

Effective 10/14/2025

**Chapter 11
Student Financial Assistance**

**Part 1
General Provisions**

53H-11-101 General provisions -- Definitions.

Reserved.

Enacted by Chapter 8, 2025 Special Session 1

**Part 2
Resident Student Status and Tuition**

53H-11-201 General provisions -- Definitions.

Reserved.

Enacted by Chapter 8, 2025 Special Session 1

53H-11-202 Resident student status -- Definitions -- Exceptions.

(1) As used in this section:

- (a) "DOD civilian" means an employee of the United States Department of Defense who is assigned to perform the employee's duties at a military organization based in Utah.
- (b) "Eligible person" means an individual who is entitled to post-secondary educational benefits under Title 38, Veterans' Benefits, U.S.C.
- (c) "Immediate family member" means an individual's spouse or dependent child.
- (d) "Inmate" means the same as that term is defined in Section 64-13-1.
- (e) "Military service member" means an individual who:
 - (i) is serving on active duty in the United States Armed Forces;
 - (ii) is a member of a reserve component of the United States Armed Forces; or
 - (iii) is a member of the National Guard.
- (f) "Military veteran" means a veteran as that term is defined in Section 68-3-12.5.
- (g) "National Guard" means the same as that term is defined in Section 39A-1-102.
- (h) "Parent" means a student's biological or adoptive parent.

(2) The meaning of "resident student" is determined by reference to the general law on the subject of domicile, except as provided in this section.

- (3)
- (a) Institutions may grant resident student status to any student who has come to Utah and established residency for the purpose of attending an institution of higher education, and who, prior to registration as a resident student:
 - (i) has maintained continuous Utah residency status for one full year;
 - (ii) has signed a written declaration that the student has relinquished residency in any other state; and
 - (iii) has submitted objective evidence that the student has taken overt steps to establish permanent residency in Utah and that the student does not maintain a residence elsewhere.

- (b) Evidence to satisfy the requirements under Subsection (3)(a)(iii) includes:
 - (i) a Utah high school transcript issued in the past year confirming attendance at a Utah high school in the past 12 months;
 - (ii) a Utah voter registration dated a reasonable period prior to application;
 - (iii) a Utah driver license or identification card with an original date of issue or a renewal date several months prior to application;
 - (iv) a Utah vehicle registration dated a reasonable period prior to application;
 - (v) evidence of employment in Utah for a reasonable period prior to application;
 - (vi) proof of payment of Utah resident income taxes for the previous year;
 - (vii) a rental agreement showing the student's name and Utah address for at least 12 months prior to application; and
 - (viii) utility bills showing the student's name and Utah address for at least 12 months prior to application.
- (c) A student who is claimed as a dependent on the tax returns of a person who is not a resident of Utah is not eligible to apply for resident student status.
- (4) Except as provided in Subsection (8), an institution within the state system of higher education may establish stricter criteria for determining resident student status.
- (5) If an institution does not have a minimum credit-hour requirement, that institution shall honor the decision of another institution within the state system of higher education to grant a student resident student status, unless:
 - (a) the student obtained resident student status under false pretenses; or
 - (b) the facts existing at the time of the granting of resident student status have changed.
- (6) Within the limits established in this chapter, each institution within the state system of higher education may, regardless of its policy on obtaining resident student status, waive nonresident tuition either in whole or in part, but not other fees.
- (7) In addition to the waivers of nonresident tuition under Subsection (6), each institution may, as athletic scholarships, grant full waiver of fees and nonresident tuition, up to the maximum number allowed by the appropriate athletic conference as recommended by the president of each institution.
- (8) Notwithstanding Subsection (3), an institution shall grant resident student status for tuition purposes to:
 - (a) a military service member, if the military service member provides:
 - (i) the military service member's current United States military identification card;
 - (ii) a leave and earning statement of the military service member;
 - (iii) the military service member's military orders;
 - (iv) documentation of enlistment by the military service member; or
 - (v) a statement from the military service member's current commander stating that the military service member is currently serving in the military;
 - (b) a military service member's immediate family member, if the military service member's immediate family member provides:
 - (i) any of the documentation described in Subsection (8)(a); or
 - (ii) the immediate family member's current United States military identification card;
 - (c) a military veteran, regardless of whether the military veteran served in Utah, if the military veteran provides evidence of an honorable or general discharge;
 - (d) a military veteran's immediate family member, regardless of whether the military veteran served in Utah, if the military veteran's immediate family member provides evidence of the military veteran's honorable or general discharge;
 - (e) a foreign service member as defined in the Foreign Service Family Act of 2021 who is either:

- (i) domiciled in Utah, recognizing the individual may not be physically present in the state due to an assignment; or
- (ii) assigned to a duty station in Utah if the foreign service member provides:
 - (A) evidence of the foreign service member's status;
 - (B) a statement from the foreign service member's current commander, or equivalent, stating that the foreign service member is assigned in Utah; or
 - (C) evidence that the foreign service member is domiciled in Utah;
- (f) a foreign service member's immediate family member if the foreign service member is either:
 - (i) domiciled in Utah, recognizing the individual may not be physically present in the state due to an assignment; or
 - (ii) assigned to a duty station in Utah if the foreign service member provides:
 - (A) evidence of the foreign service member's status;
 - (B) a statement from the foreign service member's current commander, or equivalent, stating that the foreign service member is assigned in Utah; or
 - (C) evidence that the foreign service member is domiciled in Utah;
- (g) an eligible person who provides:
 - (i) evidence of eligibility under Title 38, Veterans' Benefits, U.S.C.; and
 - (ii) a signed written declaration that the eligible person will use the veteran benefits under Title 38 U.S.C.;
- (h) an alien who provides:
 - (i) evidence that the alien is a special immigrant visa recipient;
 - (ii) evidence that the alien has been granted refugee status, humanitarian parole, temporary protected status, or asylum; or
 - (iii) evidence that the alien has submitted in good faith an application for refugee status, humanitarian parole, temporary protected status, or asylum under United States immigration law;
- (i) an inmate:
 - (i) during the time the inmate is enrolled in the course; and
 - (ii) for one year after the day on which the inmate is released from a correctional facility as defined in Section 64-13-1;
- (j) a DOD civilian, if the DOD civilian provides:
 - (i) the DOD civilian's current United States Department of Defense identification card; and
 - (ii)
 - (A) a statement from the DOD civilian's current commander, or equivalent, stating that the DOD civilian is assigned in Utah; or
 - (B) evidence that the DOD civilian is domiciled in Utah, as described in Subsection (9)(a); or
- (k) a DOD civilian's immediate family member, if the DOD civilian's immediate family member provides:
 - (i) the DOD civilian's current United States Department of Defense identification card; and
 - (ii)
 - (A) a statement from the DOD civilian's current commander, or equivalent, stating that the DOD civilian is assigned in Utah; or
 - (B) evidence that the DOD civilian is domiciled in Utah, as described in Subsection (9)(a).
- (9)
 - (a) The evidence described in Subsection (8)(j)(ii)(B) or (8)(k)(ii)(B) includes:
 - (i) a current Utah voter registration card;
 - (ii) a valid Utah driver license or identification card;
 - (iii) a current Utah vehicle registration;

- (iv) a copy of a Utah income tax return, in the name of the DOD civilian or DOD civilian's spouse, filed as a resident in accordance with Section 59-10-502; or
 - (v) proof that the DOD civilian or DOD civilian's spouse owns a home in Utah, including a property tax notice for property owned in Utah.
- (b) Aliens who are present in the United States on visitor, student, or other visas not listed in Subsection (8)(h) or (9)(c), which authorize only temporary presence in this country, do not have the capacity to intend to reside in Utah for an indefinite period and therefore are classified as nonresidents.
- (c) Aliens who have been granted or have applied for permanent resident status in the United States are classified for purposes of resident student status according to the same criteria applicable to citizens.
- (10) Any American Indian who is enrolled on the tribal rolls of a tribe whose reservation or trust lands lie partly or wholly within Utah or whose border is at any point contiguous with the border of Utah, and any American Indian who is a member of a federally recognized or known Utah tribe and who has graduated from a high school in Utah, is entitled to resident student status.
- (11) A Job Corps student is entitled to resident student status if the student:
- (a) is admitted as a full-time, part-time, or summer school student in a program of study leading to a degree or certificate; and
 - (b) submits verification that the student is a current Job Corps student.
- (12) A person is entitled to resident student status and may immediately apply for resident student status if the person:
- (a) marries a Utah resident eligible to be a resident student under this section; and
 - (b) establishes his or her domicile in Utah as demonstrated by objective evidence as provided in Subsection (3).
- (13) Notwithstanding Subsection (3)(c), a dependent student who has at least one parent who has been domiciled in Utah for at least 12 months prior to the student's application is entitled to resident student status.
- (14)
- (a) A person who has established domicile in Utah for full-time permanent employment may rebut the presumption of a nonresident classification by providing substantial evidence that the reason for the individual's move to Utah was, in good faith, based on an employer requested transfer to Utah, recruitment by a Utah employer, or a comparable work-related move for full-time permanent employment in Utah.
 - (b) All relevant evidence concerning the motivation for the move shall be considered, including:
 - (i) the person's employment and educational history;
 - (ii) the dates when Utah employment was first considered, offered, and accepted;
 - (iii) when the person moved to Utah;
 - (iv) the dates when the person applied for admission, was admitted, and was enrolled as a postsecondary student;
 - (v) whether the person applied for admission to an institution of higher education sooner than four months from the date of moving to Utah;
 - (vi) evidence that the person is an independent person who is:
 - (A) at least 24 years old; or
 - (B) not claimed as a dependent on someone else's tax returns; and
 - (vii) any other factors related to abandonment of a former domicile and establishment of a new domicile in Utah for purposes other than to attend an institution of higher education.
- (15)

