

1 **HIGHER EDUCATION SCHOLARSHIP**

2 **PROGRAM AMENDMENTS**

3 2009 GENERAL SESSION

4 STATE OF UTAH

5 **Chief Sponsor: Lyle W. Hillyard**

6 House Sponsor: Fred R Hunsaker

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**LONG TITLE**

8 **General Description:**

9 This bill makes adjustments to certain higher education scholarship programs.

10 **Highlighted Provisions:**

11 This bill:

- 12 ▶ beginning with the 2010 high school graduating class, changes the New Century  
13 scholarship to a set total amount of \$5,000;  
14 ▶ adjusts the time period that a student may use the New Century scholarship monies;  
15 ▶ modifies the institutions at which a student may use a Regents' Scholarship;  
16 ▶ modifies the time that a student has to complete the requirements for a Regents'  
17 Scholarship;  
18 ▶ modifies the requirements to qualify for a Regents' Scholarship;  
19 ▶ removes International Baccalaureate provisions related to qualifying for a Regents'  
20 Scholarship;  
21 ▶ modifies provisions related to the Board of Regents' ability to adjust certain  
22 scholarship amounts;  
23 ▶ beginning with the 2010 high school graduating class, changes the Exemplary  
24 Academic Achievement Scholarship to a set total amount of \$5,000;  
25 ▶ adjusts the time period that a student may use the Exemplary Academic  
26 Achievement Scholarship monies;  
27



- 28           ▶ removes certain provisions related to a Regents' Diploma Endorsement; and
- 29           ▶ makes technical changes.

30 **Monies Appropriated in this Bill:**

31           None

32 **Other Special Clauses:**

33           None

34 **Utah Code Sections Affected:**

35 AMENDS:

- 36           **53B-8-105**, as last amended by Laws of Utah 2008, Chapter 271
- 37           **53B-8-108**, as enacted by Laws of Utah 2008, Chapter 271
- 38           **53B-8-109**, as enacted by Laws of Utah 2008, Chapter 271
- 39           **53B-8-110**, as enacted by Laws of Utah 2008, Chapter 271
- 40           **53B-8-111**, as enacted by Laws of Utah 2008, Chapter 271



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

43           Section 1. Section **53B-8-105** is amended to read:

44           **53B-8-105. New Century scholarships -- High school requirements.**

45           (1) (a) [~~In addition to Centennial Scholarships awarded under Section 53A-15-102 and~~  
46 ~~Career Teaching Scholarships awarded under Title 53B, Chapter 10, Terrel H. Bell Teaching~~  
47 ~~Incentive Loan Program, the~~] The State Board of Regents [~~and the State Board of Education~~]  
48 shall [~~jointly~~] award New Century scholarships.

49           (b) In order to qualify for a New Century scholarship, a student in Utah schools shall  
50 complete the requirements for an:

- 51           (i) associate degree; or
- 52           (ii) approved math and science curriculum.
- 53           (c) The requirements under Subsection (1)(b) shall be completed:
  - 54           (i) by September 1 of the year the student's class graduates from high school; and
  - 55           (ii) with at least a "B" average or 3.0 grade point average.
- 56           (d) The State Board of Regents shall develop and approve the math and science  
57 curriculum described under Subsection (1)(b)(ii).

58           (2) (a) The scholarship may be used at a:

59 (i) higher education institution within the state system of higher education that offers  
60 baccalaureate programs; or

61 (ii) private, nonprofit college or university in the state accredited by the Northwest  
62 Association of Schools and Colleges that offers baccalaureate programs.

63 (b) For a student whose class graduates from high school in 2009 and who completes  
64 the requirements under Subsection (1)(b) by September 1, 2009:

65 (i) ~~[H]~~ if used at an institution ~~[within the state system of higher education]~~ described  
66 in Subsection (2)(a)(i), the scholarship is equal in value to 75% of the tuition costs at the  
67 selected institution~~[-]; or~~

68 (ii) ~~[H]~~ if used at an institution ~~[not within the state system of higher education]~~  
69 described in Subsection (2)(a)(ii), the scholarship is equal in value to 75% of the tuition costs  
70 at the institution, not to exceed 75% of the average tuition costs at the institutions referred in  
71 Subsection (2)~~(b)~~(a)(i).

72 (c) For a student whose class graduates in 2010 or after and who completes the  
73 requirements under this section the total scholarship is equal to \$5,000, allocated over a time  
74 period described in Subsection (2)(d), as prescribed by the board.

75 ~~[(c) Each]~~ (d) The scholarship is valid for [up to] the shortest of the following time  
76 periods:

77 (i) two years of full-time equivalent enrollment[-; or until];

78 (ii) 60 credit hours; or

79 (iii) until the student meets the requirements for a baccalaureate degree [have been met,  
80 whichever is shorter].

