 pursuant to W.S. 21-16-1307; and

13

14 (iii) The student has:

15

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

19

20 (B) Applied for a scholarship under this
21 article within two (2) years of the date of high school
22 graduation, or is otherwise eligible under rules
23 promulgated pursuant to W.S. 21-16-1308(b)(iii) and (iv).

24 The department shall by rule and regulation establish

1 exceptions to the requirement of this subparagraph for
2 military service, religious service and other good cause
3 shown; and
4

5 (C) The minimum high school cumulative
6 grade point average and minimum composite ACT or cumulative
7 WORKKEYS score specified under this article for the type of
8 scholarship to be awarded.
9

10 (c) Notwithstanding W.S. 21-16-1301(a)(viii),
11 students who are Wyoming residents and graduates of an out-
12 of-state high school shall be deemed to have graduated from
13 an eligible high school for the purpose of qualifying under
14 this article. Notwithstanding W.S. 21-16-1301(a)(viii) or
15 paragraph (b)(i) of this section, a student whose custodial
16 parent or guardian is in active military service and
17 maintains Wyoming as that parent's or guardian's state of
18 domicile is deemed to be a Wyoming resident and if a high
19 school graduate of a high school outside of Wyoming
20 accredited by the appropriate regional accrediting agency
21 shall be deemed to have graduated from an eligible high
22 school for the purpose of qualifying under this article.
23

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

14

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

17

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

22

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

4

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

11

12 (iv) Owes a refund under a federal Title IV
13 student financial aid program or a subsequently enacted
14 similar federal student financial aid program, or a student
15 financial aid program administered through the state.
16 Nothing in this paragraph prohibits a student who is
17 otherwise eligible for a scholarship under this article and
18 has fully paid the refund owed, from receiving a
19 scholarship for future academic semesters;

20

21 (v) Owes past due child support in an amount
22 equal to at least triple the obligor's current monthly
23 child support obligation. Nothing in this paragraph
24 prohibits a student who is otherwise eligible for a

1 scholarship under this article and has fully paid all child
2 support obligation owed, from receiving a scholarship for
3 future academic semesters;

4

5 (vi) Is incarcerated; or

6

7 (vii) Does not otherwise qualify under this
8 article for a scholarship.

9

10 **21-16-1304. Hathaway opportunity, performance and**
11 **honor scholarships.**

12

13 (a) Any student who meets the criteria under W.S.
14 21-16-1303 is eligible to receive a scholarship to pursue a
15 degree or certificate as follows:

16

17 (i) With a minimum cumulative high school GPA of
18 2.50 and a composite ACT score of at least nineteen (19), a
19 Hathaway opportunity scholarship for:

20

21 (A) Eight hundred dollars (\$800.00) per
22 semester at an eligible institution if enrolled for twelve
23 (12) or more semester hours;

24

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 (ii) With a minimum cumulative high school GPA of
9 3.0 and a composite ACT score of at least twenty-one (21),
10 a Hathaway performance scholarship for:

11
12 (A) One thousand two hundred dollars
13 (\$1,200.00) 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

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

4
5 (A) One thousand six hundred dollars
6 (\$1,600.00) per semester at an eligible institution if
7 enrolled for twelve (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 (b) Scholarships under this section shall be for a
17 maximum of the equivalent of eight (8) full-time semesters.
18 A scholarship under this section shall be available for
19 attendance at a Wyoming community college for not more than
20 a maximum of the equivalent of four (4) full-time
21 semesters.

22
23 (c) To remain eligible for the scholarship under this
24 section, the student shall:

1
2 (i) Make satisfactory academic progress toward a
3 degree. If a student fails to make satisfactory academic
4 progress or maintain the cumulative grade point average
5 required for continuation in the program as provided in
6 this subsection, the student shall become ineligible for
7 the scholarship in subsequent semesters unless granted an
8 exception for cause by the department or except as
9 otherwise provided in this subsection. The department may
10 delegate to any eligible institution the department's
11 authority to grant an exception for cause, but shall only
12 do so in accordance with department rules establishing
13 procedures and criteria for granting an exception and any
14 eligible institution acting pursuant to such delegation
15 shall grant exceptions only in accordance with those rules.
16 The scholarship under this article which is lost for
17 failing to maintain the requisite grade point average shall
18 be reinstated for the subsequent semester following
19 attainment of the cumulative grade point average required
20 of the applicable scholarship under paragraph (iii) of this
21 subsection, provided that the student is otherwise eligible
22 and neither the applicable maximum number of full-time
23 equivalent semesters nor the maximum scholarship
24 eligibility time period specified under subsection (b) of

