

**HIGHER EDUCATION SCHOLARSHIP**

**AMENDMENTS**

2010 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: John L. Valentine**

House Sponsor: Gregory H. Hughes

---

---

**LONG TITLE**

**General Description:**

This bill makes adjustments to the New Century scholarship and the Regents' scholarship.

**Highlighted Provisions:**

This bill:

- ▶ changes the day on which requirements must be completed for a New Century scholarship;
- ▶ requires additional grade point average or test score requirements for New Century scholarship applicants;
- ▶ provides transition provisions for certain changes;
- ▶ requires a scholarship holder to enroll full-time at an institution by the fall term immediately following graduation;
- ▶ gives the State Board of Regents authority to impose application deadlines and other administrative procedures for the scholarships;
- ▶ provides that a student may not receive both a New Century scholarship and a Regents' scholarship; and
- ▶ makes technical changes.

**Monies Appropriated in this Bill:**

None

**Other Special Clauses:**

None

30 Utah Code Sections Affected:

31 AMENDS:

32 53B-8-105, as last amended by Laws of Utah 2009, Chapter 329

33 53B-8-108, as last amended by Laws of Utah 2009, Chapter 329

34 53B-8-109, as last amended by Laws of Utah 2009, Chapter 329

35 53B-8-111, as last amended by Laws of Utah 2009, Chapter 329



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

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

39 **53B-8-105. New Century scholarships -- High school requirements.**

40 (1) As used in this section, "complete the requirements for an associate degree" means  
41 that a student:

42 (a) (i) completes all the required courses for an associate degree from a higher  
43 education institution within the state system of higher education that offers associate degrees;  
44 and

45 (ii) applies for the associate degree from the institution; or

46 (b) completes equivalent requirements described in Subsection (1)(a)(i) from a higher  
47 education institution within the state system of higher education that offers baccalaureate  
48 degrees but does not offer associate degrees.

49 ~~(1)~~ (2) (a) The ~~[State Board of Regents]~~ board shall award New Century  
50 scholarships.

51 (b) The board shall develop and approve the math and science curriculum described  
52 under Subsection (3)(a)(ii).

53 ~~(b)~~ (3) (a) In order to qualify for a New Century scholarship, a student in Utah  
54 schools shall complete the requirements for an:

55 (i) associate degree; or

56 (ii) approved math and science curriculum.

57 ~~(c)~~ (b) The requirements under Subsection ~~(1)(b)~~ (3)(a) shall be completed:

- 58           (i) (A) for a student whose class graduates from high school in 2010 or before, by  
59 September 1 of the year the student's class graduates from high school; [and] or  
60           (B) for a student whose class graduates from high school in 2011 or after, by the day  
61 on which the student's class graduates from high school; and  
62           (ii) with at least a [~~"B" average or~~] 3.0 grade point average.  
63           ~~[(d) The State Board of Regents shall develop and approve the math and science~~  
64 ~~curriculum described under Subsection (1)(b)(ii).]~~  
65           (c) In addition to the requirements in Subsection (3)(a), a student in Utah schools  
66 whose class graduates from high school in 2011 or after shall:  
67           (i) complete the high school graduation requirements of:  
68           (A) a public high school established by the State Board of Education and the student's  
69 school district or charter school; or  
70           (B) a private high school in the state that is accredited by a regional accrediting body  
71 approved by the board; and  
72           (ii) complete high school with at least a 3.5 cumulative high school grade point  
73 average.  
74           (4) Notwithstanding Subsection (3), for a student who does not receive a high school  
75 grade point average, the student shall:  
76           (a) complete the requirements for an associate degree:  
77           (i) (A) for a student who completes high school in 2010 or before, by September 1 of  
78 the year the student completes high school; or  
79           (B) for a student who completes high school in 2011 or after, by June 15 of the year  
80 the student completes high school; and  
81           (ii) with at least a 3.0 grade point average; and  
82           (b) score a composite ACT score of 26 or higher.  
83           (5) To be eligible for the scholarship, a student:  
84           (a) shall submit an application to the board with:  
85           (i) an official college transcript showing college courses the student has completed to

86 complete the requirements for an associate degree; and

87 (ii) (A) if applicable, an official high school transcript; or

88 (B) if applicable, a copy of the student's ACT scores;

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

91 (c) may not have a criminal record, with the exception of a misdemeanor traffic  
92 citation; and

93 (d) if applicable, shall meet the application deadlines as established by the board under  
94 Subsection (10).

