

HOUSE BILL NO. HB0285

Wyoming tuition opportunity program.

Sponsored by: Representative(s) Childers, Bucholz, Hammons, Harshman, Hinckley and Luthi and Senator(s) Boggs and Jennings

A BILL

for

1 AN ACT relating to the Wyoming tuition opportunity program;  
2 establishing student tuition payments for attendance at the  
3 eligible colleges or universities as specified; specifying  
4 tuition award eligibility criteria, conditions and  
5 limitations; providing for rules and regulations; defining  
6 terms; imposing reporting requirements; providing an  
7 appropriation; and providing for an effective date.

8

9 *It Enacted by the Legislature of the State of Wyoming:*

10

11 **Section 1.** W.S. 21-16-1201 through 21-16-1206 are  
12 created to read:

13

14

ARTICLE 12

15

WYOMING TUITION OPPORTUNITY PROGRAM

16

1           **21-16-1201. Definitions.**

2

3           (a) As used in this article:

4

5                   (i) "Academic term" means the fall semester or  
6 term or the spring semester or term. In this article,  
7 "term" and "semester" have the same meaning, except that  
8 recipients may elect to use the scholarship during summer  
9 school, which use counts toward the maximum number of terms  
10 for which the student is eligible, but does not count  
11 toward computation of an academic year;

12

13                   (ii) "Academic year" means the period of time  
14 during which a full-time student is expected to complete  
15 the equivalent of at least two (2) semesters of academic  
16 work;

17

18                   (iii) "Board" means the Wyoming board of  
19 education;

20

21                   (iv) "Certificate" means a credential other than  
22 a degree, indicating satisfactory completion of training in  
23 a one (1) year program of study offered by a Wyoming  
24 community college or vocational technical school;

1

2

3

(v) "Eligible high school" means a public or private secondary school that is located:

4

5

6

7

(A) In Wyoming and is accredited by the state department of education or is licensed by the board;

8

9

(B) Outside Wyoming and is accredited by the appropriate regional accrediting agency.

10

11

12

13

14

15

(vi) "Eligible college or university" and "eligible institution" means the university of Wyoming, a Wyoming community college or a private post-secondary educational institution licensed by the board;

16

17

18

(vii) "Grade point average" or "GPA" means the numbered grade average calculated using a 4.0 scale;

19

20

21

22

23

24

(viii) "Semester hour" means each nonremedial semester hour attempted for credit toward a degree or certificate, excluding any semester hour attempted before earning a high school diploma or a general educational development (GED) equivalency diploma;

1           (ix) "Title IV" means Title IV of the federal  
2 Higher Education Act of 1965, as amended;

3

4           (x) "Tuition award" means the award provided  
5 pursuant to W.S. 21-16-1203;

6

7           (xi) "This act" means W.S. 21-16-1201 through  
8 21-16-1206.

9

10           **21-16-1202. Wyoming tuition opportunity program**  
11 **created; eligibility requirements.**

12

13           (a) There is created the Wyoming tuition opportunity  
14 program for students, to be administered by the board of  
15 education.

16

17           (b) As part of the Wyoming tuition opportunity  
18 program for students, the state shall financially assist,  
19 as provided in W.S. 21-16-1203, any student who enrolls in  
20 an eligible college or university to pursue an academic  
21 undergraduate degree or technical certificate, and who  
22 meets the following qualifications:

23

1           (i) The student has actually resided in Wyoming  
2 during the twenty-four (24) months preceding college or  
3 university enrollment. For purposes of this paragraph  
4 residency shall be demonstrated by proof of the following  
5 as required by the administering agency:

6

7           (A) If registered to vote, is registered in  
8 Wyoming;

9

10           (B) If licensed to drive a motor vehicle,  
11 is in possession of a Wyoming drivers license; and

12

13           (C) If owning a motor vehicle located  
14 within Wyoming, is in possession of Wyoming registration  
15 for that vehicle;

16

17           (ii) The student has a parent or guardian who is  
18 a domiciliary of Wyoming;

