

SENATE FILE NO. SF0152

Hathaway student scholarships.

Sponsored by: Senator(s) Rothfuss, Coe, Pappas, Von Flatern
and Wasserburger and Representative(s)
Freeman, Furphy, Northrup and Paxton

A BILL

for

1 AN ACT relating to higher education; repealing Hathaway
2 provisional opportunity scholarship; providing for
3 continuation of existing provisional opportunity
4 scholarships as opportunity scholarships; requiring
5 students to file federal student aid forms for Hathaway
6 scholarship eligibility; modifying continuing eligibility
7 requirements and removing limitations based upon semesters
8 of eligibility for scholarships; providing for total
9 scholarship amounts as specified; limiting use of non-need
10 based scholarships to tuition and mandatory fees; repealing
11 provisions for movement between scholarship levels and
12 establishing total scholarship amounts at initial
13 eligibility levels; conforming other Hathaway student
14 scholarship provisions; and providing for an effective
15 date.

1

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

3

4 **Section 1.** W.S. 21-16-1301(a)(i), (ii) and by
5 creating new paragraphs (xxi) and (xxii), 21-16-1302(a),
6 21-16-1303(b)(intro), by creating a new paragraph (iv), (d)
7 and (f)(intro), 21-16-1304(a)(i), (ii), (iii), (c)(i) and
8 (f), 21-16-1305 by creating a new subsection (f),
9 21-16-1306(a)(intro), 21-16-1308(a)(v), (b)(iv)(C) and
10 (c)(ii) and 21-16-1309(b)(i), (ii) and by creating a new
11 subsection (c) are amended to read:

12

13 **21-16-1301. Definitions.**

14

15 (a) As used in this article:

16

17 (i) "Academic term" means the fall semester or
18 term or the spring semester or term. In this article,
19 "term" and "semester" have the same meaning except that
20 recipients may elect to use the scholarship during ~~summer~~
21 ~~school, which except as provided by W.S. 21-16-1304(h) and~~
22 ~~21-16-1305(e), counts toward the maximum number of terms~~
23 ~~for which the student is eligible but does not~~ any term

1 established by the eligible institution but only the
2 traditional fall and spring semesters shall count toward
3 computation of an academic year;
4

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

10
11 (xxi) "Remaining scholarship amount" means the
12 student's total scholarship amount minus amounts previously
13 provided under this article on behalf of the student from
14 scholarships under W.S. 21-16-1304 or 21-16-1305;
15

16 (xxii) "Total scholarship amount" means the
17 dollar amount specified under W.S. 21-16-1304 for the
18 scholarship the student is first awarded under W.S.
19 21-16-1304.
20

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

1

2 (a) The Hathaway scholarship expenditure account is
3 created to consist of earnings from the Hathaway student
4 scholarship endowment fund created by W.S. 9-4-204(u)(vii)
5 and such other funds appropriated by the legislature to the
6 expenditure account. Eighty percent (80%) of all monies
7 deposited to the expenditure account under this section
8 shall be available for scholarships under W.S. 21-16-1304.
9 ~~and 21-16-1305.~~ Twenty percent (20%) of all monies
10 deposited to the expenditure account under this section
11 shall be available for scholarships under W.S. 21-16-1306.
12 Monies within the expenditure account are continuously
13 appropriated to the state treasurer for distribution to
14 eligible institutions based on scholarships awarded under
15 this article. All unexpended and unencumbered monies
16 within the expenditure account at the end of each fiscal
17 year shall be deposited by the state treasurer to the
18 Hathaway student scholarship reserve account.

19

20 **21-16-1303. Hathaway scholarship program; eligibility**
21 **requirements.**

22

1 (b) Under the Hathaway scholarship program, subject
2 to availability of funds as determined by the legislature,
3 the state shall provide a scholarship pursuant to W.S.
4 21-16-1304 ~~and 21-16-1305~~ to any student who has been
5 accepted by and enrolls in an eligible institution to
6 pursue a degree or certificate, and who meets the following
7 qualifications:

8
9 (iv) Beginning academic year 2017-2018, the
10 student has completed and filed a free application for
11 federal student aid for the academic year for which the
12 student is applying for a scholarship.

