

2023 -- H 5099 AS AMENDED

LC000060

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2023

A N A C T

RELATING TO EDUCATION -- RHODE ISLAND HOPE SCHOLARSHIP PILOT  
PROGRAM ACT

Introduced By: Representatives McNamara, Diaz, Biah, Donovan, Sanchez, Shallcross  
Smith, McGaw, and Felix

Date Introduced: January 12, 2023

Referred To: House Finance

It is enacted by the General Assembly as follows:

1 SECTION 1. Title 16 of the General Laws entitled "EDUCATION" is hereby amended by  
2 adding thereto the following chapter:

3 CHAPTER 112

4 RHODE ISLAND HOPE SCHOLARSHIP PILOT PROGRAM ACT

5 16-112-1. Short title.

6 This chapter shall be known and may be cited as the "Rhode Island Hope Scholarship Pilot  
7 Program Act".

8 16-112-2. Legislative findings and purpose.

9 (a) The general assembly finds and declares that:

10 (1) Education is critical for the state's young people to achieve their aspirations and develop  
11 their talents;

12 (2) The state's economic success depends on a highly educated and skilled workforce;

13 (3) The state's future prosperity depends upon its ability to make educational opportunities  
14 beyond high school available for all students;

15 (4) The coronavirus has inflicted undue hardships on students and their families, creating  
16 barriers to a four (4) year college degree;

17 (5) A merit-based tuition reduction program will help make a four (4) year college degree  
18 available to all students;

1 (6) Rhode Island college offers students a feasible opportunity to obtain a four (4) year  
2 degree, but remains an underutilized resource in the state; and

3 (7) The State of Rhode Island's motto is "Hope".

4 (b) In order to address the findings set forth in subsection (a) of this section, the purpose  
5 of this chapter is to increase the number of students enrolling in and completing four (4) year  
6 degrees and certificates on time from Rhode Island college, and to promote more graduates in high-  
7 need fields such as nursing, pre-k through grade twelve (12) education, and the trades, which are  
8 fields for which Rhode Island college provides a strong and affordable education.

9 (c) The purpose of the pilot program is also to determine whether a scholarship program  
10 for Rhode Island college that is modeled on the promise scholarship program established in chapter  
11 107 of title 16 would be successful in attaining the goals set forth in this section."

12 **16-112-3. Establishment of scholarship program.**

13 There is hereby established the Rhode Island hope scholarship pilot program. The general  
14 assembly shall annually appropriate the funds necessary to implement the purposes of this chapter  
15 for the periods of the pilot program. Additional funds beyond the scholarships may be appropriated  
16 to support and advance the Rhode Island hope scholarship pilot program. In addition to  
17 appropriation by the general assembly, charitable donations may be accepted into the scholarship  
18 program.

19 **16-112-4. Definitions.**

20 When used in this chapter, the following terms shall have the following meanings:

21 (1) "ADA" means the Americans with Disabilities Act, 42 U.S.C. § 12101 et seq., as may  
22 be amended from time to time.

23 (2) "Certificate" means any certificate program with labor market value as defined by the  
24 postsecondary commissioner.

25 (3) "College-level credit" means credit awarded by a college or university for completion  
26 of its own courses or other academic work.

27 (4) "FAFSA" means the Free Application for Federal Student Aid form.

28 (5) "General education coursework" means the educational foundation of knowledge,  
29 skills, and attitudes that prepare students for success in their majors and their personal and  
30 professional lives after graduation. It includes, but is not limited to, the required coursework of all  
31 degrees developed by each eligible postsecondary institution that is approved by the council on  
32 postsecondary education that is intended to ensure that all graduates of a state institution have a  
33 balanced core of competencies and knowledge. This does not necessarily include coursework  
34 specifically required for one's major.

1           (6) "Mandatory fees and tuition" means the costs that every student is required to pay in  
2 order to enroll in classes, and does not include room and board, textbooks, program fees that may  
3 exist in some majors, course fees that may exist for some specific courses, meal plans, or travel.

4           (7) "On track to graduate on time" means the standards determined by Rhode Island college  
5 in establishing the expectation of a student to graduate with a bachelor's degree within four (4)  
6 years of enrollment, or the prescribed completion time for a student completing a certificate  
7 (recognizing that some students, including students who require developmental education, are  
8 double majors, or are enrolled in certain professional programs may require an extended time period  
9 for degree completion).

10           (8) "Reasonable accommodations" means any necessary modifications or adjustment to a  
11 facility, equipment, program, or manner of operation as required by the Americans with Disabilities  
12 Act ("ADA") and section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 791, as may be  
13 amended from time to time;

14           (10) "Recipient student" means a student attending Rhode Island college who qualifies to  
15 receive the Rhode Island hope scholarship pursuant to § 16-112-6.

16           (9) "Pilot program" and "scholarship program" means the Rhode Island hope scholarship  
17 pilot program that is established pursuant to § 16-112-3.