- (a) A person who is in residence in Utah to participate in a United States Olympic athlete training program, at a facility in Utah, approved by the governing body for the athlete's Olympic sport, shall be entitled to resident status for tuition purposes.
 - (b) Upon the termination of the athlete's participation in the training program, the athlete shall be subject to the same residency standards applicable to other persons under this section.
 - (c) Time spent domiciled in Utah during the Olympic athlete training program in Utah counts for Utah residency for tuition purposes upon termination of the athlete's participation in a Utah Olympic athlete training program.
- (16)
- (a) A person who has established domicile in Utah for reasons related to divorce, the death of a spouse, or long-term health care responsibilities for an immediate family member, including the person's spouse, parent, sibling, or child, may rebut the presumption of a nonresident classification by providing substantial evidence that the reason for the individual's move to Utah was, in good faith, based on the long-term health care responsibilities.
 - (b) All relevant evidence concerning the motivation for the move shall be considered, including:
 - (i) the person's employment and educational history;
 - (ii) the dates when the long-term health care responsibilities in Utah were first considered, offered, and accepted;
 - (iii) when the person moved to Utah;
 - (iv) the dates when the person applied for admission, was admitted, and was enrolled as a postsecondary student;
 - (v) whether the person applied for admission to an institution of higher education sooner than four months from the date of moving to Utah;
 - (vi) evidence that the person is an independent person who is:
 - (A) at least 24 years old; or
 - (B) not claimed as a dependent on someone else's tax returns; and
 - (vii) any other factors related to abandonment of a former domicile and establishment of a new domicile in Utah for purposes other than to attend an institution of higher education.
- (17) A foreign service member or the foreign service member's immediate family member deemed eligible for resident student status under Subsection (8)(e) or (f) shall retain the eligibility for resident student status if the foreign service member or immediate family member maintains continuous enrollment even in the case of a change in domicile or duty station.
- (18) A DOD civilian or the DOD civilian's immediate family member deemed eligible for resident student status under Subsection (8)(j) or (k) shall retain the eligibility for resident student status if the DOD civilian or the DOD civilian's immediate family member maintains continuous enrollment even in the case of a change in domicile or duty station.
- (19) The board, after consultation with the institutions, shall make rules not inconsistent with this section:
- (a) concerning the definition of resident and nonresident students;
 - (b) establishing procedures for classifying and reclassifying students;
 - (c) establishing criteria for determining and judging claims of residency or domicile;
 - (d) establishing appeals procedures; and
 - (e) other matters related to this section.
- (20) A student shall be exempt from paying the nonresident portion of total tuition if the student:
- (a) is a foreign national legally admitted to the United States;
 - (b) attended high school in this state for three or more years; and
 - (c) graduated from a high school in this state or received the equivalent of a high school diploma in this state.

Renumbered and Amended by Chapter 8, 2025 Special Session 1

53H-11-203 Resident tuition -- Requirements -- Rules.

- (1) If allowed under federal law, a student, other than a nonimmigrant alien within the meaning of paragraph (15) of subsection (a) of Section 1101 of Title 8 of the United States Code, shall be exempt from paying the nonresident portion of total tuition if the student:
 - (a) attended high school in this state for three or more years;
 - (b) graduated from a high school in this state or received the equivalent of a high school diploma in this state; and
 - (c) registers as an entering student at an institution of higher education.
- (2) In addition to the requirements under Subsection (1), a student without lawful immigration status shall file an affidavit with the institution of higher education stating that the student has filed an application to legalize his immigration status, or will file an application as soon as he is eligible to do so.
- (3) The board shall make rules for the implementation of this section.
- (4) Nothing in this section limits the ability of institutions of higher education to assess nonresident tuition on students who do not meet the requirements under this section.

Renumbered and Amended by Chapter 8, 2025 Special Session 1

Part 3
Tuition Waivers and Exemptions

53H-11-301 General provisions -- Definitions.

Reserved.

Enacted by Chapter 8, 2025 Special Session 1

53H-11-302 Tuition waivers for wards of the state.

- (1) As used in this section:
 - (a) "Division" means the Division of Child and Family Services.
 - (b) "Long-term foster care" means an individual who remains in the custody of the division, whether or not the individual resides:
 - (i) with licensed foster parents; or
 - (ii) in independent living arrangements under the supervision of the division.
 - (c) "Tuition" means tuition at the rate for residents of the state.
 - (d) "Ward of the state" means an individual:
 - (i) who is:
 - (A) at least 17 years old; and
 - (B) not older than 26 years old;
 - (ii) who had a permanency goal in the individual's child and family plan, as described in Sections 80-3-307 and 80-3-409, of long-term foster care while in the custody of the division; and
 - (iii) for whom the custody of the division was not terminated as a result of adoption.

- (2) Subject to the limitations in Subsections (3), (4), and (5), an institution of higher education shall waive tuition for each ward of the state who meets the following requirements:
 - (a) applies, qualifies, and is admitted as a full-time, part-time, or summer school student in a program of study leading to a degree or certificate;
 - (b) is a resident student of the state as determined under Section 53H-11-202;
 - (c) applies to the division for a waiver of tuition under this section and provides evidence satisfactory to the division that:
 - (i) the applicant was in the custody of the division for an aggregate period of not less than 24 months; and
 - (ii) the course or courses for which the applicant is seeking a tuition waiver meet the requirements of Subsection (3);
 - (d) applies under Subsection (2)(c) for the first time before the age of 22;
 - (e) is certified by the financial aid officer at the higher education institution as needing the tuition waiver in order to meet recognized educational expenses;
 - (f) maintains satisfactory academic progress, as defined by the institution of higher education, for each term or semester in which the individual is enrolled, which may be measured by the definition used for federal student assistance programs under Title IV of the Higher Education Act of 1965; and
 - (g) has not achieved a bachelor's degree and has received tuition reimbursement under this section for less than 124 semester credits or 180 quarter credits at an institution of higher education.
- (3) A ward of the state is eligible for a tuition waiver under this section of not more than nine semesters.
- (4) Tuition shall be waived:
 - (a) after the individual has applied for financial assistance, including scholarships and Pell Grants; and
 - (b) only to the extent that the tuition is not covered or paid by any scholarship, trust fund, statutory benefit, Pell Grant, or any other source of tuition coverage available for a waiver under this section.
- (5) An institution of higher education shall waive tuition under this section only for courses that are applicable toward the degree or certificate requirements of the program in which the student is enrolled.
- (6) Upon receiving an application under this section, the division shall determine whether the applicant and the courses for which tuition waiver is sought meet the requirements of this section and, if so, shall approve the application and notify the institution that the application has been approved.
- (7) The division shall provide the necessary forms and applications and cooperate with the state's institutions of higher education in developing efficient procedures for the implementation of this section.
- (8) The division shall reimburse the state's institutions of higher education for any tuition waived under this section.
- (9) The Legislature may annually appropriate the funds necessary to implement this section, including money to offset the reimbursement of tuition waivers.

Renumbered and Amended by Chapter 8, 2025 Special Session 1

53H-11-303 Tuition waivers for Purple Heart recipients.

- (1) As used in this section:

- (a) "Purple Heart recipient" means any Utah resident who is a military veteran and who has earned a Purple Heart award as a result of military service.
- (b)
 - (i) "Tuition" means tuition at the rate for residents of the state.
 - (ii) "Tuition" excludes fees.
- (2) An institution of higher education shall waive undergraduate tuition for each Purple Heart recipient who:
 - (a) is admitted as a full-time, part-time, or summer school student in an undergraduate program of study leading to a degree or certificate;
 - (b) is a resident student of the state as determined under Section 53H-11-202; and
 - (c) submits verification as provided in Subsection (3) that the student is a Purple Heart recipient.
- (3)
 - (a) An institution of higher education shall waive graduate tuition as provided in this Subsection (3) for each Purple Heart recipient who:
 - (i) is admitted as a full-time, part-time, or summer school student in a graduate program of study leading to a degree;
 - (ii) is a resident student of the state as determined under Section 53H-11-202; and
 - (iii) submits verification as provided in Subsection (4) that the student is a Purple Heart recipient.
 - (b) To qualify for a graduate tuition waiver, a Purple Heart recipient shall apply for a graduate program no later than 10 years from the day on which the Purple Heart recipient completes an undergraduate degree.
 - (c) The total amount of all graduate tuition waived for a Purple Heart recipient may not exceed \$10,000.
 - (d) A Purple Heart recipient may receive a graduate tuition waiver for a period of time that does not exceed the lesser of:
 - (i) the time it takes for the Purple Heart recipient to complete a graduate degree; or
 - (ii) five years after the day on which the Purple Heart recipient is accepted to a graduate program.
- (4)
 - (a) A Purple Heart recipient seeking a tuition waiver shall request the Department of Veterans and Military Affairs to provide the verification required by Subsection (2)(c).
 - (b) The Department of Veterans and Military Affairs shall provide the verification upon obtaining evidence satisfactory to the division that the student is a Purple Heart recipient.
- (5) The waiver in this section does not apply to fees.
- (6) The board may request reimbursement from the Legislature for costs incurred in providing the tuition waiver under this section.

Renumbered and Amended by Chapter 8, 2025 Special Session 1

53H-11-304 Higher education for senior citizens and veterans.

- (1) The Legislature finds that substantial benefits would accrue to the state, as well as those directly involved, through making higher education more accessible to senior citizens and veterans who possess more time for learning but with less funds for such purposes.
- (2)
 - (a) An institution of higher education shall allow Utah residents who have reached 62 years old or are veterans as defined in Section 68-3-12.5 to enroll at the institution, in classes for which

the Utah residents may be qualified, on the basis of surplus space in regularly scheduled classes and in accordance with this section and implementing rules.

- (b) These persons are exempt from tuition and other charges, except for a quarterly registration fee established by the board.
- (3) Enrollment of senior citizens under this section is permissible after regularly enrolled students have been assigned and admitted to available classroom space in accordance with regular procedures and normal teaching loads in that space within the approved budget.
- (4) Enrollments are determined by each institution under rules and guidelines made by the board in accordance with findings of fact that space is available for the enrollments without increased instructional cost.
- (5) Institutional enrollment reports shall show senior citizens separately, and the senior citizens are not counted as full-time students.
- (6) The board may promulgate reasonable rules to carry out the purpose of this section.

Renumbered and Amended by Chapter 8, 2025 Special Session 1

53H-11-305 Presidential waivers of tuition.