95 [~~2~~] (6) (a) The scholarship may be used at a:

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

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

100 (b) For a student whose class graduates from high school in 2010 and who completes  
101 the requirements under Subsection [~~1~~]~~(b)~~ (3)(a) by September 1, 2010:

102 (i) if used at an institution described in Subsection [~~2~~] (6)(a)(i), the value of the  
103 scholarship is [~~equal in value~~] up to 75% of the tuition costs at the selected institution; or

104 (ii) if used at an institution described in Subsection [~~2~~] (6)(a)(ii), the value of the  
105 scholarship is [~~equal in value~~] up to 75% of the tuition costs at the institution, not to exceed  
106 75% of the average tuition costs at the institutions referred in Subsection [~~2~~] (6)(a)(i).

107 (c) (i) For a student whose class graduates in 2011 or after and who completes the  
108 requirements under this section, the total value of the scholarship is [~~equal~~] up to \$5,000,  
109 allocated over a time period described in Subsection [~~2~~] (6)(d), as prescribed by the board.

110 (ii) The board may increase the scholarship amount described in Subsection (6)(c)(i)  
111 by an amount not to exceed the average percentage tuition increase approved by the board for  
112 institutions in the state system of higher education.

113 (d) The scholarship is valid for the shortest of the following time periods:

- 114 (i) two years of full-time equivalent enrollment;
- 115 (ii) 60 credit hours; or
- 116 (iii) until the student meets the requirements for a baccalaureate degree.

117 (e) (i) A scholarship holder shall enroll full-time at a higher education institution by no  
118 later than the fall term immediately following the student's high school graduation date or  
119 receive an approved deferral from the board.

120 ~~[(e)]~~ (ii) The ~~[State Board of Regents]~~ board may grant a deferral or leave of absence  
121 to a scholarship holder, but the student may only receive scholarship monies within five years  
122 ~~[after the student completes high school]~~ of the student's high school graduation date.

123 ~~[(3)]~~ (7) The board may cancel a New Century scholarship ~~[may be canceled]~~ at any  
124 time ~~[by the institution of attendance]~~ if the student fails to:

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

126 ~~[(a)]~~ (b) maintain ~~[a "B" average]~~ at least a 3.0 grade point average for two  
127 consecutive semesters; or

128 ~~[(b)]~~ (c) make reasonable progress towards the completion of a baccalaureate degree.

129 ~~[(4)]~~ (8) (a) ~~[The]~~ Subject to future budget constraints, the Legislature shall make an  
130 annual appropriation from the General Fund to the ~~[State Board of Regents]~~ board for the  
131 costs associated with the New Century Scholarship Program authorized under this section.

132 (b) It is understood that the appropriation is offset in part by the state monies that  
133 would otherwise be required and appropriated for these students if they were enrolled in a  
134 four-year postsecondary program at a state-operated institution.

135 (c) Notwithstanding Subsections ~~[(1)]~~ (2)(a) and ~~[(2)]~~ (6), if the appropriation under  
136 Subsection ~~[(4)]~~ (8)(a) is insufficient to cover the costs associated with the New Century  
137 Scholarship Program, the ~~[State Board of Regents]~~ board may ~~[limit or]~~ reduce ~~[scholarships]~~  
138 the scholarship amount.

139 ~~[(d)]~~ The board may adjust the amount of the New Century Scholarship by up to a  
140 percentage of the average percentage tuition increase approved by the board for institutions in  
141 the system of higher education.]

142 ~~[(5) This section does not apply to a student who completes an associate of applied~~  
143 ~~technology degree from the Utah College of Applied Technology.]~~

144 (9) (a) The board shall adopt policies establishing an application process and an  
145 appeal process for a New Century scholarship.

146 (b) The board shall disclose on all applications and related materials that the amount  
147 of the scholarship is subject to funding and may be reduced, in accordance with Subsection  
148 (8)(c).

149 (10) The board may set deadlines for receiving New Century scholarship applications  
150 and supporting documentation.

151 (11) A student may not receive both a New Century scholarship and a Regents'  
152 scholarship established in Section 53B-8-108.

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

154 **53B-8-108. Regents' Scholarship Program -- General provisions -- Board**  
155 **policies.**

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

158 (2) (a) A student who is awarded the Base Regents' scholarship established in Section  
159 53B-8-109 may also be awarded each of the supplemental awards established in Sections  
160 53B-8-110 and 53B-8-111.

161 (b) A student may not receive both a Regents' scholarship and a New Century  
162 scholarship established in Section 53B-8-105.

163 (3) A Regents' scholarship may only be used at a:

164 (a) credit-granting higher education institution within the state system of higher  
165 education; or

166 (b) private, nonprofit college or university in the state that is accredited by the  
167 Northwest Association of Schools and Colleges.