19

20           (iii) The student has successfully completed at  
21 least sixteen and one-half (16 1/2) units of high school  
22 course work, which constitutes a core curriculum and meets  
23 standards for admission to the desired college or  
24 university. The core curriculum requirement of this

1 paragraph shall become effective beginning with the high  
2 school graduating class of 2009. As used in this paragraph,  
3 core curriculum means an educational program as provided in  
4 W.S. 21-9-101;

5

6 (iv) Has no criminal conviction, except for  
7 misdemeanor traffic violations; and

8

9 (v) The student shall have graduated from an  
10 eligible high school, have applied within two (2) years of  
11 the date of graduation and have a minimum cumulative grade  
12 point average of 2.50 calculated on a 4.00 scale. For  
13 students attending eligible institutions other than  
14 vocational-technical schools, the student shall have a  
15 composite score on the American College Test which is at  
16 least equal to or higher than the state's average composite  
17 score, rounded to the nearest whole number, reported for  
18 the prior year but never less than nineteen (19) or an  
19 equivalent concordant value on an enhanced or revised  
20 version of such test or on the Scholastic Aptitude Test,  
21 and shall have enrolled in an eligible college or  
22 university as a first time freshman in order to qualify for  
23 a tuition award.

24

1           (c) Notwithstanding W.S. 21-16-1201(a)(v), students  
2 who are attending any high school in an adjoining state  
3 pursuant to an agreement in effect as of July 1, 2005,  
4 between the state board of education and the local  
5 governing authority of the school in the adjoining state,  
6 are considered to have graduated from a state approved  
7 nonpublic high school for the purpose of qualifying under  
8 this act.

9  
10           (d) No student shall be eligible for tuition payment  
11 pursuant to this act for more than eight (8) semesters or  
12 an equivalent number of units in an eligible institution  
13 which operates on a schedule based on units other than  
14 semesters, unless an extension is granted by the board in  
15 accordance with its rules.

16

17           **21-16-1203. Tuition award.**

18

19           (a) Any student who qualifies to receive a tuition  
20 award pursuant to W.S. 21-16-1202, who enrolled in any  
21 public college or university in the state to pursue an  
22 academic undergraduate degree or technical certificate and  
23 has applied for a tuition award, shall have tuition and  
24 mandatory fees paid by the board and for any student who

1 meets such qualifications and has enrolled at any private  
2 post-secondary educational institution licensed by the  
3 board, the board shall pay the average tuition and  
4 mandatory fees paid for students attending public colleges  
5 or universities.

6

7 (b) To maintain continued state payment of tuition  
8 and fees pursuant to an award under this act, once enrolled  
9 in college a student shall meet all of the following:

10

11 (i) Make steady academic progress toward a  
12 degree, earning not less than the minimum number of credits  
13 required for full-time standing in each academic year or  
14 the required number of hours needed to complete the  
15 undergraduate degree during that semester or quarter. If at  
16 anytime a student fails to maintain the cumulative grade  
17 point average required for continuation in the program  
18 provided in paragraph (iv) of this subsection or is placed  
19 on academic probation by the college or university  
20 attended, such student shall become ineligible for further  
21 payments unless granted an exception for cause by the  
22 board. Payments under this article may be reinstated upon  
23 attainment of the grade point average required for the  
24 original award or upon the lifting of academic probation,



1 provided that the period of ineligibility did not persist  
2 for more than two (2) years from the date of loss of  
3 eligibility;

4

5 (ii) Maintain continuous enrollment for not less  
6 than two (2) semesters or three (3) quarters in each  
7 successive academic year, unless granted an exception for  
8 cause by the board;

9

10 (iii) Have no criminal conviction, except for  
11 misdemeanor traffic violations; and

12

13 (iv) Maintain a cumulative grade point average  
14 of the following as evaluated at the end of each academic  
15 year:

16

17 (A) At least 2.10 G.P.A. after completion  
18 of twenty-four (24) hours of credit;

19

20 (B) At least 2.30 G.P.A. after completion  
21 of forty-eight (48) hours of credit; and

22

23 (C) At least 2.50 G.P.A. after completion  
24 of seventy-two (72) hours of credit.