- (1)
 - (a) The president of an institution of higher education may waive all or part of the tuition on behalf of meritorious or impecunious resident students to an amount not exceeding 10% of the total amount of tuition which, in the absence of the waivers, would have been collected from all Utah resident students at the institution of higher education.
 - (b)
 - (i) Two and a half percent of the waivers designated in Subsection (1)(a) shall be set aside for members of the Utah National Guard.
 - (ii) A waiver described in Subsection (1)(b)(i) shall be preserved by the student at least 60 days before the beginning of an academic term.
- (2)
 - (a) A president of a degree-granting institution may waive all or part of the nonresident portion of tuition for a meritorious nonresident undergraduate student.
 - (b) In determining which students are meritorious for purposes of granting a tuition waiver under Subsection (2)(a), a president shall consider students who are performing above the average at the institution of higher education, including having an admissions index higher than the average for the institution, if an admissions index is used.
 - (c) A president of an institution of higher education may continue to waive the nonresident portion of tuition for a student described in Subsection (2)(a) for as long as the student is enrolled at the institution of higher education.
 - (d) In addition to waiving the nonresident portion of tuition for a meritorious nonresident student under Subsection (2)(a), a president of an institution of higher education may waive the resident portion of tuition after the meritorious nonresident student completes a year of full-time study at the institution of higher education.
- (3) To encourage students to enroll for instruction in occupations critical to the state for which trained personnel are in short supply, a president of an institution of higher education shall grant additional full or partial tuition waivers upon recommendation of the board.
- (4) A president of an institution of higher education may waive all or part of the difference between resident and nonresident tuition for:
 - (a) meritorious graduate students; or
 - (b) nonresident summer school students.

- (5) The board may establish policies that:
 - (a) require a degree-granting institution to regularly assess and report whether the institution of higher education's use of tuition waivers supports the goals established by the board in accordance with Section 53H-1-203 for the institution of higher education;
 - (b) subject to the provisions of this section, establish the amount or percentage of tuition that an institution of higher education may waive;
 - (c) define the terms "meritorious" and "impecunious," as the terms apply to tuition waivers for resident students described in Subsection (1)(a); and
 - (d) establish limitations on an institution of higher education's allocation of waivers described in Subsection (1)(a) for resident students who are meritorious or resident students who are impecunious.
- (6)
 - (a) The board shall submit an annual budget appropriation request for each institution of higher education.
 - (b) A request described in Subsection (6)(a) shall include requests for funds sufficient in amount to equal the estimated loss of dedicated credits that would be realized if all of the tuition waivers authorized by Subsection (2) were granted.

Renumbered and Amended by Chapter 8, 2025 Special Session 1

53H-11-306 Police officer's and firefighter's survivor tuition waiver.

- (1) As used in this section:
 - (a) "Child" means an individual who:
 - (i) is a natural or adopted child of a deceased peace officer or deceased firefighter; and
 - (ii) was under the age of 25 at the time of the peace officer's or firefighter's death.
 - (b) "Department" means the Department of Public Safety.
 - (c)
 - (i) "Fees" means general course fees, in addition to tuition, that are:
 - (A) imposed by an institution of higher education; and
 - (B) required to be paid by a student to engage in a course of study at the institution of higher education.
 - (ii) "Fees" does not include a special course fee.
 - (d) "Killed" means that the peace officer's or firefighter's death is the direct and proximate result of a traumatic injury incurred in the line of duty.
 - (e) "Line of duty" means an action that a peace officer or firefighter is obligated or authorized to perform by rule, regulation, condition of employment or service, or law, including a social, ceremonial, or athletic function that the peace officer or firefighter is assigned to or compensated for by the public agency being served.
 - (f) "Occupational disease" means a disease that routinely constitutes a special hazard in, or is commonly regarded as concomitant of, the peace officer's or firefighter's occupation.
 - (g) "Traumatic injury" means a wound or the condition of the body caused by external force, including an injury inflicted by bullet, explosive, sharp instrument, blunt object, or other physical blow, fire, smoke, chemical, electricity, climatic condition, infectious disease, radiation, or bacteria, but excluding an occupational disease.
 - (h) "Tuition" means tuition and fees at the rate charged for residents of the state.
 - (i)
 - (i) "Utah firefighter" or "firefighter" means a member, including volunteer members and members paid on call, of a fire department or other organization that provides fire

- suppression and other fire-related services, of a political subdivision who is responsible for or is in a capacity that includes responsibility for the extinguishment of fires.
- (ii) "Utah firefighter" or "firefighter" does not include a person whose job description, duties, or responsibilities do not include direct involvement in fire suppression.
 - (j) "Utah peace officer" or "peace officer" means an employee of a law enforcement agency that is part of or administered by the state or any of its political subdivisions, and whose duties consist primarily of the prevention and detection of crime and the enforcement of criminal statutes or ordinances of this state or any of its political subdivisions.
- (2) Subject to the limitations in Subsections (3), (4), and (5), an institution of higher education shall waive tuition for each child and surviving spouse of a Utah peace officer or Utah firefighter who has been killed or is killed in the line of duty if the individual meets the following requirements:
- (a) applies, qualifies, and is admitted as a full-time, part-time, or summer school student in a program of study leading to a degree or certificate;
 - (b) is a resident student of the state as determined under Section 53H-11-202;
 - (c) applies to the department for a waiver of tuition under this section and provides evidence satisfactory to the department that:
 - (i) the applicant is the surviving spouse or child of a peace officer or firefighter who was killed in the line of duty;
 - (ii) the course or courses for which the applicant is seeking a tuition waiver meet the requirements of Subsection (3); and
 - (iii) the applicant meets the other requirements of this section;
 - (d) for a child of a peace officer or firefighter killed in the line of duty, applies under Subsection (2)(c) for the first time before turning 25 years old;
 - (e) maintains satisfactory academic progress, as defined by the institution of higher education, for each term or semester in which the individual is enrolled, which may be measured by the definition used for federal student assistance programs under Title IV of the Higher Education Act of 1965; and
 - (f) has not achieved a bachelor's degree and has received tuition reimbursement under this section for less than 124 semester credits or 180 quarter credits at an institution of higher education.
- (3) A child or surviving spouse of a peace officer or firefighter who was killed in the line of duty is eligible for a tuition waiver under this section of not more than nine semesters or the equivalent number of quarters.
- (4) Tuition shall be waived only to the extent that the tuition is not covered or paid by any scholarship, trust fund, statutory benefit, or any other source of tuition coverage available for a waiver under this section.
- (5) An institution of higher education shall waive tuition under this section only for courses that are applicable toward the degree or certificate requirements of the program in which the child or surviving spouse is enrolled.
- (6) Upon receiving an application under Subsection (2)(c), the department shall determine whether the applicant and the courses for which tuition waiver is sought meet the requirements of this section and, if so, shall approve the application and notify the institution that the application has been approved.
- (7) The department shall provide the necessary forms and applications and cooperate with the institution of higher education in developing efficient procedures for the implementation of this section.
- (8) The Legislature may annually appropriate the funds necessary to implement this section, including money to offset the tuition waivers at each institution.

Renumbered and Amended by Chapter 8, 2025 Special Session 1

53H-11-307 Waiver of nonresident differential in tuition rates -- Utah Tech University good neighbor tuition waivers.

(1) Notwithstanding any other provision of law:

(a)

- (i) The board may determine when to grant a full or partial waiver of the nonresident differential in tuition rates charged to undergraduate students pursuant to reciprocal agreements with other states.
- (ii) In making the determination described under Subsection (1)(a)(i), the board shall consider the potential of the waiver to:
 - (A) enhance educational opportunities for Utah residents;
 - (B) promote mutually beneficial cooperation and development of Utah communities and nearby communities in neighboring states;
 - (C) contribute to the quality of educational programs; and
 - (D) assist in maintaining the cost effectiveness of auxiliary operations in institutions of higher education.

(b)

- (i) Consistent with its determinations made pursuant to Subsection (1)(a), the board may enter into agreements with other states to provide for a full or partial reciprocal waiver of the nonresident tuition differential charged to undergraduate students.
- (ii) An agreement shall provide for the numbers and identifying criteria of undergraduate students, and shall specify the institutions of higher education that will be affected by the agreement.
- (c) The board shall establish policy guidelines for the administration by the affected institutions of any tuition waivers authorized under this section, for evaluating applicants for such waivers, and for reporting the results of the reciprocal waiver programs authorized by this section.
- (d) A report and financial analysis of any waivers of tuition authorized under this section shall be submitted annually to the general session of the Legislature as part of the budget recommendations of the board for the system of higher education.

(2)

- (a) Utah Tech University may offer a good neighbor full waiver of the nonresident differential in tuition rates charged to undergraduate students:
 - (i) pursuant to reciprocal agreements with other states; or
 - (ii) to a resident of a county that has a portion of the county located within 70 miles of the main campus of Utah Tech University.
- (b)
 - (i) A student who attends Utah Tech University under a good neighbor tuition waiver shall pay a surcharge per credit hour in addition to the regular resident tuition and fees of Utah Tech University.
 - (ii) The surcharge per credit hour shall be based on a percentage of the approved resident tuition per credit hour each academic year.
 - (iii) The percentage assessed as a surcharge per credit hour shall be set by the board.
- (c) Utah Tech University may restrict the number of good neighbor tuition waivers awarded.
- (d) A student who attends Utah Tech University on a good neighbor tuition waiver may not count the time during which the waiver is received towards establishing resident student status in Utah.

Renumbered and Amended by Chapter 8, 2025 Special Session 1

53H-11-308 Scott B. Lundell Military Survivors' tuition waiver.

