

HOUSE BILL NO. HB0192

Education-Hathaway scholarship program.

Sponsored by: Representative(s) Freeman, Dayton, Harshman,
Northrup, Sommers and Throne and Senator(s)
Anderson, J.D. (SD02), Coe and Craft

A BILL

for

1 AN ACT relating to the Hathaway scholarship program;
2 providing the ability to petition to increase scholarship
3 award as specified; requiring rulemaking; and providing for
4 an effective date.

5

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

7

8 **Section 1.** W.S. 21-16-1304 by creating a new
9 subsection (j), 21-16-1305 by creating a new subsection (f)
10 and 21-16-1308(a)(iv), by creating a new paragraph (v) and
11 by renumbering (v) as (vi) are amended to read:

12

13 **21-16-1304. Hathaway opportunity, performance and**
14 **honor scholarships.**

15

1 (j) A student receiving a Hathaway performance
2 scholarship who maintains a cumulative grade point average
3 of at least 3.25 for two (2) consecutive semesters may
4 apply to the department for receipt of the Hathaway honor
5 scholarship for the remainder of scholarship eligibility
6 provided under W.S. 21-16-1303(d). A student receiving a
7 Hathaway opportunity scholarship who maintains a cumulative
8 grade point average of at least 3.25 for two (2)
9 consecutive semesters may apply to the department for
10 receipt of the Hathaway performance scholarship for the
11 remainder of scholarship eligibility provided under W.S.
12 21-16-1303(d). Eligibility shall be evaluated at the end of
13 the spring academic term. The department may delegate to
14 any eligible institution the department's authority to
15 grant a request in accordance with this subsection, but
16 shall only do so in accordance with department rules and
17 regulations establishing procedures and criteria for
18 granting a request for an increase of the Hathaway
19 scholarship under this subsection.

20
21 **21-16-1305. Hathaway provisional opportunity**
22 **scholarships.**

1 (f) A student receiving a Hathaway provisional
2 opportunity scholarship who maintains a cumulative grade
3 point average of at least 3.25 for two (2) consecutive
4 semesters may apply to the department for receipt of the
5 Hathaway performance scholarship for the remainder of
6 scholarship eligibility provided under W.S. 21-16-1303(d).
7 Eligibility under this subsection shall be evaluated at the
8 end of the spring academic term. The department may
9 delegate to any eligible institution the department's
10 authority to grant a request in accordance with this
11 subsection, but shall only do so in accordance with
12 department rules and regulations establishing procedures
13 and criteria for granting a request for an increase of the
14 Hathaway scholarship under this subsection.

15
16 **21-16-1308. Administration; rules and regulations.**

17
18 (a) This article shall be administered by the
19 department in accordance with the following:

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

1 eligibility for the scholarship. For students initially
2 applying for a scholarship, unless the student's complete
3 academic record is available, the GPA used to preliminarily
4 determine eligibility shall be based upon the student's
5 official high school transcript after either the end of the
6 first semester of a student's senior year or the second
7 semester of a student's junior year, at the sole discretion
8 of the eligible institution. For students graduating prior
9 to their senior year the GPA used to preliminarily
10 determine eligibility shall be based upon the student's
11 official high school transcript as of the end of the
12 semester immediately prior to the last semester before the
13 student's graduation. High school GPAs for final
14 eligibility determinations for students initially applying
15 for a scholarship under this article shall be based upon
16 the student's complete high school academic record. Upon
17 final determination of scholarship eligibility, including
18 any increase in scholarship level granted under W.S.
19 21-16-1304(j) or 21-16-1305(f), each community college
20 shall certify to the community college commission not later
21 than thirty (30) days after the semester commences, a list
22 of students enrolled at the institution who qualify for a
23 scholarship under this article, including the amount of

1 each scholarship. The university shall certify to the
2 department within forty-five (45) days after the semester
3 commences a like list for students enrolled at the
4 university. The director of the community college
5 commission shall verify within ten (10) days after
6 receiving all lists from community colleges whether there
7 is any duplication of students on the community college
8 lists, shall provide the lists to the department and shall
9 certify to the department the amount each college is to
10 receive under this article. Students attending more than
11 one (1) eligible institution shall enter into a consortium
12 agreement with the multiple institutions whereby the
13 student shall designate a home institution to be paid the
14 entire Hathaway scholarship amount for which the student
15 qualifies;

16

17 (v) Upon the request of a student, the
18 department shall determine the student's eligibility to
19 receive an increase of the Hathaway scholarship based on
20 academic performance in accordance with W.S. 21-16-1304(j)
21 or 21-16-1305(f). The department shall promulgate rules
22 and regulations establishing procedures and criteria for
23 granting a request under this paragraph. The department

1 may delegate to any eligible institution the department's
2 authority to grant a request in accordance with this
3 paragraph, but shall only do so in accordance with
4 department rules and regulations;

5
6 ~~(v)~~ (vi) The department shall determine and
7 certify to the state treasurer the amount which is equal to
8 seventy-five percent (75%) of the total amount the eligible
9 institution received during the preceding semester under
10 this subsection. Not later than September 1 for the fall
11 semester and not later than January 15 for the spring
12 semester, the state treasurer shall pay from the
13 scholarship expenditure account the amount certified by the
14 department. The department shall review the lists provided
15 under paragraph (iv) of this subsection, determine whether
16 there is any duplication of students, and determine and
17 certify to the state treasurer the balance of the amount
18 due under this article to each institution for the
19 semester. For any duplication, the department shall
20 determine whether the student is attending more than one
21 (1) eligible institution. If the student is attending
22 multiple eligible institutions payment of the Hathaway
23 scholarship for which the student qualifies shall be made

1 only to the institution designated as the home institution
2 by the student. The state treasurer shall pay from the
3 scholarship expenditure account the balance of the amount
4 due. Payments of the balance due under this paragraph
5 shall be made not later than seventy-five (75) days after
6 the institution's semester has commenced. Payments to the
7 university shall be made directly to the university.
8 Payments to the community colleges shall be made directly
9 to each college and be reported by the state treasurer to
10 the community college commission. Should a prepayment
11 under this paragraph exceed the amount actually due the
12 institution for any semester, the excess amount shall be
13 calculated by the department and deducted from the next
14 payment made. For purposes of this subsection, payments
15 due for summer terms shall be included within the
16 calculations and payments for the subsequent fall semester.

17

18 **Section 2.**

19

20 (a) This act shall apply prospectively. The academic
21 performance of Hathaway scholarship recipients prior to the
22 effective date of this act shall not be considered in
23 determining eligibility to receive an increase of the

1 Hathaway scholarship based on academic performance in
2 accordance with W.S. 21-16-1304(j) or 21-16-1305(f), as
3 amended by section 1 of this act. All Hathaway scholarship
4 recipients as of the effective date of this act shall be
5 eligible to earn an increase of the Hathaway scholarship
6 based on academic performance in accordance with W.S.
7 21-16-1304(j) or 21-16-1305(f), as amended by section 1 of
8 this act.

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10 (b) Rules and regulations of the Wyoming department
11 of education required under W.S. 21-16-1308, as amended by
12 section 1 of this act, shall be promulgated in sufficient
13 time to enable implementation of this act by July 1, 2015.

14

15 **Section 3.**

16

17 (a) Except as provided in subsection (b) of this
18 section, this act is effective July 1, 2015.

19

1 (b) Notwithstanding subsection (b) of this section,
2 section 2(b) of this act is effective immediately upon
3 completion of all acts necessary for a bill to become a law
4 as provided by Article 4, Section 8 of the Wyoming
5 Constitution.

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7

(END)