81 ~~[(d)]~~ (e) The State Board of Regents may grant a leave of absence to a scholarship  
82 holder, but ~~[the scholarship must be used in its entirety]~~ the student may only receive  
83 scholarship monies within five years after [completion of] the student completes high school.

84 (3) The New Century scholarship may be canceled at any time by the institution of  
85 attendance if the student fails to:

86 (a) maintain a "B" average for two consecutive semesters; or

87 (b) make reasonable progress towards the completion of a baccalaureate degree.

88 (4) (a) The Legislature shall make an annual appropriation from the General Fund to  
89 the State Board of Regents for the costs associated with the New Century scholarship program

90 authorized under this section.

91 (b) It is understood that the appropriation is offset in part by the state [~~moneys~~] monies  
92 that would otherwise be required and appropriated for these students if they were enrolled in a  
93 four-year postsecondary program at a state-operated institution.

94 (c) Notwithstanding Subsections (1) and (2), if the appropriation under Subsection  
95 (4)(a) is insufficient to cover the costs associated with the New Century scholarship program,  
96 the State Board of Regents may limit or reduce scholarships.

97 (d) The board may adjust the amount of the New Century Scholarship by up to a  
98 percentage of the average percentage tuition increase approved by the board for institutions in  
99 the system of higher education.

100 (5) This section does not apply to a student who completes an associate of applied  
101 technology degree from the Utah College of Applied Technology.

102 Section 2. Section **53B-8-108** is amended to read:

103 **53B-8-108. Regents' Scholarship Program -- General provisions -- Board policies.**

104 (1) The Regents' Scholarship Program is created to award merit scholarships to  
105 students who complete a rigorous core course of study in high school.

106 (2) A student who is awarded the Base Regents' Scholarship established in Section  
107 53B-8-109 may also be awarded each of the supplemental awards established in Sections  
108 53B-8-110 and 53B-8-111.

109 (3) A Regents' Scholarship may only be used at a:

110 (a) credit-granting higher education institution within the state system of higher  
111 education[~~; including the Utah College of Applied Technology~~]; or

112 (b) private, nonprofit college or university in [~~this~~] the state that is accredited by the  
113 Northwest Association of Schools and Colleges[~~; or~~].

114 [~~(c) Western Undergraduate Exchange program that is approved by the board.~~]

115 (4) (a) Except as provided in Subsection (4)(b), a scholarship holder shall enroll full  
116 time at a higher education institution [~~within the state system of higher education~~] described in  
117 Subsection (3) within 12 months of the student's high school graduation.

118 (b) The State Board of Regents may grant a leave of absence to a scholarship holder,  
119 but the [~~scholarship shall be used in its entirety~~] student may only receive scholarship monies  
120 within five years after [~~completion of~~] the student completes high school.

121 (5) (a) The board shall annually report on the Regents' Scholarship Program at the  
122 beginning of each school year to the Education Interim Committee and the Higher Education  
123 Appropriations Subcommittee.

124 (b) The report shall include the number of students in each school district and public  
125 high school who meet the academic criteria for the Base Regents' Scholarship and for the  
126 Exemplary Academic Achievement Scholarship.

127 (c) The State Board of Education, school districts, and public high schools shall  
128 cooperate with the State Board of Regents to facilitate the collection and distribution of  
129 Regents' Scholarship Program data.

130 (6) The State Board of Education shall annually provide the State Board of Regents a  
131 complete list of directory information, including student name and address, for all grade 8  
132 students in the state.

133 (7) The board shall ~~by July 15, 2008,~~ adopt policies establishing:

134 (a) the high school and college course requirements ~~including group credit~~  
135 ~~requirements,~~ described in Subsection 53B-8-109(1)(~~e~~)(d)(i);

136 (b) the cumulative grade point average required in Sections 53B-8-109 and 53B-8-111;

137 (c) the additional weights assigned to grades earned in certain courses for purposes of  
138 calculating a student's cumulative high school grade point average required in Subsection  
139 53B-8-109(4);

140 (d) the regional accrediting bodies that may accredit a private high school described in  
141 Subsection 53B-8-109(1)(a)(ii); and

142 (e) the application process for a Regents' Scholarship, including procedures to allow a  
143 parent or student to apply for the scholarship on-line ~~and~~.

144 ~~[(f) Western Undergraduate Exchange programs that are approved for the use of a~~  
145 ~~Regents' Scholarship.]~~

146 (8) (a) The Legislature shall make an annual appropriation from the Education Fund to  
147 the State Board of Regents for the costs associated with the Regents' Scholarship Program  
148 authorized under this section and Sections 53B-8-109, 53B-8-110, and 53B-8-111.