- (1) As used in this section:
 - (a) "Federal active duty" means serving under orders in accordance with 10 U.S.C. or 32 U.S.C. on or after September 11, 2001.
 - (b) "Qualifying deceased military member" means a person who:
 - (i) was killed while serving on state or federal active duty, under orders of competent authority and not as a result of the member's own misconduct; or
 - (ii) dies of wounds or injuries received while serving on state or federal active duty, under orders of competent authority and not as a result of the member's own misconduct; and
 - (iii) was a member of the armed forces of the United States and a Utah resident;
 - (iv) was a member of the reserve component of the armed forces on or after September 11, 2001, and a Utah resident; or
 - (v) was a member of the Utah National Guard on or after September 11, 2001.
 - (c) "State active duty" means serving in the Utah National Guard in any duty status authorized by the governor under Title 39A, National Guard and Militia Act.
- (2) An institution of higher education shall waive undergraduate tuition for a dependent of a qualifying deceased military member under the following conditions:
 - (a) the dependent has been accepted by the institution in accordance with the institution's admissions guidelines;
 - (b) except as provided in Subsection (3), the dependent is a resident student as determined under Section 53H-11-202;
 - (c) the dependent may not have already completed a course of studies leading to an undergraduate degree;
 - (d) the dependent may only utilize the waiver for courses that are applicable toward the degree or certificate requirements of the program in which the dependent is enrolled; and
 - (e) the dependent may not be excluded from the waiver if the dependent has previously taken courses at or has been awarded credit by an institution of higher education.
- (3) Notwithstanding Subsection (2)(b), a dependent of a qualifying deceased military member that was a member of the Utah National Guard is not required to be a resident student as determined under Section 53H-11-202.
- (4) The tuition waiver in this section is applicable for undergraduate study only.
- (5) The Department of Veterans and Military Affairs, after consultation with the adjutant general if necessary, shall certify to the institution that the dependent is a surviving dependent eligible for the tuition waiver in accordance with this section.
- (6) The waiver in this section does not apply to fees, books, or housing expenses.
- (7) The board may request reimbursement from the Legislature for costs incurred in providing the tuition waiver under this section.

Renumbered and Amended by Chapter 8, 2025 Special Session 1

Part 4
Scholarships, Grants, Awards, and Incentive Loans

53H-11-401 General provisions -- Definitions.

Reserved.

Enacted by Chapter 8, 2025 Special Session 1

53H-11-402 Opportunity Scholarship Program.

(1) As used in this section:

(a) "Eligible institution" means:

- (i) an institution; or
- (ii) a private, nonprofit institution of higher education in the state.

(b) "Eligible student" means a student who:

- (i) applies to the board in accordance with the rules described in Subsection (5);
- (ii) is enrolled in an eligible institution; and
- (iii) meets the criteria established by the board in rules described in Subsection (5).

(c) "Fee" means:

- (i) for an eligible institution that is a degree-granting institution, a fee approved by the board; or
- (ii) for an eligible institution that is a technical college or a degree-granting institution acting in the degree-granting institution's technical education role described in Section 53H-3-608, a fee approved by the eligible institution.

(d) "Program" means the Opportunity Scholarship Program described in this section.

(2)

(a) Subject to legislative appropriations, the board shall annually distribute money for the Opportunity Scholarship Program described in this section to each eligible institution to award as Opportunity scholarships to eligible students.

(b) The board shall annually determine the amount of an Opportunity scholarship based on:

- (i) the number of eligible students in the state; and
- (ii) money available for the program.

(c) The board may not use more than 3% of the money appropriated to the program for administrative costs and overhead.

(3)

(a) Except as provided in this Subsection (3), an eligible institution shall provide to an eligible student an Opportunity scholarship in the amount determined by the board described in Subsection (2)(b).

(b) For an Opportunity scholarship for which an eligible student applies on or before July 1, 2019, an eligible institution may reduce the amount of the Opportunity scholarship based on other state aid awarded to the eligible student for tuition and fees.

(c) For an Opportunity scholarship for which an eligible student applies after July 1, 2019:

- (i) an eligible institution shall reduce the amount of the Opportunity scholarship so that the total amount of state aid awarded to the eligible student, including tuition or fee waivers and the Opportunity scholarship, does not exceed the cost of the eligible student's tuition and fees; and

- (ii) the eligible student may only use the Opportunity scholarship for tuition and fees.

(d) An institution described in Subsection (1)(a)(ii) may not award an Opportunity scholarship to an eligible student in an amount that exceeds the average total cost of tuition and fees among the eligible institutions described in Subsection (1)(a)(i).

(e) If the allocation for an eligible institution described in Subsection (1)(a)(ii) is insufficient to provide the amount described in Subsection (2)(b) to each eligible student, the eligible institution may reduce the amount of an Opportunity scholarship.

- (4) The board may:
 - (a) audit an eligible institution's administration of Opportunity scholarships;
 - (b) require an eligible institution to repay to the board money distributed to the eligible institution under this section that is not provided to an eligible student as an Opportunity scholarship; and
 - (c) require an eligible institution to enter into a written agreement with the board in which the eligible institution agrees to provide the board with access to information and data necessary for the purposes of the program.
- (5) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the board shall make rules that establish:
 - (a) requirements related to an eligible institution's administration of Opportunity scholarships;
 - (b) a process for a student to apply to the board to determine the student's eligibility for an Opportunity scholarship;
 - (c) criteria to determine a student's eligibility for an Opportunity scholarship, including:
 - (i) minimum secondary education academic performance standards; and
 - (ii) the completion of a Free Application for Federal Student Aid or a process approved by the board in lieu of the Free Application for Federal Student Aid;
 - (d) a requirement for each eligible institution to annually report to the board on all Opportunity scholarships awarded by the eligible institution; and
 - (e) a process for a student to apply to the board for an Opportunity scholarship who would have likely received the scholarship but for an irreconcilable error in the application process described in Subsection (5)(b).
- (6) The board shall annually report on the program to the Higher Education Appropriations Subcommittee.
- (7) The State Board of Education, a school district, or a public high school shall cooperate with the board and eligible institutions to facilitate the program, including by exchanging relevant data where allowed by law.

Renumbered and Amended by Chapter 8, 2025 Special Session 1

53H-11-403 Karen Mayne Public Safety Officer Scholarship Program.

- (1) As used in this section:
 - (a) "Peace officer" means the same as that term is defined in Section 53H-11-306.
 - (b) "POST" means the Peace Officer Standards and Training Division created in Section 53-6-103.
 - (c) "Program" means the Karen Mayne Public Safety Officer Scholarship Program that this section creates.
- (2) This section creates the Karen Mayne Public Safety Officer Scholarship Program.
- (3)
 - (a) Subject to legislative appropriations, the board shall award a scholarship to a qualified applicant who:
 - (i) is a high school graduate;
 - (ii) submits an application to the board with a copy of the student's high school diploma;
 - (iii) when eligible, enrolls in a basic training course at a state certified academy as defined in Section 53-6-202;
 - (iv) subject to Subsection (3)(b), is enrolled in a qualifying post-secondary program from:
 - (A) an institution of higher education listed in Section 53H-1-102; or
 - (B) a private postsecondary educational institution; and

- (v) commits to working as a peace officer for no less than five years after the day on which POST certifies the scholarship recipient.
- (b) For purposes of Subsection (3)(a)(iv), the board shall determine the programs that qualify for a scholarship award, including criminal justice, police administration, criminology, social sciences, and other disciplines.
- (4)
 - (a) The board shall determine the amount of a scholarship award, ensuring that the amount does not exceed the combined cost of tuition, fees, and required textbooks.
 - (b) A scholarship award described in Subsection (4)(a) is limited to:
 - (i) POST training and certification in accordance with Title 53, Chapter 6, Peace Officer Standards and Training Act; and
 - (ii) a maximum of four academic years in a post-secondary program.
- (5) The board shall design the scholarship program to ensure that participating institutions combine state or federal loans or grants, internships, student employment, and family and individual contributions toward financing the cost of attendance.
- (6) A scholarship recipient shall:
 - (a) notify the board of the scholarship recipient's POST certification within 15 days after the day on which POST certifies the scholarship recipient;
 - (b) submit verification of the scholarship recipient's employment to the board within 15 days after the day on which the scholarship recipient is employed as a peace officer, including:
 - (i) the employer's name, address, and telephone number;
 - (ii) the date of the scholarship recipient's hiring; and
 - (iii) the scholarship recipient's job title; and
 - (c) notify the board within 15 days after the day on which the employer terminates the scholarship recipient.
- (7)
 - (a) The board may require a scholarship recipient to repay the full amount of the scholarship award that the scholarship recipient received under the program, including money paid for tuition, fees, and required textbooks, if the scholarship recipient fails to:
 - (i) meet the requirements for POST certification as described in Title 53, Chapter 6, Part 2, Peace Officer Training and Certification Act;
 - (ii) work as a peace officer for five years after the day on which POST certifies the scholarship recipient; or
 - (iii) subject to Subsection (3), earn a degree in a post-secondary program.
 - (b) Notwithstanding Subsection (7)(a), a scholarship recipient is not required to repay any amount of the scholarship award if the scholarship recipient:
 - (i) is unable to secure employment as a peace officer within 12 months after the day on which the scholarship recipient is POST certified; and
 - (ii) provides documentation from a prospective employer that the scholarship recipient was not extended an offer of employment.
- (8) The board may use up to 2% of the money appropriated for the scholarship program for administrative costs.
- (9)
 - (a) The board shall make rules, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, to:
 - (i) set deadlines for receiving scholarship applications and supporting documentation;
 - (ii) establish an application process and appeal process for the program;

- (iii) establish policies and procedures for cancellation or repayment of scholarship awards if the scholarship recipient fails to meet the requirements under this section;
 - (iv) collaborate with POST and other law enforcement and correction agencies to provide high school students information on law enforcement careers; and
 - (v) notify POST when a student receives a scholarship under the program.
- (b) The board shall include a disclosure on all applications and materials related to the program that the amount of the awarded scholarship may be subject to funding availability or reduction in accordance with Subsection (10).
- (10) If an appropriation under this section is insufficient to cover the costs associated with the program, the board may:
- (a) reduce the amount of a scholarship award; and
 - (b) distribute scholarship awards on a pro rata basis to all eligible applicants who submitted a complete application before the application deadline.

Renumbered and Amended by Chapter 8, 2025 Special Session 1

53H-11-404 Alumni legacy nonresident scholarships.

- (1)
- (a) In addition to other nonresident tuition scholarships, the president of an institution may waive an amount up to one academic school year's equivalent of the nonresident portion of tuition for alumni legacy nonresident scholarships.
 - (b) The tuition waiver described in Subsection (1)(a) may only be given once and applied to a student's:
 - (i) first full school year of non-residency status;
 - (ii) first two semesters of non-residency status; or
 - (iii) first four quarters of non-residency status.
- (2) The purposes of alumni legacy nonresident scholarships are to:
- (a) assist in maintaining an adequate level of service and related cost-effectiveness of auxiliary operations in institutions of higher education;
 - (b) promote enrollment of nonresident students with high academic aptitudes; and
 - (c) recognize the legacy of past graduates and promote a continued connection to the past graduates' alma mater.
- (3) To qualify for an alumni legacy scholarship, a student shall:
- (a) enroll at an institution for the first time; and
 - (b) have at least one parent who graduated with an associate's degree or higher from the same institution in which the student is enrolling.