18           (11) "State" means the State of Rhode Island.

19           (12) "Student with a disability" means any student otherwise eligible pursuant to this  
20 chapter who has a physical, developmental, or hidden disability or disabilities, as defined in § 42-  
21 87-1, that would create a hardship or other functional obstacles preventing participation in this  
22 program.

23           **16-112-5. Administration of scholarship program.**

24           (a) The financial aid office at Rhode Island college, in conjunction with the admissions  
25 office or their respective equivalent offices at Rhode Island college, shall administer the scholarship  
26 program for state residents seeking bachelor's degrees and/or certificates who meet the eligibility  
27 requirements in this chapter.

28           (b) An award of the scholarship program shall cover the cost of up to two (2) years of  
29 tuition and mandatory fees, for the junior and senior years of the student, or in the case of an adult  
30 student, who has attained at least sixty (60) credit hours, then the award may cover tuition and  
31 mandatory fees over a duration of not more than two (2) years. In all instances, these awards shall  
32 be reduced by the amount of federal and all other financial aid monies available to the recipient  
33 student. None of any grants received by students from the department of children, youth and  
34 families' higher education opportunity incentive grant as established by chapter 72.8 of title 42 or

1 the college crusade scholarship act as established in chapter 70 of title 16 shall be considered federal  
2 or financial aid for the purposes of this chapter.

3 (c) The scholarship program is limited to one award per student as required by § 16-112-  
4 6(a)(7); provided that, the award may cover the two (2) years which constitute the junior and senior  
5 years of the student, or the two (2) years for an adult student, and may be dispersed in separate  
6 installments.

7 **16-112-6. Eligibility for merit based tuition reduction scholarship at Rhode Island**  
8 **college.**

9 (a) Beginning with the students who enrolled at Rhode Island college in the fall of 2023, a  
10 student:

11 (1) Must qualify for in-state tuition and fees pursuant to the residency policy adopted by  
12 the council on postsecondary education, as amended, supplemented, restated, or otherwise modified  
13 from time to time ("residency policy");

14 (2) Must be a currently enrolled full-time student who has declared a major and earned a  
15 minimum of sixty (60) total credit hours towards an eligible program of study, as determined by  
16 Rhode Island college;

17 (3) Must complete the FAFSA and any required FAFSA verification by the deadline  
18 prescribed by Rhode Island college for each year in which the student seeks to receive funding  
19 under the scholarship program; provided that, persons who are legally unable to complete the  
20 FAFSA must complete a comparable form created by Rhode Island college, by the deadline  
21 prescribed by Rhode Island college, for each year in which the student seeks to receive funding  
22 under the scholarship program;

23 (4) Must enroll or have enrolled full-time as a freshman as a first-time student and continue  
24 to be enrolled on a full-time basis at Rhode Island college, by the dates indicated within this chapter;

25 (5) Must maintain an average annual cumulative grade point average (GPA) of 2.5 or  
26 greater, as determined by Rhode Island college, prior to obtaining the scholarship and also as a  
27 condition of being able to continue to be a scholarship recipient;

28 (6) Must remain on track to graduate on time as determined by Rhode Island college and  
29 must complete both the student's freshman and sophomore years at Rhode Island college, or in the  
30 case of an adult student, have completed sixty (60) credit hours of tuition and mandatory fees at  
31 Rhode Island college over a duration of no more than four (4) years;

32 (7) Must not have already received an award under this program or under chapter 107 of  
33 title 16; and

34 (8) Must commit to live, work, or continue their education in Rhode Island after graduation.

1 (b) Rhode Island college, in conjunction with the office of the postsecondary  
2 commissioner, shall develop a policy that will secure the commitment set forth in subsection (a) of  
3 this section from recipient students.

4 (c) Notwithstanding the eligibility requirements under subsection (a) of this section  
5 ("specified conditions"):

6 (1) In the case of a recipient student who has an approved medical or personal leave of  
7 absence or is unable to satisfy one or more specified conditions because of the student's medical or  
8 personal circumstances, the student may continue to receive an award under the scholarship  
9 program upon resuming the student's education so long as the student continues to meet all other  
10 applicable eligibility requirements;

11 (2) In the case of a recipient student who is a member of the national guard or a member  
12 of a reserve unit of a branch of the United States military and is unable to satisfy one or more  
13 specified conditions because the student is or will be in basic or special military training, or is or  
14 will be participating in a deployment of the student's guard or reserve unit, the student may continue  
15 to receive an award under the scholarship program upon completion of the student's basic or special  
16 military training or deployment; and

17 (3) Students enrolled in Rhode Island college as of July 1, 2021, who have attained junior  
18 status at Rhode Island college as of July 1, 2023, or who enrolled in Rhode Island college as of July  
19 1, 2022, and who have attained junior status at Rhode Island college as of July 1, 2024, and who  
20 are otherwise in compliance with this chapter, shall be eligible for a hope scholarship under this  
21 chapter.