168 (4) (a) ~~[Except as provided in Subsection (4)(b), a]~~ A scholarship holder shall enroll  
169 full-time at a higher education institution described in Subsection (3) ~~[within 12 months of the~~

170 ~~student's high school graduation]~~ by no later than the fall term immediately following the  
171 student's high school graduation date or receive an approved deferral from the board.

172 (b) The ~~[State Board of Regents]~~ board may grant a deferral or leave of absence to a  
173 scholarship holder, but the student may only receive scholarship monies within five years  
174 ~~[after the student completes high school]~~ of the student's high school graduation date.

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

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

181 (c) The State Board of Education, school districts, and public high schools shall  
182 cooperate with the ~~[State Board of Regents]~~ board to facilitate the collection and distribution  
183 of Regents' Scholarship Program data.

184 (6) The State Board of Education shall annually provide the ~~[State Board of Regents]~~  
185 board a complete list of directory information, including student name and address, for all  
186 grade 8 students in the state.

187 (7) The board shall adopt policies establishing:

188 (a) the high school and college course requirements described in Subsection  
189 53B-8-109(1)(d)(i);

190 ~~[(b) the cumulative grade point average required in Sections 53B-8-109 and~~  
191 ~~53B-8-111;]~~

192 ~~[(e)]~~ (b) the additional weights assigned to grades earned in certain courses ~~[for~~  
193 ~~purposes of calculating a student's cumulative high school grade point average required in~~  
194 ~~Subsection]~~ described in Subsections 53B-8-109(4) and 53B-8-111(7);

195 ~~[(d)]~~ (c) the regional accrediting bodies that may accredit a private high school  
196 described in Subsection 53B-8-109(1)(a)(ii); ~~[and]~~

197 ~~[(e)]~~ (d) (i) the application process and an appeal process for a Regents' scholarship,

198 including procedures to allow a ~~[parent or]~~ student to apply for the scholarship on-line~~[-]; and~~  
 199 (ii) a disclosure on all applications and related materials that the amount of the awards  
 200 is subject to funding and may be reduced, in accordance with Subsection (8)(b); and  
 201 (e) how college credits correlate to high school units for purposes of Subsection  
 202 53B-8-109(1)(d)(i).

203 (8) (a) ~~[The]~~ Subject to future budget constraints, the Legislature shall make an annual  
 204 appropriation from the Education Fund to the ~~[State Board of Regents]~~ board for the costs  
 205 associated with the Regents' Scholarship Program authorized under this section and Sections  
 206 53B-8-109, 53B-8-110, and 53B-8-111.

207 (b) Notwithstanding the provisions of this section and Sections 53B-8-109,  
 208 53B-8-110, and 53B-8-111, if the appropriation under Subsection (8)(a) is insufficient to  
 209 cover the costs associated with the Regents' Scholarship Program, the ~~[State Board of Regents]~~  
 210 board may ~~[limit or]~~ reduce the amount of the Base Regents' scholarships and supplemental  
 211 awards.

212 (9) The board may set deadlines for receiving Regents' scholarship applications and  
 213 supporting documentation.

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

215 **53B-8-109. Regents' Scholarship Program -- Base Regents' scholarship --**  
 216 **Qualifications -- Application.**

217 (1) A student qualifies for a Base Regents' scholarship ~~[shall be awarded to a student~~  
 218 ~~who]~~ if the student:

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

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

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

224 (b) completes high school with ~~[a minimum]~~ at least a 3.0 cumulative ~~[weighted]~~  
 225 grade point average ~~[determined by the board's policies described in Subsection (4)];~~

226 (c) has at least one reported ACT test score; and  
227 (d) (i) completes the following high school or college credit in grades 9-12:  
228 (A) four units of credit of English;  
229 (B) four units of credit of mathematics;  
230 (C) three and one-half units of credit of social science;  
231 (D) three units of credit of lab-based natural science; and  
232 (E) two units of credit of sequential world or classical language other than English;  
233 and  
234 (ii) except as provided in Subsection (4), earns a course grade on a transcript of "C" or  
235 above in each individual course listed in Subsection (1)(d)(i).  
236 (2) The board shall establish policies to determine specific courses that meet the  
237 requirements under Subsection (1)(d)(i).  
238 (3) To be eligible for the scholarship, a student:  
239 (a) shall submit an application to the board with:  
240 (i) a copy of the student's official high school transcript and ACT scores; and  
241 (ii) if applicable, a college transcript showing a college course the student has  
242 completed to meet the requirements of Subsection (1)(d);  
243 (b) shall be a citizen of the United States or a noncitizen who is eligible to receive  
244 federal student aid; ~~and~~  
245 (c) may not have a criminal record, with the exception of a misdemeanor traffic  
246 citation~~[-]; and~~  
247 (d) if applicable, shall meet the application deadlines as established by the board under  
248 Subsection 53B-8-108(9).  
249 (4) For purposes of ~~[calculating a high school student's cumulative weighted grade~~  
250 ~~point average required in Subsection (1)(b)] determining if a student meets the grade~~  
251 requirements of Subsection (1)(d)(ii), the board shall assign additional weights to grades  
252 earned in courses described in Subsection (1)(d)(i) that are advanced placement or concurrent  
253 enrollment courses.