Renumbered and Amended by Chapter 8, 2025 Special Session 1

53H-11-405 Nonresident tuition scholarships.

- (1) In addition to the scholarships authorized under Section 53H-11-406, the board may grant scholarships for a waiver of the nonresident portion of total tuition charged by institutions of higher education to nonresident students, subject to the limitations provided in this section, if the board determines that the scholarships will:
- (a) assist in maintaining an adequate level of service and related cost-effectiveness of auxiliary operations in institutions of higher education;
 - (b) promote enrollment of nonresident students with high academic aptitudes; and
 - (c) provide for an effective transition to meet the requirements of Section 53H-11-202.

- (2) The board shall establish policy guidelines for the administration by institutions of higher education of scholarships authorized under Subsection (1), for evaluating applicants for those scholarships, and for reporting the results of the scholarship program authorized under Subsection (1).
- (3) The policy guidelines promulgated by the board under Subsection (2) shall include the following provisions:
 - (a) a maximum of 675 of the approved scholarships may be up to 100% of the differential tuition charged to nonresident students for an equal number of credit hours of instruction;
 - (b) 225 of the approved scholarships may not be at a level of more than 50% of the differential tuition charged to nonresident students for an equal number of credit hours of instruction;
 - (c) a nonresident scholarship may be awarded initially only to a nonresident student who has not previously been enrolled in a college or university in Utah and who has enrolled full time for 10 or more credit hours;
 - (d) the total number of nonresident scholarships granted under Subsection (1) may not exceed a total of 900 such scholarships in effect at any one time;
 - (e) the board shall determine eligibility for nonresident scholarships on the basis of program availability at an institution and appropriate academic credentials, using quantifiable measurements such as grade point averages and results of test scores; and
 - (f) a nonresident student who receives a scholarship of greater than 50% of the differential tuition charged to nonresident students for an equal number of credit hours of instruction may not be counted against the funded target for the institution attended.
- (4) The board shall submit an annual report and financial analysis of the effects of offering nonresident tuition scholarships authorized under this section to the Legislature as part of its budget recommendations for the system of higher education.
- (5) This section applies to tuition scholarships and not the individual admission standards of higher education.

Renumbered and Amended by Chapter 8, 2025 Special Session 1

53H-11-406 Nonresident partial tuition scholarships.

- (1) The board may grant a scholarship for partial waiver of the nonresident portion of total tuition charged by institutions of higher education to nonresident undergraduate students, subject to the limitations provided in this section, if the board determines that the scholarship will:
 - (a) promote mutually beneficial cooperation between Utah communities and nearby communities in states adjacent to Utah;
 - (b) contribute to the quality and desirable cultural diversity of educational programs in institutions;
 - (c) assist in maintaining an adequate level of service and related cost-effectiveness of auxiliary operations in institutions of higher education; and
 - (d) promote enrollment of nonresident students with high academic aptitudes.
- (2) The board shall establish policy guidelines for the administration by institutions of higher education of any partial tuition scholarships authorized under this section, for evaluating applicants for those scholarships, and for reporting the results of the scholarship program authorized by this section.
- (3) The policy guidelines made by the board under Subsection (2) shall include the following provisions:
 - (a) the amount of the approved scholarship may not be more than 1/2 of the differential tuition charged to nonresident students for an equal number of credit hours of instruction;

- (b) a nonresident partial tuition scholarship may be awarded initially only to a nonresident undergraduate student who has not previously been enrolled in a college or university in Utah and who has enrolled full time for 10 or more credit hours, whose legal domicile is within approximately 100 highway miles of the institution at which the recipient wishes to enroll or such distance that the board may establish for any institution;
 - (c) the total number of nonresident partial tuition scholarships granted may not exceed a total of 600 such scholarships in effect at any one time; and
 - (d) the board shall determine eligibility for nonresident partial tuition scholarships on the basis of program availability at an institution and on a competitive basis, using quantifiable measurements such as grade point averages and results of test scores.
- (4) The board shall submit an annual report and financial analysis of the effects of offering nonresident partial tuition scholarships authorized under this section to the Higher Education Appropriations Subcommittee as part of the board's budget recommendations for the system of higher education.

Renumbered and Amended by Chapter 8, 2025 Special Session 1

53H-11-407 New Century Scholarship Program.

- (1) Notwithstanding the provisions of this section, the board may not accept a new application for a scholarship described in this section on or after August 15, 2021.
- (2) As used in this section:
- (a) "Complete the requirements for an associate degree" means that a student:
 - (i)
 - (A) completes all the required courses for an associate degree from an institution within the state system of higher education that offers associate degrees; and
 - (B) applies for the associate degree from the institution; or
 - (ii) completes equivalent requirements described in Subsection (2)(a)(i)(A) from an institution that offers baccalaureate degrees but does not offer associate degrees.
 - (b) "Fee" means a fee approved by the board.
- (3)
- (a) The board shall award New Century scholarships.
 - (b) The board shall develop and approve the math and science curriculum described under Subsection (4)(a)(ii).
- (4)
- (a) In order to qualify for a New Century scholarship, a student in Utah schools shall complete the requirements for an:
 - (i) associate degree; or
 - (ii) approved math and science curriculum.
 - (b) The requirements under Subsection (4)(a) shall be completed:
 - (i) by the day on which the student's class graduates from high school; and
 - (ii) with at least a 3.0 grade point average.
 - (c) In addition to the requirements in Subsection (4)(a), a student in Utah shall:
 - (i) complete the high school graduation requirements of:
 - (A) a public high school established by the State Board of Education and the student's school district or charter school; or
 - (B) a private high school in the state that is accredited by a regional accrediting body approved by the board; and
 - (ii) complete high school with at least a 3.5 cumulative high school grade point average.

- (5) Notwithstanding Subsection (4), for a student who does not receive a high school grade point average, the student shall:
 - (a) complete the requirements for an associate degree:
 - (i) by June 15 of the year the student completes high school; and
 - (ii) with at least a 3.0 grade point average; and
 - (b) score a composite ACT score of 26 or higher.
- (6)
 - (a) To be eligible for the scholarship, a student:
 - (i) shall submit an application to the board with:
 - (A) an official college transcript showing college courses the student has completed to complete the requirements for an associate degree; and
 - (B) if applicable, an official high school transcript or, if applicable, a copy of the student's ACT scores;
 - (ii) shall be a citizen of the United States or a noncitizen who is eligible to receive federal student aid;
 - (iii) if applicable, shall meet the application deadlines as established by the board under Subsection (11); and
 - (iv) shall demonstrate, in accordance with rules described in Subsection (6)(b), the completion of a Free Application for Federal Student Aid.
 - (b) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the board shall make rules regarding the completion of the Free Application for Federal Student Aid described in Subsection (6)(a)(iv), including:
 - (i) provisions for students or parents to opt out of the requirement due to:
 - (A) financial ineligibility for any potential grant or other financial aid;
 - (B) personal privacy concerns; or
 - (C) other reasons the board specifies; and
 - (ii) direction for applicants to financial aid advisors.
- (7)
 - (a) The scholarship may be used at:
 - (i) institution that offers baccalaureate programs; or
 - (ii) if the scholarship holder applies for the scholarship on or before October 1, 2019, a private postsecondary educational institution that offers baccalaureate programs.
 - (b)
 - (i) Subject to Subsection (7)(e), the total value of the scholarship is up to \$5,000, allocated over a time period described in Subsection (7)(c), as prescribed by the board.
 - (ii) The board may increase the scholarship amount described in Subsection (7)(b)(i) by an amount not to exceed the average percentage tuition increase approved by the board for institutions.
 - (c) The scholarship is valid for the shortest of the following time periods:
 - (i) two years of full-time equivalent enrollment;
 - (ii) 60 credit hours; or
 - (iii) until the student meets the requirements for a baccalaureate degree.
 - (d)
 - (i) A scholarship holder shall enroll full-time at an institution by no later than the fall term immediately following the student's high school graduation date or receive an approved deferral from the board.

- (ii) The board may grant a deferral or leave of absence to a scholarship holder, but the scholarship holder may only receive scholarship money within five years of the student's high school graduation date.
- (e) For a scholarship for which a student applies after October 1, 2019:
 - (i) the board shall reduce the amount of the scholarship holder's scholarship so that the total amount of state aid awarded to the scholarship holder, including tuition or fee waivers or the scholarship, does not exceed the cost of the scholarship holder's tuition and fees; and
 - (ii) the scholarship holder may only use the scholarship for tuition and fees.
- (8) The board may cancel a New Century scholarship at any time if the student fails to:
 - (a) register for at least 15 credit hours per semester;
 - (b) maintain a 3.3 grade point average for two consecutive semesters; or
 - (c) make reasonable progress toward the completion of a baccalaureate degree.
- (9)
 - (a) Subject to future budget constraints, the Legislature shall make an annual appropriation from the General Fund to the board for the costs associated with the New Century Scholarship Program authorized under this section.
 - (b) It is understood that the appropriation is offset in part by the state money that would otherwise be required and appropriated for these students if these students were enrolled in a four-year postsecondary program at an institution.
 - (c) Notwithstanding Subsections (3)(a) and (7), if the appropriation under Subsection (9)(a) is insufficient to cover the costs associated with the New Century Scholarship Program, the board may reduce the scholarship amount.
 - (d) If money appropriated under this section is available after New Century scholarships are awarded, the board shall use the money for the Utah Promise Program created in Section 53H-11-414.
- (10)
 - (a) The board shall adopt policies establishing an application process and an appeal process for a New Century scholarship.
 - (b) The board shall disclose on all applications and related materials that the amount of the scholarship is subject to funding and may be reduced, in accordance with Subsection (9)(c).
 - (c) The board shall require an applicant for a New Century scholarship to certify under penalty of perjury that:
 - (i) the applicant is a United States citizen; or
 - (ii) the applicant is a noncitizen who is eligible to receive federal student aid.
 - (d) The certification under this Subsection (10) shall include a statement advising the signer that providing false information subjects the signer to penalties for perjury.
- (11) The board may set deadlines for receiving New Century scholarship applications and supporting documentation.
- (12) A student may not receive both a New Century scholarship and an Opportunity scholarship established in Section 53H-11-402.