22 (4) Any student with a disability, otherwise eligible for a scholarship pursuant to the  
23 provisions of this section, shall be entitled to access this program and shall be afforded all  
24 reasonable accommodations, as required by the ADA and the Rehabilitation Act of 1973, including,  
25 but not limited to, enrolling on a part-time basis and taking longer than four (4) years to graduate  
26 with a bachelor's degree.

27 (d) The decision of whether or not a student has attained junior or senior status by the  
28 appropriate date shall be determined by the appropriate body of Rhode Island college, subject to  
29 the rules, regulations, and procedures established pursuant to § 16-112-8.

30 **16-112-7. Reporting and disbursement.**

31 (a) On or before November 10, 2023, and on or before November 10 thereafter for every  
32 year through and including calendar year 2028, Rhode Island college shall submit a report to the  
33 director of the office of management and budget, the state budget officer, the house fiscal advisor,  
34 the senate fiscal advisor, the commissioner of postsecondary education, and the chair of the council

1 on postsecondary education, a report detailing the following:

- 2 (1) The number of students eligible to participate in the scholarship program;  
3 (2) The amount of federal and institutional financial aid anticipated to be received by  
4 recipient students;  
5 (3) The aggregate tuition and mandatory fee costs attributable to recipient students;  
6 (4) The resulting total cost of the scholarship program to the state; and  
7 (5) The report shall contain such data for both the current fiscal year and the most up-to-  
8 date forecast for the following fiscal year. Data reported shall be subdivided by student-year cohort  
9 and shall be accompanied by a written explanation detailing the estimating methodology utilized  
10 and any impact(s) the forecasted data may present to institutional capacity, operational costs, and  
11 the tuition/fee revenue base of the institution.

12 (b) On or before July 1, 2024, and on before July 1 thereafter for every year until through  
13 and including calendar year 2028, Rhode Island college, in conjunction with the office of the  
14 postsecondary commissioner, shall submit a report evaluating the program to the governor, speaker  
15 of the house, and the president of the senate. This evaluation shall include the following:

- 16 (1) The number of students who started in each cohort.  
17 (2) The number of students in each cohort who have attained a degree or certification in an  
18 on-time manner;  
19 (3) The number of students in each cohort who have not attained a degree or certification  
20 in an on-time manner and an analysis of why that has happened;  
21 (4) The number of students in each cohort who began the program but have been unable to  
22 continue or complete the program and an analysis of why that has happened;  
23 (5) The costs of the program and the costs of continuing the program;  
24 (6) Suggestions for ways to increase the success of the program;  
25 (7) Recommendations as to modifying, continuing, expanding, curtailing, or discontinuing  
26 the program; and  
27 (8) Any such other recommendations or information as Rhode Island college and the  
28 commissioner of postsecondary education deem appropriate to include in the evaluation.

29 (c) The office of management and budget, in consultation with the office of the  
30 postsecondary commissioner, shall oversee the apportionment and disbursement of all funds  
31 appropriated for the purpose of the scholarship program.

32 **16-112-8. Rules, regulations, and procedures.**

33 The council on postsecondary education is hereby authorized to promulgate rules and  
34 regulations to effectuate the purposes of this chapter, including, but not limited to, the residency

1 policy, and Rhode Island college shall establish appeal procedures for the award, denial, or  
2 revocation of funding under the scholarship program. The rules and regulations shall be  
3 promulgated in accordance with § 16-59-4.

4 **16-112-9. Applicability to current students.**

5 Currently enrolled students at Rhode Island college who have attained junior status as of  
6 July 1, 2023, or July 1, 2024, and who otherwise meet the requirements of this chapter, shall be  
7 eligible for a hope scholarship under this chapter.

8 **16-112-10. Funding of and sunset of pilot program.**

9 The Rhode Island hope scholarship pilot program shall be funded from July 1, 2023,  
10 through and including July 1, 2028. There shall be no further funding of the pilot program without  
11 further action of the general assembly. Any final reports due pursuant to this chapter shall be filed  
12 pursuant to the dates set forth herein.

13 SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

A N A C T  
RELATING TO EDUCATION -- RHODE ISLAND HOPE SCHOLARSHIP PILOT  
PROGRAM ACT

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1           This act would establish the Rhode Island hope scholarship pilot program act. The purpose  
2 would be to increase the number of students enrolling in and obtaining degrees in a timely fashion  
3 from Rhode Island college, and to promote more graduates in high-need fields and the trades. The  
4 hope scholarship would provide the cost of two (2) years of tuition and mandatory fees for eligible  
5 students during their junior and senior years. The act would include detailed eligibility requirements  
6 for students, and reporting and disbursement requirements for Rhode Island college. In addition the  
7 act would permit charitable donations to the scholarship program as well as an annual appropriation  
8 by the general assembly.

9           This act would take effect on July 1, 2023, and sunset and expire on January 1, 2029.

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