1 this section and W.S. 21-16-1303(d), including semesters
2 for which a scholarship was not received, has been reached;

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

10
11 (iii) Maintain a cumulative grade point average
12 as evaluated at the end of each spring academic term as
13 follows:

14
15 (A) For Hathaway opportunity scholarships,
16 at least a 2.25 GPA;

17
18 (B) For Hathaway performance scholarships
19 and Hathaway honor scholarships, at least a 2.50 GPA.

20
21 (d) A student receiving a Hathaway honor scholarship
22 or a Hathaway performance scholarship who fails to meet the
23 GPA requirements of subsection (c) of this section
24 necessary to maintain that scholarship may be awarded a

1 Hathaway opportunity scholarship for attendance at an
2 appropriate eligible institution if he meets the
3 requirements necessary to maintain that scholarship.

4

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

10

11 **21-16-1305. Hathaway career scholarships.**

12

13 (a) Any student who meets the criteria under W.S.
14 21-16-1303 is eligible to receive a Hathaway career
15 scholarship to pursue a certificate as follows:

16

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

22

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

4

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

11

12 (ii) Scholarships under paragraph (i) of this
13 subsection shall be for a maximum of the equivalent of four
14 (4) full-time semesters;

15

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

1 amounts and subject to the same limitations as provided for
2 scholarships under paragraph (a)(i) of this section, except
3 that the student may pursue either an additional
4 certificate or a degree.

5
6 (b) To remain eligible for the scholarship award
7 under this section, the student shall:

8
9 (i) Make satisfactory academic progress toward a
10 certificate or degree. If a student fails to make
11 satisfactory academic progress or maintain the cumulative
12 grade point average required for continuation in the
13 program provided in paragraph (iii) of this subsection, the
14 student shall become ineligible for the scholarship in
15 subsequent semesters unless granted an exception for cause
16 by the department or except as otherwise provided in this
17 subsection. The department may delegate to any eligible
18 institution the department's authority to grant an
19 exception for cause, but shall only do so in accordance
20 with department rules establishing procedures and criteria
21 for granting an exception and any eligible institution
22 acting pursuant to such delegation shall grant exceptions
23 only in accordance with those rules. The scholarship under
24 this article which is lost for failing to maintain the

1 requisite grade point average shall be reinstated for the
2 subsequent semester following attainment of the cumulative
3 grade point average required under paragraph (iii) of this
4 subsection provided that the student is otherwise eligible
5 and that neither the maximum number of full-time equivalent
6 semesters nor the maximum scholarship eligibility time
7 period specified under subsection (a) of this section and
8 W.S. 21-16-1303(d), including semesters for which a
9 scholarship was not received, has not been reached;

10
11 (ii) Maintain continuous enrollment for not less
12 than two (2) semesters in each successive academic year.
13 The department shall by rule and regulation establish
14 exceptions to the requirement of this paragraph for
15 military service, religious service and other good cause
16 shown; and

17
18 (iii) Maintain a cumulative grade point average
19 of at least 2.25 GPA, as evaluated at the end of each
20 spring academic term for certificates or degrees that
21 require more than one (1) academic year.

22
23 (c) The cumulative grade point average required under
24 this section to maintain a scholarship shall be the

1 student's grade point average achieved at all eligible
2 institutions after the student's initial eligibility as
3 determined under W.S. 21-16-1303(d).

4

5 **21-16-1306. Need based scholarships.**

6

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

10

11 (i) The scholarship shall be available only to
12 students qualifying for a scholarship under W.S. 21-16-1304
13 or 21-16-1305 and for federal financial aid. The
14 scholarships under this section shall be computed and
15 awarded as follows:

16

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

20

21 (B) If the student has annual unmet
22 financial need greater than two thousand dollars
23 (\$2,000.00):

24

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

7
8 (II) If a student is eligible for a
9 scholarship under this article but does not qualify under
10 subdivision (I) of this subparagraph - an award equal to
11 twenty-five percent (25%) of the annual unmet financial
12 need in excess of two thousand dollars (\$2,000.00), but not
13 to exceed one thousand five hundred dollars (\$1,500.00) per
14 year.