149 (b) Notwithstanding the provisions of this section and Sections 53B-8-109, 53B-8-110,  
150 and 53B-8-111, if the appropriation under Subsection (8)(a) is insufficient to cover the costs  
151 associated with the Regents' Scholarship Program, the State Board of Regents may limit or

152 reduce the Base Regents' Scholarships and supplemental awards.

153 Section 3. Section **53B-8-109** is amended to read:

154 **53B-8-109. Regents' Scholarship Program -- Base Regents' Scholarship --**

155 **Qualifications -- Application.**

156 (1) A Base Regents' Scholarship shall be awarded to a student who ~~by September 1 of~~  
157 ~~the year the student's class graduates from high school~~]:

158 (a) completes the high school graduation requirements of:

159 (i) a public school established by the State Board of Education and the student's school  
160 district or charter school; or

161 (ii) a private high school in the state that is accredited by a regional accrediting body  
162 approved by the board;

163 ~~[(b) passes the basic skills competency test established in Section 53A-1-611;]~~

164 ~~[(c)] (b)~~ (b) completes high school with a minimum cumulative weighted grade point  
165 average determined by the board's policies described in Subsection (4);

166 ~~[(d)] (c)~~ (c) has at least one reported ACT test score; and

167 ~~[(e)] (d) (i) completes~~ (i) ~~at least 22 units of core~~ the following high school or  
168 college credit in grades 9-12 ~~with no individual core course grade below a "C", including~~  
169 ~~credit subtotals required by the board from each of the following groups~~]:

170 (A) four units of credit of English;

171 (B) ~~[algebra or higher]~~ four units of credit of mathematics;

172 (C) three and one-half units of credit of social ~~[studies]~~ science;

173 (D) three units of credit of lab-based natural science; and

174 (E) two units of credit of sequential world or classical language other than English; and

175 ~~[(F) arts;]~~

176 ~~[(G) physical and health education;]~~

177 ~~[(H) career and technical education;]~~

178 ~~[(I) computer technology; and]~~

179 ~~[(J) general financial literacy; or]~~

180 ~~[(ii) the International Baccalaureate requirements, with no individual course grade~~  
181 ~~below a "C":]~~

182 (ii) earns a course grade of "C" or above in each individual course listed in Subsection

183 (1)(d)(i).

184 (2) The board shall establish policies to determine specific courses that meet the  
 185 requirements under Subsection (1)(d)(i).

186 [~~(2)~~] (3) To be eligible for the scholarship, a student:

187 (a) shall submit an application to the board with:

188 (i) a copy of the student's official high school transcript; and

189 (ii) if applicable, a college transcript showing a college course the student has  
 190 completed to meet the requirements of Subsection (1)(d);

191 (b) shall be a citizen of the United States or a noncitizen who is eligible to receive  
 192 federal student aid; and

193 (c) may not have a criminal record, with the exception of a misdemeanor traffic  
 194 [~~citations~~] citation.

195 [~~(3)~~] (4) For purposes of calculating a high school student's cumulative [high school]  
 196 weighted grade point average required in Subsection (1)(b), the board shall[-, by policy,] assign  
 197 additional weights to grades earned in [English, mathematics, laboratory science, social  
 198 science, and foreign language courses identified as:] courses described in Subsection (1)(d)(i)  
 199 that are advanced placement or concurrent enrollment courses.

200 [~~(a) advanced placement;~~]

201 [~~(b) pre-International Baccalaureate;~~]

202 [~~(c) International Baccalaureate; or~~]

203 [~~(d) concurrent enrollment.~~]

204 [~~(4)~~] (5) (a) The amount of the Base Regents' Scholarship is \$1,000.

205 (b) The board [~~shall annually increase~~] may adjust the amount of the Base Regents'  
 206 Scholarship by up to a percentage [~~equal to~~] of the average percentage tuition increase  
 207 approved by the board for [~~USHE~~] institutions in the system of higher education.

208 Section 4. Section **53B-8-110** is amended to read:

209 **53B-8-110. Regents' Scholarship Program -- Supplemental award to encourage**  
 210 **college savings.**

211 (1) A student who qualifies for the Base Regents' Scholarship in accordance with the  
 212 provisions of Section 53B-8-109 may be awarded up to an additional \$400 as provided in this  
 213 section.

214 (2) A student who qualifies for the Base Regents' Scholarship shall be awarded ~~[up to]~~  
 215 \$100 for a year that:

216 (a) the student was 14, 15, 16, or 17 years of age; and

217 (b) at least \$100 in contributions, excluding transfers, investment earnings, and  
 218 interest, was deposited in a Utah Educational Savings Plan Trust account that designated the  
 219 student as the beneficiary.