13
14 (d) ~~No student shall be eligible for a scholarship~~
15 ~~under this article for more than the equivalent of eight~~
16 ~~(8) full-time semesters.~~ Except as provided by subsection

17 (f) of this section, no student shall be eligible for a
18 scholarship under this article for any semesters commencing
19 after six (6) academic years following the student's
20 initial eligibility. For purposes of this subsection a
21 student's initial eligibility shall be deemed to commence
22 with the first semester in which the state is obligated to
23 reimburse an eligible institution for the student's

1 scholarship under this article. The department shall by
2 rule and regulation establish exceptions to this subsection
3 for military service, religious service and other good
4 cause shown.

5
6 (f) Students meeting the requirements of this
7 subsection shall not be subject to the six (6) academic
8 year limitation on scholarships under this article, ~~the~~
9 ~~satisfactory academic progress requirements of W.S.~~
10 ~~21-16-1304(c)(i) and 21-16-1305(b)(i) or the continuous~~
11 ~~enrollment requirements of W.S. 21-16-1304(c)(ii) and~~
12 ~~21-16-1305(b)(ii),~~ but shall be subject to the following:

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

16
17 (a) Any student who meets the criteria under W.S.
18 21-16-1303 is eligible to receive a scholarship to pursue a
19 degree or certificate as follows:

20
21 (i) With a minimum cumulative high school GPA of
22 2.50 and a score equal to or greater than the 2015-2016
23 national percentile rank of forty-three (43) on a college

1 entrance examination administered throughout the United
2 States and relied upon by institutions of higher education
3 to determine acceptance of students for attendance, a
4 Hathaway opportunity scholarship ~~for:~~ in a total
5 scholarship amount of six thousand seven hundred twenty
6 dollars (\$6,720.00).

7
8 (ii) With a minimum cumulative high school GPA
9 of 3.0 and a score equal to or greater than the 2015-2016
10 national percentile rank of fifty-six (56) on a college
11 entrance examination administered throughout the United
12 States and relied upon by institutions of higher education
13 to determine acceptance of students for attendance, a
14 Hathaway performance scholarship ~~for:~~ in a total
15 scholarship amount of ten thousand eighty dollars
16 (\$10,080.00).

17
18 (iii) With a minimum cumulative high school GPA
19 of 3.5 and a score equal to or greater than the 2015-2016
20 national percentile rank of seventy-nine (79) on an
21 examination administered throughout the United States and
22 relied upon by institutions of higher education to
23 determine acceptance of students for attendance, a Hathaway

1 honor scholarship ~~for:~~ in a total scholarship amount of
2 thirteen thousand four hundred forty dollars (\$13,440.00).

3
4 (c) To remain eligible for the scholarship under this
5 section, the student shall:

6
7 (i) ~~Except as provided in W.S. 21-16-1303(f) and~~
8 ~~subsection (h) of this section, make satisfactory academic~~
9 ~~progress toward a degree. If a student fails to make~~
10 ~~satisfactory academic progress or~~ Maintain the a cumulative
11 grade point average ~~required for continuation in the~~
12 ~~program as provided in this subsection~~ of at least a 2.25
13 GPA as evaluated at the end of each spring semester. If
14 the student fails to maintain that average, the student
15 shall become ineligible for the scholarship in subsequent
16 semesters ~~unless granted an exception for cause by the~~
17 ~~department or~~ except as ~~otherwise~~ provided in subsection
18 (f) of this section. ~~The department may delegate to any~~
19 ~~eligible institution the department's authority to grant an~~
20 ~~exception for cause, but shall only do so in accordance~~
21 ~~with department rules establishing procedures and criteria~~
22 ~~for granting an exception and any eligible institution~~

1 ~~acting pursuant to such delegation shall grant exceptions~~
2 ~~only in accordance with those rules;~~