15
16 (C) A student qualifying for any award
17 under this section shall receive a minimum amount of one
18 hundred dollars (\$100.00) for each semester of
19 qualification. One-half (1/2) of the annual award amount
20 under this section shall be provided to the student at each
21 semester of qualification.

22
23 (b) The department shall provide scholarships under
24 this section from funds made available under W.S.

1 21-16-1302 and the state treasurer shall reimburse eligible
2 institutions accordingly under W.S. 21-16-1308. All
3 requirements for scholarship recipients applicable under
4 this article shall be applicable to scholarships under this
5 section. The department, in consultation with each
6 eligible institution, shall by rule designate a date for
7 each academic year upon which each eligible institution
8 shall make the final computation for unmet need for
9 students receiving a scholarship under this section,
10 consistent with each institution's schedule for determining
11 actual cost of attendance for students at that institution.

12

13 **21-16-1307. Success curriculum; test standards.**

14

15 (a) Not later than October 1, 2006, the department
16 shall recommend to the governor and the joint education
17 interim committee of the legislature, in consultation with
18 school districts, the University of Wyoming, each Wyoming
19 community college and the Wyoming community college
20 commission:

21

22 (i) The contents of an appropriate success
23 curriculum for Hathaway opportunity, performance and honor
24 scholarship students and, in consultation with each

1 community college and the commission, the contents of an
2 appropriate success curriculum for Hathaway career
3 scholarship students. The success curricula shall, upon
4 approval of the legislature, enable students entering high
5 school in the fall of 2007 to pursue those curricula for
6 scholarship eligibility under this article beginning with
7 the fall of 2011. The success curricula shall include at
8 least four (4) years each of mathematics, science, and
9 reading/language arts, three (3) years of social studies
10 and a study of a foreign language in grades 9 through 12;

11

12 (ii) Components of the success curricula to be
13 included in the criteria for eligibility for scholarships
14 during each year of the phase-in of the Hathaway
15 scholarship program prior to complete implementation in the
16 fall of 2011;

17

18 (iii) The adoption of statewide student
19 assessment standards and scores administered pursuant to
20 W.S. 21-2-304(a) to augment qualifying ACT or WORKKEYS
21 scores for scholarships under this article. The
22 recommended adoption of statewide assessment standards and
23 scores shall be designed to provide incentives for students

1 to pursue a rigorous curriculum and strive to achieve
2 academic success in high school.

3

4 (b) Not later than October 1, 2007, and by October 1
5 in each odd-numbered year thereafter, the department, in
6 consultation with the University of Wyoming, Wyoming
7 community colleges and the community college commission,
8 shall report to the governor and the joint education
9 interim committee of the legislature on recommendations for
10 modifications to the minimum cumulative GPA and minimum
11 composite ACT or cumulative WORKKEYS scores contained in
12 this article to ensure that the Hathaway scholarship
13 program is designed to provide the desired incentives for
14 students to pursue a rigorous curriculum and strive to
15 achieve academic success. The cumulative GPA requirements
16 for performance under the success curricula shall not be
17 restricted to those courses comprising the success
18 curricula, but shall be applied comprehensively to all
19 courses included within each scholarship student's high
20 school curricula.

21

22 **21-16-1308. Administration; rules and regulations.**

23

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

3
4 (i) Students shall make application for
5 scholarships under this article with the eligible
6 institution at the time of applying for admission or in any
7 event prior to the beginning of the semester at the
8 eligible institution. The application shall contain
9 information as required by rule of the department. The
10 application shall require each applicant to verify under
11 penalty of false swearing under W.S. 6-5-303, that if the
12 applicant is subject to any order requiring payment of
13 child support, the applicant at the time of completing the
14 application does not owe past due child support of at least
15 triple the applicant's current monthly obligation;

16
17 (ii) Upon request of a student applying to an
18 eligible institution and initially applying for a Hathaway
19 scholarship, each school district shall provide to the
20 eligible institution an official transcript of the
21 student's academic record through the student's most recent
22 semester of attendance. Following graduation and upon the
23 student's request the school district shall also provide to