1

2

**21-16-1204. Administration; rules and regulations.**

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

(a) The provisions of this article shall be administered by the Wyoming board of education. The board may provide by rule and regulation for all matters necessary to the implementation of this article, including:

(i) A mechanism for informing all students of the availability of the assistance provided pursuant to the article early enough in the student's schooling that a salutary motivational effect is possible;

(ii) Applications, forms, financial audit procedures, eligibility and other program audit procedures and other matters related to efficient operation;

(iii) A procedure for waiver of the student's requirement to complete the curriculum specified in W.S. 21-16-1202(b)(vi) upon proper documentation by the high school's administrator or authorized designee that failure to comply with such requirement was due solely to the fact that the required course or courses were not available to the applicant at the school attended; and

1

2 (iv) Any other rules necessary for the  
3 implementation and administration of this article.

4

5 (b) The board shall establish an annual reporting  
6 procedure specifying funds received and recipients enrolled  
7 during the reportable academic year. The annual report by  
8 the board shall be submitted to the governor and the  
9 legislature in accordance with W.S. 9-2-1014.

10

11 **21-16-1205. Program eligibility.**

12

13 (a) A student is not eligible for a tuition award  
14 under the Wyoming tuition opportunity program established  
15 under this article if the student:

16

17 (i) Is not a United States citizen or a  
18 permanent resident alien who meets the definition of an  
19 eligible noncitizen under federal Title IV requirements;

20

21 (ii) Has not complied with United States  
22 selective service system requirements for registration, if  
23 the requirements are applicable to the student;

24

1           (iii) Is in default on a federal Title IV  
2 education loan. Nothing in this paragraph prohibits a  
3 student who is otherwise eligible for a tuition award under  
4 this article and has fully repaid a defaulted loan from  
5 receiving a tuition award for future academic semesters;

6  
7           (iv) Owes a refund under a federal Title IV  
8 student financial aid program or a student financial aid  
9 program administered through the state. Nothing in this  
10 paragraph prohibits a student from receiving a tuition  
11 award for future academic semesters who is otherwise  
12 eligible for a tuition award under this article and has  
13 fully paid the refund owed;

14  
15           (v) Would be ineligible for federal aid under  
16 Title IV in accordance with the Drug Free Postsecondary  
17 Education Act of 1990 for conviction of a felony offense  
18 involving a controlled substance;

19  
20           (vi) Is incarcerated; or

21  
22           (vii) Does not otherwise qualify under this  
23 article for a tuition award.

24

1           **21-16-1206. Certification of students.**

2

3 Each local school board shall for any high school under its  
4 jurisdiction and the administrator of each nonpublic high  
5 school approved by the board shall using the criteria in  
6 W.S. 21-16-1202(b) as minimum qualifications for selection,  
7 identify and certify to the board the achievement of those  
8 students who graduate achieving the required academic  
9 standards to qualify for a tuition award under W.S.  
10 21-16-1203.

11

12           **Section 2.**

13

14           (a) There is appropriated sixteen million dollars  
15 (\$16,000,000.00) from the general fund to the board of  
16 education for the purposes of implementing the Wyoming  
17 tuition opportunity program and funding awards under W.S.  
18 21-16-1203, as created under section 1 of this act.  
19 Amounts appropriated under this subsection shall be  
20 distributed by the board to each eligible college or  
21 university based on student participation.

22

23           (b) In the event the legislature appropriates  
24 insufficient money in any year to fund all awards made to

1 students qualifying under this act, the number of students  
2 to whom awards shall be made shall be reduced as necessary  
3 pursuant to a procedure set out by rule and regulation  
4 adopted by the board of education. Such procedure shall  
5 provide for such reduction to be based on a determination  
6 of the ability of each student's family to pay the  
7 student's tuition evidenced by the adjusted gross income  
8 reported by the family on federal tax returns. Among  
9 students denied their award as provided in this subsection,  
10 those students whose families have the least capacity to  
11 pay shall be the first to receive their award if monies  
12 become available.

13

14 **Section 3.** This act is effective immediately upon  
15 completion of all acts necessary for a bill to become law  
16 as provided by Article 4, Section 8 of the Wyoming  
17 Constitution.

18

19

(END)