254 (5) (a) The amount of the Base Regents' scholarship is \$1,000.

255 (b) The board may adjust the amount of the Base Regents' scholarship by up to a  
256 percentage of the average percentage tuition increase approved by the board for institutions in  
257 the system of higher education.

258 Section 4. Section **53B-8-111** is amended to read:

259 **53B-8-111. Supplemental scholarship award -- Exemplary academic**  
260 **achievement -- Regents' diploma.**

261 (1) A student who qualifies for the Base Regents' scholarship in accordance with the  
262 provisions of Section 53B-8-109 shall ~~[be awarded]~~ qualify for an additional Exemplary  
263 Academic Achievement scholarship if the student:

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

266 (b) except as provided in Subsection (7), completes the course of study described in  
267 Subsection 53B-8-109(1)(d)(i) with no course grade on a transcript lower than a "B"; and

268 (c) (i) scores a composite ACT score of 26 or higher; and

269 (ii) if determined by the board's policies, achieves additional ACT college readiness  
270 benchmark scores in English, mathematics, reading, and science.

271 (2) For a student who graduates from high school in the 2009-10 school year:

272 (a) if used at a higher education institution described in Subsection 53B-8-108(3)(a),  
273 the value of an Exemplary Academic Achievement scholarship is ~~[equal in value]~~ up to 75%  
274 of the tuition costs at the selected institution; or

275 (b) if used at a higher education institution described in Subsection 53B-8-108(3)(b),  
276 the value of an Exemplary Academic Achievement scholarship is ~~[equal in value]~~ up to 75%  
277 of the tuition costs at the institution, not to exceed 75% of the average tuition costs at the  
278 institutions described in Subsection 53B-8-108(3)(a).

279 (3) (a) For a student who graduates from high school in or after the 2010-11 school  
280 year, the total value of an Exemplary Academic Achievement scholarship is ~~[equal]~~ up to  
281 \$5,000, allocated over a time period described in Subsection (4), as prescribed by the board.

282           **(b) The board may adjust the amount of the Exemplary Academic Achievement**  
283 **scholarship by up to a percentage of the average percentage tuition increase approved by the**  
284 **board for institutions in the state system of higher education.**

285           (4) An Exemplary Academic Achievement scholarship is valid for the shortest of the  
286 following time periods:

- 287           (a) two years of full-time equivalent enrollment;
- 288           (b) 65 credit hours; or
- 289           (c) until the student meets the requirements for a baccalaureate degree.

290           ~~[(5) The board may grant a leave of absence to an Exemplary Academic Achievement~~  
291 ~~Scholarship holder, but the student may only receive scholarship monies within five years after~~  
292 ~~the student completes high school.]~~

293           ~~[(6)]~~ (5) ~~[An]~~ The board may cancel an Exemplary Academic Achievement  
294 scholarship [may be canceled] at any time [by the institution of attendance] if the student fails  
295 to:

- 296           (a) register as a full-time student;
- 297           (b) maintain a ["B"] 3.0 grade point average for two consecutive semesters; or
- 298           (c) make reasonable progress towards the completion of a baccalaureate degree.

299           ~~[(7)]~~ (6) A student who qualifies for the Exemplary Academic Achievement  
300 scholarship under this section may also receive a Regents' diploma endorsement to be issued  
301 by the board.

302           ~~[(8) The board may adjust the amount of the Exemplary Academic Achievement~~  
303 ~~Scholarship by up to a percentage of the average percentage tuition increase approved by the~~  
304 ~~board for institutions in the system of higher education.]~~

305           (7) For purposes of determining if a student meets the grade requirements of  
306 Subsection (1)(b), the board shall assign additional weights to grades earned in courses  
307 described in Subsection 53B-8-109(1)(d)(i) that are advanced placement or concurrent  
308 enrollment courses.