3
4 (f) If a student is otherwise eligible under this
5 article ~~and neither the applicable number of full-time~~
6 ~~equivalent semesters nor~~ and the maximum scholarship
7 eligibility time period specified ~~under subsection (b) of~~
8 ~~this section and~~ in W.S. 21-16-1303(d), including semesters
9 for which a scholarship was not received, has not been
10 reached, a scholarship under this section which is lost may
11 be reinstated if the student meets the applicable
12 requirements imposed by this subsection. ~~and successfully~~
13 ~~completes courses at an eligible institution in a summer~~
14 ~~school session for which the student enrolled in at least~~
15 ~~six (6) semester hours or an academic term occurring during~~
16 ~~the period the scholarship is lost.~~ A lost scholarship
17 shall be reinstated in the first academic term following
18 the academic term ~~or summer school session~~ during which the
19 student ~~+~~ achieves a cumulative grade point average of 2.25.

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

1 (f) Effective July 1, 2017, no new provisional
2 scholarships shall be awarded. This section is repealed
3 effective July 1, 2026. Any student receiving a Hathaway
4 provisional opportunity scholarship prior to July 1, 2017
5 shall be entitled to continue to receive a scholarship in
6 accordance with the time limitations and other provisions
7 for opportunity scholarships under this article. The
8 scholarship shall not be limited to the equivalent of four
9 (4) full-time semesters. The total scholarship amount of a
10 provisional opportunity scholarship shall be the same as
11 the total dollar amount of an opportunity scholarship. The
12 remaining scholarship amount shall be calculated in the
13 same manner as opportunity scholarships under W.S.
14 21-16-1301(a)(xxi).

15
16 **21-16-1306. Need based scholarships.**

17
18 (a) In addition to scholarships made available under
19 W.S. 21-16-1304 ~~and 21-16-1305~~ there shall be made
20 available a need based Hathaway scholarship as follows:

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

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

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 whether
14 there is any duplication of students, and determine and
15 certify to the state treasurer the balance of the amount
16 due under this article to each institution for the
17 semester. For any duplication, the department shall
18 determine whether the student is attending more than one
19 (1) eligible institution. If the student is attending
20 multiple eligible institutions payment of the Hathaway
21 scholarship for which the student qualifies shall be made
22 only to the institution designated as the home institution
23 by the student. The state treasurer shall pay from the

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

17

18 (b) The department shall, in consultation with
19 University of Wyoming and community college admissions
20 officers, the Wyoming community college commission and
21 financial aid officers and school districts, promulgate
22 rules and regulations necessary to implement this article,
23 including:

1

2 (iv) Criteria and procedures under which
3 students who receive a high school equivalency certificate
4 can qualify for scholarships under this article. A student
5 receiving a high school equivalency certificate shall:

6

7 (C) If otherwise eligible, be eligible for
8 a scholarship at scores under alternative instruments
9 included within the high school equivalency certificate, as
10 set by rule and regulation of the Wyoming community college
11 commission, which are comparable to GPA requirements
12 specified under W.S. 21-16-1304 corresponding to the
13 applicable Hathaway opportunity, performance and honor
14 scholarship. ~~or under W.S. 21-16-1305 corresponding to the~~
15 ~~Hathaway provisional opportunity scholarship.~~

16

17 (c) The department shall establish annual reporting
18 procedures for purposes of policy analysis and program
19 evaluation and providing accurate data to the legislature
20 and governor relative to the program's impact on the state
21 and on students. In developing the annual reporting
22 procedure the department shall consult with the University
23 of Wyoming and community college financial aid officers and

1 registrars or their designees. It is the intention of the
2 legislature that the reporting system and the requirements
3 thereof shall be applicable to all recipients of
4 scholarships under this article. Compliance with this
5 section shall be made a condition of receiving a
6 scholarship under this article. For any student attending
7 more than one (1) eligible institution, the home
8 institution shall be responsible for data reporting for
9 that student, and any other eligible institution shall
10 cooperate as necessary with the home institution to fulfill
11 that duty. The reporting system shall include the following
12 information:

13

14 (ii) Scholarships by students as they progress
15 from semester to semester or other equivalent periods of
16 time as may be applicable once enrolled at an eligible
17 institution. The data shall be reported by institution
18 attended, by the instructional program, and by scholarship
19 category and shall include the percent of students losing
20 scholarship eligibility due ~~to not earning the minimum~~
21 ~~number of credit hours, the percent of students losing~~
22 ~~scholarship eligibility due~~ to not having the required
23 cumulative grade point average, ~~the percent of students~~