1 the eligible institution an official transcript of the
2 student's complete academic record;

3

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

15

16 (iv) Each eligible institution receiving an
17 application from a student applying for a Hathaway
18 scholarship shall preliminarily determine the student's
19 eligibility for the scholarship. For students initially
20 applying for a scholarship, unless the student's complete
21 academic record is available, the GPA used to preliminarily
22 determine eligibility shall be based upon the student's
23 official high school transcript after either the end of the
24 first semester of a student's senior year or the second

1 semester of a student's junior year, at the sole discretion
2 of the eligible institution. For students graduating prior
3 to their senior year the GPA used to preliminarily
4 determine eligibility shall be based upon the student's
5 official high school transcript as of the end of the
6 semester immediately prior to the last semester before the
7 student's graduation. High school GPAs for final
8 eligibility determinations for students initially applying
9 for a scholarship under this article shall be based upon
10 the student's complete high school academic record. Upon
11 final determination of scholarship eligibility, each
12 community college shall certify to the community college
13 commission not later than thirty (30) days after the
14 semester commences, a list of students enrolled at the
15 institution who qualify for a scholarship under this
16 article, including the amount of each scholarship. The
17 university shall certify to the department within forty-
18 five (45) days after the semester commences a like list for
19 students enrolled at the university. The director of the
20 community college commission shall verify within ten (10)
21 days after receiving all lists from community colleges that
22 there is no duplication of students on the community
23 college lists, shall provide the lists to the department

1 and shall certify to the department the amount each college
2 is to receive under this article;

3
4 (v) The department shall determine and certify
5 to the state treasurer the amount which is equal to
6 seventy-five percent (75%) of the total amount the eligible
7 institution received during the preceding semester under
8 this subsection. Not later than September 1 for the fall
9 semester and not later than January 15 for the spring
10 semester, the state treasurer shall pay from the
11 scholarship expenditure account the amount certified by the
12 department. The department shall review the lists provided
13 under paragraph (iv) of this subsection, determine there is
14 no duplication of students, and determine and certify to
15 the state treasurer the balance of the amount due under
16 this article to each institution for the semester. The
17 state treasurer shall pay from the scholarship expenditure
18 account the balance of the amount due. Payments of the
19 balance due under this paragraph shall be made not later
20 than seventy-five (75) days after the institution's
21 semester has commenced. Payments to the university shall
22 be made directly to the university. Payments to the
23 community colleges shall be made directly to each college
24 and be reported by the state treasurer to the community

1 college commission. Should a prepayment under this
2 paragraph exceed the amount actually due the institution
3 for any semester, the excess amount shall be calculated by
4 the department and deducted from the next payment made.
5 For purposes of this subsection, payments due for summer
6 terms shall be included within the calculations and
7 payments for the subsequent fall semester.

8

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

14

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

20

21 (A) A requirement that each written
22 communication from a school district to a parent or
23 guardian of a student include on any envelope used, or on
24 the communication if no separate envelope is used, a

1 statement that the state of Wyoming provides Hathaway merit
2 and need scholarships to Wyoming students attending the
3 University of Wyoming and Wyoming community colleges and
4 that every Wyoming student who meets the merit requirements
5 can earn a Hathaway merit scholarship;

6
7 (B) A summary of available Hathaway
8 scholarships and requirements to earn a scholarship. The
9 summary shall be made available on the department's website
10 on the Internet, the World Wide Web or similar proprietary
11 or common carrier electronic system;

12
13 (C) Provision for each school district to
14 provide a one (1) week unit of instruction in the eighth
15 grade regarding preparation for post-secondary work,
16 including an overview of a curriculum needed to be
17 successful in post-secondary education, standardized test
18 requirements, scholarships available for post-secondary
19 education and earning differences anticipated at various
20 post-secondary education levels. The unit of instruction
21 provided under this subparagraph shall be developed by the
22 department in consultation with school districts and shall
23 be delivered to school districts. The department in
24 consultation with the school districts shall develop a

1 program of a curriculum needed to be successful in post-
2 secondary education, standardized test requirements,
3 scholarships available for post-secondary education and
4 earning differences anticipated at various post-secondary
5 education levels.

