

1                   **UTAH PROMISE SCHOLARSHIP PROGRAM AMENDMENTS**

2                                   2020 GENERAL SESSION

3                                   STATE OF UTAH

4                           **Chief Sponsor: Derrin R. Owens**

5                           Senate Sponsor: Evan J. Vickers

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7   **LONG TITLE**

8   **General Description:**

9           This bill amends provisions related to the Utah Promise Scholarship.

10 **Highlighted Provisions:**

11       This bill:

- 12           ▶ amends the amount an institution of higher education is required to award for a
- 13 Utah Promise Scholarship; and
- 14           ▶ amends the funding sources for the scholarship.

15 **Money Appropriated in this Bill:**

16       None

17 **Other Special Clauses:**

18       None

19 **Utah Code Sections Affected:**

20 AMENDS:

21           **53B-8-303**, as enacted by Laws of Utah 2019, Chapter 444

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23 *Be it enacted by the Legislature of the state of Utah:*

24       Section 1. Section **53B-8-303** is amended to read:

25       **53B-8-303. Access Utah promise scholarships.**

26       (1) An individual may apply for a promise scholarship in accordance with the rules  
27 described in Subsection (8).

28       (2) An individual is eligible to receive a promise scholarship if the individual:

29       (a) (i) has a high school diploma or the equivalent; and

- 30 (ii) does not have an associate or higher postsecondary degree;
- 31 (b) demonstrates financial need, in accordance with the rules described in Subsection
- 32 (8);
- 33 (c) is a Utah resident;
- 34 (d) enrolls in an institution; and
- 35 (e) accepts all other grants, tuition or fee waivers, and scholarships offered to the
- 36 individual to attend the institution in which the individual enrolls.

37 (3) Subject to legislative appropriations, and in accordance with the rules described in  
38 Subsection (8), the board shall annually distribute money for promise scholarships to each  
39 institution.

40 (4) (a) Except as provided in Subsection (4)(d), an institution shall award a promise  
41 scholarship to an eligible individual.

42 (b) For a promise scholarship recipient, an institution shall:

43 (i) evaluate the recipient's knowledge, skills, and competencies acquired through  
44 formal or informal education outside the traditional postsecondary academic environment; and

45 (ii) award credit, as applicable, for the recipient's prior learning described in Subsection  
46 (4)(b)(i).

47 (c) An institution shall award a promise scholarship in an amount that is equal to the  
48 difference between:

49 (i) the total cost of tuition and fees for the program in which the recipient is enrolled;  
50 and

51 (ii) the total value of all other grants~~[, tuition waivers, fee waivers,]~~ and scholarships  
52 received by the recipient to attend the institution.

53 (d) If an institution's distribution described in Subsection (3) is insufficient to award a  
54 promise scholarship to each eligible individual in the amount described in Subsection (4)(c),  
55 the institution:

56 (i) shall, when possible, use other funding sources, fee waivers, and tuition waivers in  
57 accordance with Sections 53B-8-101 and 53B-8-103, to fully fund the amount described in

58 Subsection (4)(c) for each eligible individual; and

59 (ii) may prioritize promise scholarships based on financial need in accordance with the  
60 rules described in Subsection (8).

61 (e) An institution may use up to 3% of the institution's distribution described in  
62 Subsection (3) for administration.

63 (5) An institution shall continue to award a promise scholarship to a recipient who  
64 meets the requirements established by the board in the rules described in Subsection (8) until  
65 the earliest of the following:

66 (a) two years after the recipient initially receives a promise scholarship;

67 (b) the recipient uses a promise scholarship to attend an institution for four semesters;

68 (c) the recipient completes the requirements for an associate degree; or

69 (d) if the recipient attends an institution that does not offer associate degrees, the  
70 recipient has 60 earned credit hours.

71 (6) A recipient may only use a promise scholarship for tuition and fees.

72 (7) A promise scholarship is transferable between institutions.

73 (8) (a) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,  
74 and Subsection (8)(b), the board shall make rules to establish:

75 (i) requirements related to whether an individual is eligible for a promise scholarship,  
76 including:

77 (A) a process for an eligible individual to defer a promise scholarship;

78 (B) how an individual demonstrates financial need for purposes of receiving a promise  
79 scholarship; and

80 (C) how to determine whether an individual is a Utah resident;

81 (ii) a process and requirements for an individual to apply for a promise scholarship;

82 (iii) a formula to determine the distributions to each institution described in Subsection  
83 (3) that takes into account:

84 (A) the cost of tuition and fees for programs offered by institutions; and

85 (B) the number of eligible individuals who attend each institution;

86 (iv) how an institution may prioritize awarding scholarships based on the financial  
87 needs of eligible individuals;

88 (v) conditions a recipient is required to meet to continue to receive a promise  
89 scholarship, including requirements related to academic achievement and enrollment status;  
90 and

91 (vi) a requirement that in communicating about promise scholarships to recipients and  
92 potential recipients, the board and institutions do not portray the Access Utah Promise  
93 Scholarship Program as a program that is guaranteed to be in effect indefinitely.

94 (b) In making the rules described in Subsection (8)(a), the board shall consult with the  
95 Utah System of Technical Colleges Board of Trustees.

96 (9) On or before November 1 each year, the board shall report to the Higher Education  
97 Appropriations Subcommittee regarding promise scholarships, including:

98 (a) the number of scholarships awarded; and

99 (b) whether the promise scholarship program is effective in helping underserved  
100 students access higher education.