Renumbered and Amended by Chapter 8, 2025 Special Session 1

53H-11-408 Technical education scholarships.

- (1) As used in this section:
 - (a) "Eligible institution" means:
 - (i) a degree-granting institution that provides technical education described in Section 53H-3-608; or

- (ii) a technical college.
- (b) "High demand program" means a technical education program that:
 - (i) is offered by an eligible institution;
 - (ii) leads to a certificate; and
 - (iii) is designated by the board in accordance with Subsection (6).
- (c) "Scholarship" means a technical education scholarship described in this section.
- (2) Subject to future budget constraints, the Legislature shall annually appropriate money to the board to be distributed to eligible institutions to award technical education scholarships.
- (3) In accordance with the rules described in Subsection (5), an eligible institution may award a scholarship to an individual who:
 - (a) is enrolled in, or intends to enroll in, a high demand program; and
 - (b) demonstrates, in accordance with rules described in Subsection (5)(b), the completion of a Free Application for Federal Student Aid.
- (4)
 - (a) An eligible institution may award a scholarship for an amount of money up to the total cost of tuition, fees, and required textbooks for the high demand program in which the scholarship recipient is enrolled or intends to enroll.
 - (b) An eligible institution may award a scholarship to a scholarship recipient for up to three academic years.
 - (c) An eligible institution may cancel a scholarship if the scholarship recipient does not:
 - (i) maintain enrollment in the eligible institution on at least a half time basis, as determined by the eligible institution; or
 - (ii) make satisfactory progress toward the completion of a certificate.
- (5) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the board shall make rules:
 - (a) that establish:
 - (i) how state funding available for scholarships is divided among eligible institutions;
 - (ii) requirements related to an eligible institution's administration of a scholarship;
 - (iii) requirements related to eligibility for a scholarship, including requiring eligible institutions to prioritize scholarships for underserved populations;
 - (iv) a process for an individual to apply to an eligible institution to receive a scholarship; and
 - (v) how to determine satisfactory progress described in Subsection (4)(c)(ii); and
 - (b) regarding the completion of the Free Application for Federal Student Aid described in Subsection (3)(b), including:
 - (i) provisions for students or parents to opt out of the requirement due to:
 - (A) financial ineligibility for any potential grant or other financial aid;
 - (B) personal privacy concerns; or
 - (C) other reasons the board specifies; and
 - (ii) direction for applicants to financial aid advisors.
- (6) Every other year, after consulting with the Department of Workforce Services, the board shall designate, as a high demand program, a technical education program that prepares an individual to work in a job that has, in Utah:
 - (a) high employer demand and high median hourly wages; or
 - (b) significant industry importance.

Renumbered and Amended by Chapter 8, 2025 Special Session 1

53H-11-409 Terrel H. Bell Education Scholarship Program.

- (1) As used in this section:
 - (a) "Approved program" means a program that:
 - (i) is a teacher preparation program that:
 - (A) meets the standards described in Section 53E-6-302; and
 - (B) provides enhanced clinical experiences; or
 - (ii) prepares an individual to become:
 - (A) a speech-language pathologist; or
 - (B) another licensed professional providing services in a public school to students with disabilities.
 - (b) "Eligible institution" means an institution that offers an approved program and is:
 - (i) an institution; or
 - (ii) a private postsecondary educational institution.
 - (c) "High needs area" means a subject area or field in public education that has a high need for teachers or other employees, as determined in accordance with Subsections (6) and (7).
 - (d) "Scholarship" means a scholarship described in this section.
- (2) Subject to future budget constraints, the Legislature shall annually appropriate money to the board for the Terrel H. Bell Education Scholarship Program to be distributed to eligible institutions to award scholarships to incentivize students to work in public education in Utah.
- (3)
 - (a) Subject to the prioritization described in Subsection (3)(b), an eligible institution may award a scholarship to an individual who:
 - (i) meets the academic standards described in Subsection (6);
 - (ii) is enrolled in at least six credit hours at the eligible institution;
 - (iii) declares an intent to:
 - (A) apply to and complete an approved program at the eligible institution; and
 - (B) work in a Utah public school; and
 - (iv) demonstrates, in accordance with rules described in Subsection (6)(b), the completion of a Free Application for Federal Student Aid.
 - (b) An eligible institution shall prioritize awarding of scholarships:
 - (i) first, to first generation students who intend to work in any area in a Utah public school;
 - (ii) second, to students who:
 - (A) are not first generation students; and
 - (B) intend to work in a high needs area in a Utah public school; and
 - (iii) last, to other students who meet the requirements described in Subsection (3)(a).
- (4)
 - (a) Except as provided in Subsection (4)(b), an eligible institution may award a scholarship to an individual for an amount up to the cost of resident tuition, fees, and books for the number of credit hours in which the individual is enrolled each semester.
 - (b) An eligible institution that is a private postsecondary educational institution may not award a scholarship for an amount of money that exceeds the average scholarship amount granted by an institution.
- (5)
 - (a) Except as provided in Subsection (5)(b), an eligible institution may award a scholarship to an individual for up to four consecutive years.
 - (b) An eligible institution may grant a scholarship recipient a leave of absence.
 - (c) An eligible institution may cancel a scholarship if:
 - (i) the scholarship recipient fails to make reasonable progress toward completion of the approved program, as determined by the eligible institution; or

- (ii) the eligible institution determines with reasonable certainty that the scholarship recipient does not intend to work in a Utah public school.
- (6) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the board shall make rules:
 - (a) that establish:
 - (i) requirements related to an eligible institution's administration of a scholarship;
 - (ii) a process for an individual to apply to an eligible institution to receive a scholarship;
 - (iii) in accordance with Subsection (3)(a), requirements related to eligibility for a scholarship, including required academic standards;
 - (iv) in accordance with Subsection (3)(b), requirements related to prioritization of scholarships, including determination of:
 - (A) whether a student is a first generation student; and
 - (B) high needs areas; and
 - (v) criteria to determine whether an individual intends to work in a Utah public school; and
 - (b) regarding the completion of the Free Application for Federal Student Aid described in Subsection (3)(a)(iv), including:
 - (i) provisions for students or parents to opt out of the requirement due to:
 - (A) financial ineligibility for any potential grant or other financial aid;
 - (B) personal privacy concerns; or
 - (C) other reasons the board specifies; and
 - (ii) direction for applicants to financial aid advisors.
- (7) The board shall consult with the State Board of Education to determine:
 - (a) whether a teacher preparation program provides enhanced clinical experiences; and
 - (b) which subject areas and fields are high needs areas.
- (8) The board may use up to 5% of money appropriated for the purposes described in this section to promote the scholarships described in this section.

Renumbered and Amended by Chapter 8, 2025 Special Session 1

53H-11-410 Public Safety Officer Career Advancement Grant Program.

- (1) This section creates the Public Safety Officer Career Advancement Grant Program.
- (2) Subject to legislative appropriations and Subsection (7), the board shall award a grant to an applicant who:
 - (a) is a certified peace officer, currently employed by a law enforcement agency within the state; and
 - (b) is seeking a post-secondary degree in the area of criminal justice from a degree-granting institution described in Section 53H-1-102.
- (3)
 - (a) Subject to Subsection (3)(b), the board may award a qualified applicant up to the cost of tuition and fees.
 - (b) A grant award under Subsection (3)(a) is limited to:
 - (i) a maximum of \$5,000 each academic year; and
 - (ii) a maximum of four academic years.
- (4) The board shall design the program to ensure that degree-granting institutions combine loans, grants, employment, and family and individual contributions toward financing the cost of attendance.
- (5) Notwithstanding Subsection (4), the board may not award a scholarship described in Section 53H-11-403 to an applicant receiving a grant under this section.

- (6)
 - (a) The board shall make rules in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, to:
 - (i) set deadlines for receiving grant applications and supporting documentation; and
 - (ii) establish the application process and an appeal process for the Public Safety Officer Career Advancement Grant Program.
 - (b) The board shall include a disclosure on all applications and related materials that the amount of the awarded grants may be subject to funding or be reduced, in accordance with Subsection (7).
- (7)
 - (a) Subject to future budget constraints, the Legislature shall make an annual appropriation from the Income Tax Fund to the board for the costs associated with the Public Safety Officer Career Advancement Grant Program authorized under this section.
 - (b) Notwithstanding the provisions of this section, if the appropriation under this section is insufficient to cover the costs associated with the Public Safety Officer Career Advancement Grant Program, the board may:
 - (i) reduce the amount of a grant; or
 - (ii) distribute grants on a pro rata basis to all eligible applicants who submitted a complete application before the application deadline.
- (8) Notwithstanding Subsection 53H-11-403(5), the board may not award a grant under this section to an applicant receiving a scholarship under the Karen Mayne Public Safety Officer Scholarship Program described in Section 53H-11-403.

Renumbered and Amended by Chapter 8, 2025 Special Session 1

53H-11-411 First Responder Mental Health Services Grant Program.