6

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

10

11 (iii) Criteria and procedures under which
12 students in a home-based educational program can qualify
13 for scholarships under this article. A student in a home-
14 based educational program:

15

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

18

19 (B) Shall meet the initial eligibility
20 requirements of this article other than attendance and
21 graduation from an eligible high school and corresponding
22 GPA requirements;

23

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

6
7 (iv) Criteria and procedures under which
8 students who receive a general educational development
9 (GED) equivalency diploma can qualify for scholarships
10 under this article. A student receiving a GED shall:

11
12 (A) Receive the GED and make application
13 for the initial scholarship no later than two (2) years
14 after and no sooner than the graduation date of the
15 student's high school class, unless ordered by a court to
16 complete the requirements for a GED prior to that
17 graduation date or for other good cause shown as determined
18 by the department. The student shall have attended an
19 eligible high school prior to receiving his GED and shall
20 have received his GED while residing in Wyoming;

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 the same level and to the same
9 extent 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 the same level and to the
18 same 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 post-secondary 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 grant or scholarship from a
21 student financial aid program administered through the
22 state or any state institution, in any semester exceed the
23 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 W.S.
11 21-16-1304 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.
15 21-16-1304 and 21-16-1305 after all scholarships under W.S.
16 21-16-1306 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 constitute an
9 entitlement to a scholarship established and funded by the
10 legislature. Wyoming Hathaway scholarships shall be subject
11 to legislative appropriation and the legislature reserves
12 the right to modify or terminate the program established
13 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 (e),
17 21-16-1201(d), 21-17-105(a) and (b)(intro) and 21-17-114(a)
18 are amended to read:

19
20 **20-6-106. Powers and duties of department regarding**
21 **collection of support.**

22
23 (aa) The department of education shall provide the
24 department of family services a list of students receiving

Hathaway scholarships under W.S. 21-16-1301, et seq. This list shall be provided by September 1 and January 1 of each year and shall include those students receiving a Hathaway scholarship the previous semester. The department of family services shall report back to the department of education those students on the list who are obligors owing past due child support in an amount equal to at least triple the obligor's current monthly child support obligation. The department of family services shall report this information by September 15 and January 15 of each year, with information current as of the preceding August 31 for the September report and current as of the preceding December 31 for the January report. For any obligor reported under this subsection, the department shall make available to the department of education information concerning the amount of outstanding child support due for purposes of verifying eligibility for Hathaway scholarships under W.S. 21-16-1301 et seq.

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

1

2 (e) Any out-of-state placement under subsection (a)
3 of this section shall include within the agreement with the
4 out-of-state school district, that district's agreement to
5 provide student transcripts as required under W.S.
6 21-16-1308(a)(ii).

7

8 **21-16-1201. Excellence in higher education endowment**
9 **account; student scholarship endowment account;**
10 **distributions by state treasurer; legislative restrictions.**

11

12 (d) Commencing with the fiscal year beginning July 1,
13 2006, earnings from the Hathaway student scholarship
14 endowment account created by this article shall be
15 transferred by the state treasurer to the Hathaway
16 scholarship expenditure account created by W.S. 21-16-1302.
17 Any subsequent deposits to ~~this~~ the Hathaway student
18 scholarship endowment account mandated by law or
19 appropriation shall remain in the account until otherwise
20 used to support scholarship programs as specified by law.

21

22 **21-17-105. Tuition to be as nearly free as possible;**
23 **number, qualifications and selection of students for**
24 **reduced tuition; reciprocal residency.**

1

2 (a) To the end that none of the youth of the state who
3 crave the benefits of higher education may be denied, and
4 that all may be encouraged to avail themselves of the
5 advantages offered by the university or community colleges,
6 tuition shall be as nearly free as possible, and it shall
7 be ~~wholly free~~ reduced by five hundred dollars (\$500.00)

8 per semester to either the university or any community
9 college in the state, as elected by the student, to three
10 (3) students annually from each county as are selected and
11 appointed by the board of county commissioners therein.

12 Scholarships under this section shall be in addition to any
13 Hathaway scholarship awarded a student under W.S.
14 21-16-1301 et seq., but shall be considered for purposes of
15 calculating unmet financial need for Hathaway need based
16 scholarships.

17

18 (b) Students shall be appointed after due
19 consideration of the individual student's extra curricular
20 activity, scholastic ability and American college testing
21 score. Grade point average and American college testing
22 scores shall be equally weighted. For any entering student
23 who fails a math or English placement test, the reduced
24 tuition scholarship under this section is not effective.