220 ~~[(3) (a) The award shall be an amount equal to a dollar for dollar match up to \$100 for~~  
 221 ~~each of the years described in Subsection (2)(a).]~~

222 ~~[(b) The maximum award is \$100 for a year, up to a cumulative total of \$400.]~~

223 Section 5. Section **53B-8-111** is amended to read:

224 **53B-8-111. Supplemental scholarship award -- Exemplary academic achievement**  
 225 **-- Regents' diploma.**

226 (1) A student who qualifies for the Base Regents' Scholarship in accordance with the  
 227 provisions of Section 53B-8-109 shall be awarded an additional Exemplary Academic  
 228 Achievement Scholarship if the student~~[, by September 1 of the year the student's class~~  
 229 ~~graduates from high school]:~~

230 (a) completes high school with a cumulative weighted grade point average of 3.5 or  
 231 higher, as determined by the board's policies described in Subsection 53B-8-109(4);

232 (b) completes the ~~[22-unit core]~~ course of study described in Subsection  
 233 53B-8-109(1)~~[(f)](d)(i)~~ with no ~~[core]~~ course grade lower than a "B"; and

234 (c) (i) scores a composite ACT score of 26 or higher~~[, as]; and~~

235 (ii) if determined by the board's policies, [which may also include required] achieves  
 236 additional ACT college readiness benchmark scores in English, mathematics, reading, and  
 237 science.

238 (2) For a student who graduates from high school in the 2008-09 school year:

239 (a) ~~[H]~~ if used at a higher education institution ~~[within the state system of higher~~  
 240 ~~education] described in Subsection 53B-8-108(3)(a)~~, an Exemplary Academic Achievement  
 241 Scholarship is equal in value to 75% of the tuition costs at the selected institution~~[-]; or~~

242 (b) ~~[H]~~ if used at a higher education institution ~~[that is not within the state system of~~  
 243 ~~higher education] described in Subsection 53B-8-108(3)(b)~~, an Exemplary Academic  
 244 Achievement Scholarship is equal in value to 75% of the tuition costs at the institution, not to



245 exceed 75% of the average tuition costs at the institutions [~~within the state system of higher~~  
246 ~~education~~] described in Subsection 53B-8-108(3)(a).

247 (3) For a student who graduates from high school in or after the 2009-10 school year,  
248 the total Exemplary Academic Achievement Scholarship is equal to \$5,000, allocated over a  
249 time period described in Subsection (4), as prescribed by the board.

250 [~~(c)~~] (4) An Exemplary Academic Achievement Scholarship is valid for [up to] the  
251 shortest of the following time periods:

252 (a) two years of full-time equivalent enrollment[~~, or until the requirements of an~~  
253 associate's or bachelor's degree have been met, whichever is shorter.];

254 (b) 65 credit hours; or

255 (c) until the student meets the requirements for a baccalaureate degree.

256 [~~(3)~~] (5) The board may grant a leave of absence to an Exemplary Academic  
257 Achievement Scholarship holder, but the [scholarship shall be used in its entirety] student may  
258 only receive scholarship monies within five years after [completion of] the student completes  
259 high school.

260 [~~(4)~~] (6) An Exemplary Academic Achievement Scholarship may be canceled at any  
261 time by the institution of attendance if the student fails to:

262 (a) register as a full-time student;

263 (b) maintain a "B" average for two consecutive semesters; or

264 (c) make reasonable progress towards the completion of [either an associate's or  
265 bachelor's] a baccalaureate degree.

266 [~~(5)-(a)~~] (7) A student who qualifies for the Exemplary Academic Achievement  
267 Scholarship under this section [shall] may also receive a Regents' Diploma Endorsement to be  
268 issued by the board.

269 [~~(b) If qualified for in time, a Regents' Diploma Endorsement shall be awarded to the~~  
270 ~~student at high school commencement exercises.]~~

271 (8) The board may adjust the amount of the Exemplary Academic Achievement  
272 Scholarship by up to a percentage of the average percentage tuition increase approved by the  
273 board for institutions in the system of higher education.

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**Legislative Review Note**

**as of 1-12-09 10:40 AM**

**Office of Legislative Research and General Counsel**

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**S.B. 104 - Higher Education Scholarship Program Amendments**

**Fiscal Note**

2009 General Session

State of Utah

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**State Impact**

Implementation of this bill will not require additional appropriations.

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**Individual, Business and/or Local Impact**

Some students may be impacted by the modified requirements to receive a scholarship.

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