- (1) As used in this section:
 - (a) "First responder" means an individual who works in Utah as:
 - (i) a law enforcement officer, as defined in Section 53-13-103;
 - (ii) an emergency medical technician, as defined in Section 53-2e-101;
 - (iii) an advanced emergency medical technician, as defined in Section 53-2e-101;
 - (iv) a paramedic, as defined in Section 53-2e-101;
 - (v) a firefighter, as defined in Section 53H-11-306;
 - (vi) a dispatcher, as defined in Section 53-6-102;
 - (vii) a correctional officer, as defined in Section 53-13-104;
 - (viii) a special function officer, as defined in Section 53-13-105, employed by a local sheriff;
 - (ix) a search and rescue worker under the supervision of a local sheriff;
 - (x) a forensic interviewer or victim advocate employed by a children's justice center established in accordance with Section 67-5b-102;
 - (xi) a credentialed criminal justice system victim advocate as defined in Section 77-38-403 who responds to incidents with a law enforcement officer;
 - (xii) a crime scene investigator technician;
 - (xiii) a wildland firefighter;
 - (xiv) an investigator or prosecutor of cases involving sexual crimes against children; or
 - (xv) a civilian employee of a first responder agency who has been authorized to view or otherwise access information concerning crimes, accidents, or other traumatic events.
 - (b) "First responder agency" means the same as that term is defined in Section 53-21-101.
 - (c) "First responder volunteer" means:

- (i) an individual who donates services as a first responder to a first responder agency located in Utah without pay or other compensation except:
 - (A) expenses that the individual actually and reasonably incurs as the supervising first responder agency approves; and
 - (B) health insurance that a participant in the Volunteer Emergency Medical Service Personnel Health Insurance Program described in Section 53-2d-703 receives; or
- (ii) a volunteer firefighter who is not regularly employed as a firefighter service employee, but who:
 - (A) has received training in firefighter techniques and skills;
 - (B) continues to receive regular firefighter training; and
 - (C) is on the rolls of a legally organized volunteer fire department that provides ongoing training and serves a political subdivision of the state.
- (d) "Retiree" means the same as that term is defined in Section 49-11-102.
- (2) This section creates the First Responder Mental Health Services Grant Program.
- (3) Subject to legislative appropriations and Subsection (8), the board shall award a grant to an applicant who:
 - (a) is a first responder, a first responder volunteer, or a retiree who worked as a first responder in the state; and
 - (b) is seeking a post-secondary degree or certification to become a mental health therapist, as that term is defined in Section 58-60-102, from:
 - (i) an institution of higher education described in Section 53H-1-102; or
 - (ii) a private postsecondary educational institution.
- (4)
 - (a) Subject to Subsection (4)(b), the board may award a qualified applicant a grant in an amount that is equal to the difference between:
 - (i) the total cost of tuition and fees for the program in which the recipient is enrolled; and
 - (ii) the total value of all other grants, tuition waivers, fee waivers, and scholarships that the recipient receives to attend the institution.
 - (b) A grant award under Subsection (4)(a) is limited to:
 - (i) a maximum of \$6,000 each academic year; and
 - (ii) a maximum of four academic years.
- (5) The board shall design the program to ensure that institutions combine loans, grants, employment, and family and individual contributions toward financing the cost of attendance.
- (6) The board shall:
 - (a) select two periods during each calendar year to accept applications for the program; and
 - (b) accept applications for no fewer than 30 days during each period described in Subsection (6) (a).
- (7)
 - (a) The board shall make rules in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, to:
 - (i) set deadlines for receiving grant applications and supporting documentation; and
 - (ii) establish the application process and an appeal process for the First Responder Mental Health Services Grant Program.
 - (b) The board shall include a disclosure on all applications and related materials that the amount of the awarded grants may be subject to funding or be reduced, in accordance with Subsection (8).
- (8)

- (a) Subject to future budget constraints, the Legislature shall make an annual appropriation from the Income Tax Fund to the board for the costs associated with the First Responder Mental Health Services Grant Program authorized under this section.
- (b) Notwithstanding the provisions of this section, if the appropriation under this section is insufficient to cover the costs associated with the First Responder Mental Health Services Grant Program, the board may:
 - (i) reduce the amount of a grant; or
 - (ii) distribute grants on a pro rata basis to all eligible applicants who submitted a complete application before the application deadline.

Renumbered and Amended by Chapter 8, 2025 Special Session 1

53H-11-412 Adult Learners Grant Program.

(1) As used in this section:

- (a)
 - (i) "Cost of attendance" means the estimated costs associated with taking an online course, as established by an eligible institution in accordance with board policies.
 - (ii) "Cost of attendance" includes tuition, costs payable to the eligible institution, and other direct educational expenses related to taking an online course.
- (b) "Eligible institution" means an institution that offers a postsecondary level course of instruction using digital technology, including a private postsecondary educational institution.
- (c) "Eligible student" means a financially needy student who is:
 - (i) an independent student on the Free Application for Federal Student Aid;
 - (ii) enrolled in an online course at an eligible institution;
 - (iii) pursuing:
 - (A) an online postsecondary degree program in a field where there is a demonstrated industry need; or
 - (B) an online non-degree program that is designed to meet industry needs and leads to a certificate or another recognized educational credential; and
 - (iv) a resident student under Section 53H-11-202 and rules the board establishes.
- (d) "Financially needy student" means a student who demonstrates the financial inability to meet all or a portion of the cost of attendance at an eligible institution as defined by the board, after utilizing family and personal resources, federal assistance, and scholarships.
- (e) "Fiscal year" means the fiscal year of the state.
- (f) "Online course" means a postsecondary level course of instruction offered by an eligible institution using digital technology.
- (g) "Program" means the Adult Learners Grant Program established in this section.
- (h) "Tuition" means tuition and fees at the rate charged for residents of the state.

(2) There is created the Adult Learners Grant Program to provide financial assistance to eligible students.

- (3)
 - (a) The board shall, in accordance with the guidelines in this section, develop and administer the program.
 - (b) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the board shall make rules to establish:
 - (i) how an individual establishes financial need for purposes of receiving a grant under the program;
 - (ii) a requirement that an applicant complete the Free Application for Federal Student Aid;

- (iii) how to determine whether an individual is a Utah resident;
 - (iv) a process and requirements for an individual to apply for a grant under the program;
 - (v) a formula to allocate money appropriated for the program to eligible students, prioritizing:
 - (A) students from rural areas;
 - (B) minority students;
 - (C) low income students;
 - (D) first generation students; and
 - (E) students pursuing education that aligns with industry needs; and
 - (vi) a method of identifying industry needs for purposes of determining student eligibility to receive a grant under this section.
- (c) The board may not use more than 3% of money appropriated for the program for administrative costs or overhead.
- (4) To be eligible for a grant under this section, a student shall demonstrate, in accordance with rules the board makes under Subsection (3)(b):
- (a) that the student has completed the Free Application for Federal Student Aid; and
 - (b) that the student is financially needy.
- (5) The board shall:
- (a) annually establish the minimum and maximum amount for a grant;
 - (b)
 - (i) award grants to eligible students on an annual basis; and
 - (ii) distribute grant money on a quarter or semester basis; and
 - (c) except as provided in Subsection (3)(b)(v), award all money appropriated for the program without regard to an applicant's race, creed, color, religion, sex, or ancestry.
- (6) The total sum of program grant money, financial aid from any source, and family or personal contribution may not exceed the cost of attendance for an eligible student at an eligible institution for a fiscal year.
- (7) An eligible student that receives a grant under the program shall apply the grant money to the cost of attendance.
- (8) The board shall annually report program outcomes to the Higher Education Appropriations Subcommittee, including:
- (a) number of grant recipients at each eligible institution;
 - (b) average amount of grant money provided per grant recipient;
 - (c) benefits in fulfillment of the purposes for the program described in this section; and
 - (d) recommendations for program modification, including recommended funding levels.

Renumbered and Amended by Chapter 8, 2025 Special Session 1

53H-11-413 Establishment of the Veterans Tuition Gap Program.

- (1) As used in this section:
- (a) "Federal program" means a veterans educational assistance program established in:
 - (i) 10 U.S.C., Chapter 1606, Educational Assistance for Members of the Selected Reserve;
 - (ii) 38 U.S.C., Chapter 30, All-Volunteer Force Educational Assistance Program;
 - (iii) 38 U.S.C., Chapter 31, Training and Rehabilitation for Veterans with Service-Connected Disabilities;
 - (iv) 38 U.S.C., Chapter 31, Post-Vietnam Era Veterans' Educational Assistance; or
 - (v) 38 U.S.C., Chapter 33, Post-9/11 Educational Assistance.
 - (b) "Program" means the Veterans Tuition Gap Program created in this section.
 - (c) "Qualifying military veteran" means a veteran, as defined in Section 68-3-12.5, who:

- (i) is a resident student under:
 - (A) Section 53H-11-202; and
 - (B) rules of the board;
 - (ii) is accepted into an institution and enrolled in a program leading to a bachelor's degree;
 - (iii)
 - (A) has exhausted the federal benefit under a federal program; or
 - (B) demonstrates that the veteran no longer qualifies to receive federal benefits under any federal program;
 - (iv) has not completed a bachelor's degree; and
 - (v) is not a family member.
- (d) There is established a Veterans Tuition Gap Program to serve qualifying military veterans with tuition assistance at an institution or private postsecondary educational institution when:
- (i) federal benefits under the federal program have been exhausted or are not available; and
 - (ii) a qualifying military veteran has not finished a bachelor's degree and is in the final year of a bachelor's degree program.
- (2) The board shall use the guidelines in this section to develop policies to implement and administer the program.
- (3)
- (a) The board shall allocate money appropriated for the program to institutions or private postsecondary educational institutions to provide grants for qualifying military veterans.
 - (b) The board may not use program money for administrative costs or overhead.
 - (c) An institution or private postsecondary educational institution may not use more than 3% of the institution's program money for administrative costs or overhead.
 - (d) Money returned to the board under Subsection (8)(b) shall be used for future allocations to institutions or private postsecondary educational institutions.
- (4)
- (a) An institution or private postsecondary educational institution shall award a program grant to a qualifying military veteran on an annual basis but distribute the money one quarter or semester at a time, with continuing awards contingent upon the qualifying military veteran maintaining satisfactory academic progress as defined by the institution or private postsecondary educational institution in published policies or rules.
 - (b) At the conclusion of the academic year, money distributed to an institution or private postsecondary educational institution that was not awarded to a qualifying military veteran or used for allowed administrative purposes shall be returned to the board.
- (c)
- (i) To qualify for a program grant under this section, a military veteran shall demonstrate, in accordance with rules described in Subsection (4)(c)(ii), the completion of a Free Application for Federal Student Aid.
 - (ii) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the board shall make rules regarding the completion of the Free Application for Federal Student Aid described in Subsection (4)(c)(i), including:
 - (A) provisions for students or parents to opt out of the requirement due to financial ineligibility for any potential grant or other financial aid, personal privacy concerns, or other reasons the board specifies; and
 - (B) direction for applicants to financial aid advisors.
- (5) A qualifying military veteran may receive a program grant until:
- (a) the qualifying military veteran completes the requirements for a bachelor's degree; or
 - (b) the qualifying military veteran receives the maximum award that the board sets.