1 ~~losing scholarship eligibility for failing to make~~
2 ~~satisfactory academic progress~~ and the percentage of
3 students ~~losing scholarship eligibility~~ not receiving
4 scholarships for failing to enroll. The same information
5 shall also be reported by categories showing those students
6 qualifying through WORKKEYS scores and scores on high
7 school equivalency certification, and by the group of
8 students who attended a home-based educational program and
9 did not graduate from an eligible high school;

10

11 **21-16-1309. Scholarship amounts.**

12

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

16

17 (i) Funds available for scholarships under W.S.
18 21-16-1304 ~~and 21-16-1305~~ shall be used for scholarships
19 under W.S. 21-16-1306 after all scholarships under W.S.
20 21-16-1304 ~~and 21-16-1305~~ have been paid;

21

22 (ii) Funds available for scholarships under W.S.
23 21-16-1306 shall be used for scholarships under W.S.

1 21-16-1304 ~~and 21-16-1305~~ after all scholarships under W.S.
2 21-16-1306 have been paid;

3
4 (c) Any student receiving a scholarship under W.S.
5 21-16-1304 may elect to receive all or a portion of their
6 remaining scholarship amount in any semester in which the
7 student is enrolled at an eligible institution. The
8 election shall be submitted to the eligible institution at
9 the time of enrollment. The eligible institution shall
10 calculate the student's remaining scholarship amount in
11 accordance with W.S. 21-16-1301(a)(xxi) and shall include
12 the amount, as limited in this subsection, in its
13 certification of students under W.S. 21-16-1308. The
14 department shall review the amount certified for each
15 student and include the amount it determines to be in
16 compliance with this article in its certification to the
17 state treasurer of balances due to each institution under
18 W.S. 21-16-1308(a)(v). Crediting of a student's remaining
19 scholarship amounts under this subsection shall be limited
20 such that the amount does not exceed the cost of the
21 student's tuition and mandatory fees for the semester.

22
23 **Section 2.**

1

2 (a) Any student receiving a Hathaway opportunity,
3 performance or honor scholarship prior to the effective
4 date of this act and who is currently ineligible based upon
5 failure to make satisfactory progress or to maintain
6 continuous enrollment under W.S. 21-16-1304(c) prior to
7 amendment by this act shall be eligible for reinstatement
8 of the scholarship so long as the student is otherwise
9 eligible under W.S. 21-16-1301 through 21-16-1311 as
10 amended by this act. A student receiving a Hathaway
11 performance or honor scholarship prior to the effective
12 date of this act and who is currently ineligible for that
13 level of scholarship due to failure to maintain the
14 cumulative grade point average previously required under
15 W.S. 21-16-1304(c)(iii)(A) and (B) shall be eligible for
16 reinstatement of the level of scholarship initially awarded
17 under W.S. 21-16-1301 through 21-16-1311, including any
18 need based scholarship lost as a result of failure to
19 maintain the requisite grade point average, upon achieving
20 the grade point average specified in W.S. 21-16-1304(c) as
21 amended by this act. Nothing in this section shall be
22 construed to amend the time limitations under W.S.
23 21-16-1303(d) and (f)(viii)(B) for use of scholarships.

1

(b) In calculating a student's remaining scholarship amount, all amounts provided on behalf of the student from scholarships under W.S. 21-16-1304 or 21-16-1305 shall be deducted from the student's total scholarship amount, whether provided before or after the effective date of this act.

9 **Section 3.** W.S. 21-16-1301(a) (x), (xiv) and (xvi),
10 21-16-1303(f) (vi), (vii) and (viii) (A),
11 21-16-1304(a) (i) (A), (B), (ii) (A), (B), (iii) (A), (B), (b),
12 (c) (ii), (iii), (d), (f) (i) through (iii), (g) and (h),
13 21-16-1305(a) through (e) and 21-16-1307(e) are repealed.

15 **Section 4.** This act is effective July 1, 2017.

17 (END)