

1 **EDUCATIONAL FINANCIAL AID FOR STUDENTS WITH A**
2 **CRIMINAL RECORD**

3 2020 GENERAL SESSION

4 STATE OF UTAH

5 **Chief Sponsor: Todd Weiler**

6 House Sponsor: Melissa G. Ballard

8 **LONG TITLE**

9 **General Description:**

10 This bill amends qualifications for the Regents' Scholarship Program and New Century
11 scholarships.

12 **Highlighted Provisions:**

13 This bill:

14 ▶ removes the restriction on eligibility for the Regents' Scholarship Program and New
15 Century scholarships for students with a criminal record.

16 **Money Appropriated in this Bill:**

17 None

18 **Other Special Clauses:**

19 None

20 **Utah Code Sections Affected:**

21 AMENDS:

22 **53B-8-105**, as last amended by Laws of Utah 2019, Chapter 444

23 **53B-8-203**, as renumbered and amended by Laws of Utah 2017, Chapter 386

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

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

27 **53B-8-105. New Century scholarships -- High school requirements.**

28 (1) As used in this section:

29 (a) "Complete the requirements for an associate degree" means that a student:

30 (i) (A) completes all the required courses for an associate degree from a higher
31 education institution within the state system of higher education that offers associate degrees;
32 and

33 (B) applies for the associate degree from the institution; or

34 (ii) completes equivalent requirements described in Subsection (1)(a)(i)(A) from a
35 higher education institution within the state system of higher education that offers
36 baccalaureate degrees but does not offer associate degrees.

37 (b) "Fee" means a fee approved by the board.

38 (2) (a) The board shall award New Century scholarships.

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

41 (3) (a) In order to qualify for a New Century scholarship, a student in Utah schools
42 shall complete the requirements for an:

43 (i) associate degree; or

44 (ii) approved math and science curriculum.

45 (b) The requirements under Subsection (3)(a) shall be completed:

46 (i) by the day on which the student's class graduates from high school; and

47 (ii) with at least a 3.0 grade point average.

48 (c) In addition to the requirements in Subsection (3)(a), a student in Utah shall:

49 (i) complete the high school graduation requirements of:

50 (A) a public high school established by the State Board of Education and the student's
51 school district or charter school; or

52 (B) a private high school in the state that is accredited by a regional accrediting body
53 approved by the board; and

54 (ii) complete high school with at least a 3.5 cumulative high school grade point
55 average.

56 (4) Notwithstanding Subsection (3), for a student who does not receive a high school
57 grade point average, the student shall:

- 58 (a) complete the requirements for an associate degree:
- 59 (i) by June 15 of the year the student completes high school; and
- 60 (ii) with at least a 3.0 grade point average; and
- 61 (b) score a composite ACT score of 26 or higher.
- 62 (5) To be eligible for the scholarship, a student:
- 63 (a) shall submit an application to the board with:
- 64 (i) an official college transcript showing college courses the student has completed to
- 65 complete the requirements for an associate degree; and
- 66 (ii) (A) if applicable, an official high school transcript; or
- 67 (B) if applicable, a copy of the student's ACT scores;
- 68 (b) shall be a citizen of the United States or a noncitizen who is eligible to receive
- 69 federal student aid; and
- 70 ~~[(c) may not have a criminal record, with the exception of a misdemeanor traffic~~
- 71 ~~citation; and]~~
- 72 ~~[(d)]~~ (c) if applicable, shall meet the application deadlines as established by the board
- 73 under Subsection (10).
- 74 (6) (a) The scholarship may be used at a:
- 75 (i) higher education institution within the state system of higher education that offers
- 76 baccalaureate programs; or
- 77 (ii) if the scholarship holder applies for the scholarship on or before October 1, 2019,
- 78 private, nonprofit college or university in the state accredited by the Northwest Association of
- 79 Schools and Colleges that offers baccalaureate programs.
- 80 (b) (i) Subject to Subsection (6)(e), the total value of the scholarship is up to \$5,000,
- 81 allocated over a time period described in Subsection (6)(c), as prescribed by the board.
- 82 (ii) The board may increase the scholarship amount described in Subsection (6)(b)(i)
- 83 by an amount not to exceed the average percentage tuition increase approved by the board for
- 84 institutions in the state system of higher education.
- 85 (c) The scholarship is valid for the shortest of the following time periods:

86 (i) two years of full-time equivalent enrollment;

87 (ii) 60 credit hours; or

88 (iii) until the student meets the requirements for a baccalaureate degree.

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

92 (ii) The board may grant a deferral or leave of absence to a scholarship holder, but the
93 scholarship holder may only receive scholarship money within five years of the student's high
94 school graduation date.