- (6) A qualifying military veteran who receives a program grant may use the grant toward tuition, fees, books, education-related supplies, and a housing allowance at an institution or private postsecondary educational institution.
- (7) The board may accept grants, gifts, bequests, and devises of real and personal property from any source for the purpose of awarding grants to qualifying military veterans in addition to those funded by the state.

Renumbered and Amended by Chapter 8, 2025 Special Session 1

53H-11-414 Utah Promise Program.

(1) As used in this section:

(a)

- (i) "Cost of attendance" means the estimated costs associated with attending a Utah postsecondary institution, as established by the Utah postsecondary institution in accordance with board policies.
- (ii) "Cost of attendance" includes costs payable to the Utah postsecondary institution, other direct educational expenses, transportation, and living expenses while attending the Utah postsecondary institution.

(b) "Eligible student" means a financially needy student who is:

- (i) unconditionally admitted to and enrolled at a Utah postsecondary institution on at least a half-time basis, as defined by the board, in an eligible postsecondary program leading to a defined education or training objective, as defined by the board;
- (ii) making satisfactory academic progress, as defined by the Utah postsecondary institution in published policies or rules, toward an education or training objective;
- (iii)

(A) a resident student under Section 53H-11-202 and rules of the board; or

(B) exempt from paying the nonresident portion of total tuition under Section 53H-11-203; and

(iv) not a graduate student.

(c) "Financially needy student" means a student who demonstrates the financial inability to meet all or a portion of the cost of attendance at a Utah postsecondary institution for any period of attendance as defined by the board, after considering the student's expected family contribution.

(d) "Fiscal year" means the fiscal year of the state.

(e) "Partner award" means a financial award described in this section.

(f) "Program" means the Utah Promise Program.

(g) "Promise partner" means an employer that participates in the program described in this section.

(h) "Utah postsecondary institution" means:

- (i) an institution of higher education; or
- (ii) a Utah private, nonprofit postsecondary educational institution.

(2) The Legislature finds that:

- (a) the prosperity, economic success, and general welfare of the people of Utah and of the state are directly related to the educational levels and skills of the citizens of the state; and
- (b) financial assistance, to bridge the gap between a financially needy student's resources and the cost of attendance at a Utah postsecondary institution, is a necessary component for ensuring access to postsecondary education and training.

(3) There is created the Utah Promise Program to provide financial assistance to students.

- (4) The board shall annually submit an electronic report to the Higher Education Appropriations Subcommittee regarding the Utah Promise Program.
- (5)
 - (a) As part of the Utah Promise Program and in accordance with this section, the board shall allocate available money to each Utah postsecondary institution to use to award promise grants to eligible students to pay the eligible student's cost of attendance.
 - (b) An eligible student may apply for a promise grant in accordance with procedures established by board rule.
 - (c) The amount of a promise grant to an eligible student may not exceed the amount equal to the difference between:
 - (i) the eligible student's cost of attendance; and
 - (ii) the total value of other financial aid that the eligible student receives toward the eligible student's cost of attendance.
 - (d) An eligible student may transfer a promise grant to one or more other Utah postsecondary institutions.
- (6) In administering this section, the board shall use a packaging approach that ensures that Utah postsecondary institutions combine loans, grants, employment, and family and individual contributions toward financing the cost of attendance.
- (7) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the board shall make rules establishing:
 - (a) an application process;
 - (b) eligibility criteria, including:
 - (i) criteria related to academic achievement and enrollment status; and
 - (ii) a requirement that an applicant demonstrate completion of the Free Application for Federal Student Aid, unless the student or the student's parent opts out in accordance with board rule;
 - (c) how a student demonstrates financial need;
 - (d) a formula to determine the allocation of money to Utah postsecondary institutions in accordance with Subsection (5), taking into account:
 - (i) the cost of attendance for programs offered by Utah postsecondary institutions; and
 - (ii) the number of eligible students who attend each Utah postsecondary institution; and
 - (e) a methodology for prioritizing award of promise grants based primarily on financial need.
- (8) A student is eligible for a promise grant until the student:
 - (a) earns a first bachelor's degree; or
 - (b) completes 120 credit hours.
- (9) The board or a Utah postsecondary institution may not represent to a recipient or a potential recipient of a promise grant that promise grants will remain available in perpetuity.
- (10)
 - (a) The board may require a Utah postsecondary institution to enter into a participation agreement before the Utah postsecondary institution may award promise grants.
 - (b) In a participation agreement, the board shall include a requirement that the Utah postsecondary institution:
 - (i) provide to the board information necessary to administer the promise grants;
 - (ii) comply with this section and board rules related to the promise grants;
 - (iii) submit reports related to the promise grants as required by board rule; and
 - (iv) cooperate in any review or financial audit related to the promise grants that the board determines necessary.
- (11)

- (a) The board may use up to 2% of the money appropriated for promise grants for costs related to administering the promise grants.
- (b) A Utah postsecondary institution may use up to 3% of the money the Utah postsecondary institution receives for promise grants for costs related to administering the promise grants.
- (12) The board may supplement state appropriations for the program with private contributions.
- (13) As part of the Utah Promise Program, the board may select employers to be promise partners.
- (14) The board may select an employer as a promise partner if the employer:
 - (a) applies to the board to be a promise partner; and
 - (b) meets other requirements established by the board in the rules described in Subsection (18).
- (15) An individual employed by, or who is a dependent of an employee of, a promise partner is eligible to receive a partner award if the individual:
 - (a) applies for a partner award;
 - (b) is admitted to and enrolled in a Utah postsecondary institution; and
 - (c) maintains the eligibility requirements described in this Subsection (15) for the full length of time the individual receives the partner award.
- (16)
 - (a) Subject to legislative appropriations and Subsection (16)(b), the board shall award a partner award to an individual who meets the requirements described in Subsection (15).
 - (b) The board may:
 - (i) award a partner award for up to the portion of tuition and fees for a program at a Utah postsecondary institution that is not covered by a promise partnership described in Subsection (18)(a); and
 - (ii) prioritize awarding partner awards if an appropriation for partner awards is not sufficient to provide a partner award to each individual who is eligible under Subsection (15).
 - (c) The board may continue to award a partner award to a recipient who meets the requirements described in Subsection (15) until the earlier of:
 - (i) four years after the day on which the individual initially receives a partner award;
 - (ii) when the recipient uses a partner award to attend a Utah postsecondary institution for eight semesters; or
 - (iii) when the recipient completes an approved program.
- (17) The board may name a specific promise grant after the donating business.
- (18) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the board shall make rules that establish:
 - (a) a process for a business to seek and receive approval from the board to become a promise partner, including providing funds for tuition and fees to be distributed under the Utah Promise Program;
 - (b) a process for an individual to apply for a partner award; and
 - (c) criteria for the board to prioritize awarding partner awards to individuals.
- (19) The board may allow an individual to apply directly to the board for a partner award.

Renumbered and Amended by Chapter 8, 2025 Special Session 1

53H-11-415 Talent Development Award Program.

- (1) As used in this section:
 - (a) "Award" means a monetary grant awarded in accordance with this section.
 - (b) "Full-time" means the number of credit hours the board determines is full-time enrollment for a student for purposes of the program.

- (c) "GOEO" means the Governor's Office of Economic Opportunity created in Section 63N-1a-301.
 - (d) "Program" means the Talent Development Award Program created in this section.
 - (e) "Qualifying degree" means an associate's or a bachelor's degree that qualifies an individual to work in a qualifying job, as determined by GOEO under this section.
 - (f) "Qualifying job" means a job:
 - (i) described in this section for which an individual may receive an award for the current two-year period; or
 - (ii)
 - (A) that was identified in accordance with this section at the time a recipient received an award; and
 - (B) for which the recipient is pursuing a qualifying degree, for which the recipient completed a qualifying degree, or in which the recipient is working.
 - (g) "Recipient" means an individual who receives an award.
- (2) There is created the Talent Development Award Program to recruit and train individuals to work in certain jobs that have a high demand for new employees and offer high wages.
- (3) Subject to available funds, an institution shall award an individual who:
- (a) is pursuing or declares an intent to pursue a qualifying degree;
 - (b) declares an intent to work in a qualifying job described in this section in Utah following graduation;
 - (c) applies to the institution to receive an award; and
 - (d) meets other criteria determined by the board in the rules described in this section.
- (4)
- (a) An institution may award a recipient in an amount up to the cost of resident tuition, fees, and books for the number of credit hours in which the recipient is enrolled each semester.
 - (b) An institution may award a recipient for up to the expected amount of time for the recipient to complete the qualifying degree, as determined by the institution.
 - (c) An institution may cancel an award in accordance with the rules described in this section.
- (5) An institution may use money from a partnership with an industry or business for funding or repaying an award.
- (6) The board may use up to 5% of money appropriated for the program for administration.
- (7) Every other year, GOEO shall identify:
- (a) five qualifying jobs that:
 - (i) have the highest demand for new employees; and
 - (ii) offer high wages; and
 - (b) the qualifying degrees for each qualifying job.
- (8) GOEO shall:
- (a) ensure that each qualifying job:
 - (i) ranks in the top 40% of jobs based on an employment index that considers the job's growth rate and total openings;
 - (ii) ranks in the top 40% of jobs for wages; and
 - (iii) requires an associate's degree or a bachelor's degree; and
 - (b) report the five qualifying jobs and qualifying degrees to the board.
- (9) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the board shall make rules to:
- (a) establish an application process for an individual to apply for an award;
 - (b) subject to this section, establish qualifying criteria for an individual to receive an award, including enrollment status;

- (c) establish a process to evaluate applications that prioritizes awards to students who demonstrate financial need;
 - (d) establish how state funding available for awards is divided among institutions;
 - (e) establish how to determine an amount of money for an award;
 - (f) establish the circumstances under which an institution may cancel an award; and
 - (g) require an institution to provide specified information to the board relevant to administering the program.
- (10) In administering the program, the board shall use a packaging approach that ensures that institutions combine loans, grants, employment, and family and individual contributions toward financing the cost of attendance.

Renumbered and Amended by Chapter 8, 2025 Special Session 1