1 Notwithstanding the provisions of subsection (a) of this
2 section, the county commissioners may award one (1)
3 additional scholarship each year as a renewal to a student
4 maintaining above a 2.50 average, provided that the total
5 number of students receiving original and renewal
6 scholarships in any county in any year shall not exceed:

7
8 **21-17-114. Scholarship fund for students planning**
9 **teaching careers authorized; eligibility; rulemaking**
10 **authority granted.**

11
12 (a) The board of trustees is authorized to establish a
13 tuition scholarship fund for students planning teaching
14 careers. The purpose of this tuition scholarship fund is to
15 encourage Wyoming students demonstrating superior academic
16 achievement to pursue careers in teaching within the state
17 of Wyoming. Each year the board may award scholarships to
18 sixteen (16) Wyoming high school graduates covering ~~costs~~
19 five hundred dollars (\$500.00) per semester of the cost of
20 tuition at the university or any community college in the
21 state who major in education. No student is eligible to
22 apply for a scholarship under this section unless the
23 student or his mother, father or lawful guardian is a
24 resident of Wyoming and has been a resident of Wyoming for

1 at least five (5) years. Scholarships under this section
2 shall be in addition to any Hathaway scholarship awarded a
3 student under W.S. 21-16-1301 et seq., but shall be
4 considered for purposes of calculating unmet financial need
5 for Hathaway need based scholarships.

6
7 **Section 3.**

8
9 (a) The legislature recognizes that eligible
10 institutions will have made substantial scholarship
11 commitments to students who plan to enroll for the fall of
12 2006 school year by the time this act is enacted into law.
13 Notwithstanding any other provision of this act:

14
15 (i) For the 2006-2007 school year, any Hathaway
16 scholarship provided under this act, except need based
17 scholarships provided under W.S. 21-16-1306, shall be
18 reduced by the amount of the eligible institution's
19 scholarship commitment made to that student for that school
20 year, but the institution shall honor that commitment to
21 the student in accordance with its terms for that year;

22
23 (ii) In subsequent years for students receiving
24 Hathaway scholarships for the 2006-2007 school year to whom

1 eligible institutions made institutional scholarship
2 commitments beyond the 2006-2007 school year, the Hathaway
3 scholarships provided under this act shall not be reduced
4 as provided in paragraph (i) of this subsection, but the
5 institution may reduce its annual institutional scholarship
6 commitment to the student by an amount not to exceed the
7 Hathaway scholarship funds provided to the student,
8 excluding need based scholarships provided under W.S.
9 21-16-1306, so that the Hathaway scholarship supplants and
10 is not an addition to the institutional scholarship. To the
11 extent that the institution reduces its scholarship
12 commitments under this paragraph, the institution shall
13 specify the purposes for which those commitments were
14 reallocated in its report required under section 4 of this
15 act.

16

17 (b) For purposes of this section "scholarship
18 commitment" means an existing scholarship, a scholarship
19 award letter or a scholarship offer made by the eligible
20 institution.

21

22 **Section 4.** The University of Wyoming and each
23 community college shall report biennially to the joint
24 education and joint appropriations interim committees on

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

18

19 **Section 5.** Notwithstanding W.S. 21-16-1308(a)(v)
20 created by this act, the state treasurer shall make
21 prepayments under this act to eligible institutions in
22 accordance with this section for the school years
23 commencing in the fall of 2006, 2007, 2008 and 2009. For
24 each of those school years the state treasurer, in

1 consultation with the University of Wyoming, the Wyoming
2 community college commission and the department of
3 education, shall project the anticipated payments due each
4 eligible institution under this act. For the fall
5 semesters of each of those school years the state
6 treasurer, not later than September 1 of each year, shall
7 pay each institution seventy-five percent (75%) of the
8 anticipated payment due for that semester. The same
9 prepayment shall be made for the following spring semester
10 not later than January 15. Payments of the balance due
11 the institution shall be made in accordance with W.S.
12 21-16-1308(a)(v). Should a prepayment under this section
13 exceed the amount actually due the institution under this
14 act for any semester, the excess amount shall be deducted
15 from the next payment made.

16

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

22

1 **Section 7.** 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)