95 (e) For a scholarship for which a student applies after October 1, 2019:

96 (i) the board shall reduce the amount of the scholarship holder's scholarship so that the
97 total amount of state aid awarded to the scholarship holder, including tuition or fee waivers or
98 the scholarship, does not exceed the cost of the scholarship holder's tuition and fees; and

99 (ii) the scholarship holder may only use the scholarship for tuition and fees.

100 (7) The board may cancel a New Century scholarship at any time if the student fails to:

101 (a) register for at least 15 credit hours per semester;

102 (b) maintain a 3.3 grade point average for two consecutive semesters; or

103 (c) make reasonable progress toward the completion of a baccalaureate degree.

104 (8) (a) Subject to future budget constraints, the Legislature shall make an annual
105 appropriation from the General Fund to the board for the costs associated with the New
106 Century Scholarship Program authorized under this section.

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

110 (c) Notwithstanding Subsections (2)(a) and (6), if the appropriation under Subsection
111 (8)(a) is insufficient to cover the costs associated with the New Century Scholarship Program,
112 the board may reduce the scholarship amount.

113 (d) If money appropriated under this section is available after New Century

114 scholarships are awarded, the board shall use the money for the Access Utah Promise
115 Scholarship Program created in Section 53B-8-302.

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

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

120 (c) The board shall require an applicant for a New Century scholarship to certify under
121 penalty of perjury that:

122 (i) the applicant is a United States citizen; or

123 (ii) the applicant is a noncitizen who is eligible to receive federal student aid.

124 (d) The certification under this Subsection (9) shall include a statement advising the
125 signer that providing false information subjects the signer to penalties for perjury.

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

128 (11) A student may not receive both a New Century scholarship and a Regents'
129 scholarship established in Part 2, Regents' Scholarship Program.

130 Section 2. Section 53B-8-203 is amended to read:

131 **53B-8-203. Regents' Scholarship Program -- Base Regents' scholarship --**
132 **Qualifications -- Application.**

133 (1) This section only applies to a student who graduates from high school on or before
134 July 1, 2018.

135 (2) A student qualifies for a Base Regents' scholarship if the student:

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

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

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

141 (b) completes high school with at least a 3.0 cumulative grade point average;

- 142 (c) has at least one reported ACT test score; and
- 143 (d) (i) completes the following high school or college credit in grades 9 through 12:
 - 144 (A) four units of credit of English;
 - 145 (B) four units of credit of mathematics;
 - 146 (C) three and one-half units of credit of social science;
 - 147 (D) three units of credit of lab-based natural science; and
 - 148 (E) two units of credit of sequential world or classical language other than English; and
- 149 (ii) except as provided in Subsection (5), earns a course grade on a transcript of "C" or
- 150 above in each individual course listed in Subsection (2)(d)(i).
- 151 (3) The board shall establish policies to determine specific courses that meet the
- 152 requirements under Subsection (2)(d)(i).
- 153 (4) To be eligible for the scholarship, a student:
 - 154 (a) shall submit an application to the board with:
 - 155 (i) a copy of the student's official high school transcript and ACT scores; and
 - 156 (ii) if applicable, a college transcript showing a college course the student has
 - 157 completed to meet the requirements of Subsection (2)(d);
 - 158 (b) shall be a citizen of the United States or a noncitizen who is eligible to receive
 - 159 federal student aid; and
 - 160 [~~(c) may not have a criminal record, with the exception of a misdemeanor traffic~~
 - 161 ~~citation; and~~]
 - 162 [~~(d)~~] (c) if applicable, shall meet the application deadlines as established by the board
 - 163 under Subsection 53B-8-202(10).
- 164 (5) For purposes of determining if a student meets the grade requirements of
- 165 Subsection (2)(d)(ii), the board shall assign additional weights to grades earned in courses
- 166 described in Subsection (2)(d)(i) that are advanced placement, concurrent enrollment, or
- 167 International Baccalaureate program courses.
- 168 (6) (a) The amount of the Base Regents' scholarship is \$1,000.
- 169 (b) The board may adjust the amount of the Base Regents' scholarship by up to a

170 percentage of the average percentage tuition increase approved by the board for institutions in
171 the system of higher education.

172 (7) (a) The board shall require an applicant for a Regents' scholarship to certify under
173 penalty of perjury that:

174 (i) the applicant is a United States citizen; or

175 (ii) the applicant is a noncitizen who is eligible to receive federal student aid.

176 (b) The certification under this Subsection (7) shall include a statement advising the
177 signer that providing false information subjects the signer to penalties for perjury.