

2022 -- H 8092

LC005615

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2022

A N A C T

RELATING TO EDUCATION -- RHODE ISLAND PROMISE SCHOLARSHIP

Introduced By: Representatives Alzate, Henries, Felix, Amore, Ranglin-Vassell, and Morales

Date Introduced: April 06, 2022

Referred To: House Finance

It is enacted by the General Assembly as follows:

1 SECTION 1. Sections 16-107-2, 16-107-4, 16-107-5, 16-107-6 and 16-107-8 of the
2 General Laws in Chapter 16-107 entitled "Rhode Island Promise Scholarship" are hereby amended
3 to read as follows:

4 **16-107-2. Legislative findings and purpose.**

5 (a) The general assembly finds and declares that:

6 (1) Education is critical for the state's young people to achieve their dreams and develop
7 their talents;

8 (2) The state's economic success depends on a highly educated and skilled workforce; and

9 (3) The state's future prosperity depends upon its ability to make educational opportunities
10 beyond high school available for all students as part of a free public education.

11 (b) In order to address the findings set forth in subsection (a), the purpose of this chapter
12 is to increase the number of students enrolling in and completing degrees on time from ~~the~~
13 ~~community college of Rhode Island~~ [a public or private higher education facility in Rhode Island.](#)

14 **16-107-4. Definitions.**

15 When used in this chapter, the following terms shall have the following meanings:

16 (1) "ADA" means the American with Disabilities Act, 42 U.S.C. § 12101 et seq., as may
17 be amended from time to time;

18 (2) "FAFSA" means the Free Application for Federal Student Aid form;

19 (3) ["Higher education facility" means any public or private institution of postsecondary](#)

1 education in Rhode Island, including, but not limited to, institutions licensed, regulated, or given
2 oversight by the council on postsecondary education and the office of the postsecondary
3 commissioner, as well as any workforce licensing or certificate programs licensed, regulated, or
4 given oversight by the council on postsecondary education and the office of the postsecondary
5 commissioner.

6 ~~(3)~~(4) "Mandatory fees and tuition" are the costs that every student is required to pay in
7 order to enroll in classes, and does not include room and board, textbooks, program fees that may
8 exist in some majors, course fees that may exist for some specific courses, meal plans, or travel;

9 ~~(4)~~(5) "On track to graduate on time" means the standards determined by the ~~community~~
10 ~~college of Rhode Island~~ higher education facility in establishing the expectation of a student to
11 graduate with an associate's degree within two (2) years of enrollment or a bachelor's degree within
12 four (4) years of enrollment or within the time a student enrolled in a program at a higher education
13 facility to obtain a license or certificate would be expected to complete the program (recognizing
14 that some students, including students who require developmental education, are double majors, or
15 are enrolled in certain professional programs may require an extended time period for degree or
16 license or certificate completion);

17 ~~(5)~~(6) "Reasonable accommodations" means any necessary modifications or adjustment to
18 a facility, equipment, program, or manner of operation as required by the Americans with
19 Disabilities Act ("ADA") and section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794, as
20 may be amended from time to time;

21 ~~(6)~~(7) "Recipient student" means a student attending ~~the community college of Rhode~~
22 ~~Island~~ a higher education facility who qualifies to receive the Rhode Island promise scholarship
23 pursuant to § 16-107-6;

24 ~~(7)~~(8) "Scholarship program" means the Rhode Island promise scholarship program that is
25 established pursuant to § 16-107-3;

26 ~~(8)~~(9) "State" means the state of Rhode Island; ~~and~~

27 ~~(9)~~(10) "Student with a disability" means any student otherwise eligible pursuant to § 16-
28 107-6 who has a physical, developmental, or hidden disability or disabilities, as defined in § 42-
29 87-1, that would create a hardship or other functional obstacles preventing participation in this
30 program; and

31 (11) "The uniform Rhode Island promise scholarship application" means the form prepared
32 by the office of the postsecondary commissioner in Rhode Island and approved by the council on
33 postsecondary education.

34 **16-107-5. Administration of scholarship program.**

1 (a) The financial aid office, in conjunction with the office of enrollment management or
2 their respective equivalent offices, at the ~~community college of Rhode Island~~ [higher education](#)
3 [facility](#), shall administer the scholarship program for state residents seeking associate [or higher](#)
4 degrees who meet the eligibility requirements in this chapter.

5 (b) An award of the scholarship program shall ~~cover~~ [be the amount that is equal to the](#)
6 [average](#) ~~the~~ cost of two (2) years of tuition [at an area community college as calculated by the office](#)
7 [of the postsecondary commissioner, readjusted annually](#), and mandatory fees, less federal and all
8 other financial aid monies available to the recipient student.

9 (c) The scholarship program is limited to one award per student as required by § 16-107-
10 6(a)(7).

11 **16-107-6. Eligibility for scholarship.**

12 (a) Beginning with the students who enroll at ~~the community college of Rhode Island a~~ [higher education facility](#)
13 [higher education facility](#) in the fall of 2017, to be considered for the scholarship, a student:

14 (1) Must qualify for in-state tuition and fees pursuant to the residency policy adopted by
15 the council on postsecondary education, as amended, supplemented, restated, or otherwise modified
16 from time to time ("residency policy"); provided, that, the student must have satisfied the high
17 school graduation/equivalency diploma condition prior to reaching nineteen (19) years of age;
18 provided, further, that in addition to the option of meeting the requirement by receiving a high
19 school equivalency diploma as described in the residency policy, the student can satisfy the
20 condition by receiving other certificates or documents of equivalent nature from the state or its
21 municipalities as recognized by applicable regulations promulgated by the council on elementary
22 and secondary education;

23 (2) Must be admitted to, and must enroll and attend ~~the community college of Rhode Island~~
24 [a higher education facility as defined in this chapter](#), on a full-time basis by the semester
25 immediately following high school graduation or the semester immediately following receipt of a
26 high school equivalency diploma;

27 (3) Must complete the FAFSA and any required FAFSA verification, or for persons who
28 are legally unable to complete the FAFSA must complete a comparable form created by the
29 ~~community college of Rhode Island~~ [higher education facility](#), by the deadline prescribed by the
30 ~~community college of Rhode Island~~ [higher education facility](#) for each year in which the student
31 seeks to receive funding under the scholarship program;

32 (4) Must continue to be enrolled on a full-time basis;

33 (5) Must maintain an average annual cumulative grade point average (GPA) of 2.5 or
34 greater, as determined by the ~~community college of Rhode Island~~ [higher education facility](#);

1 (6) Must remain on track to graduate on time as determined by the ~~community college of~~
2 ~~Rhode Island~~ higher education facility;

3 (7) Must not have already received an award under this scholarship program; ~~and~~

4 (8) Must commit to live, work, or continue their education in Rhode Island after graduation.

5 The ~~community college of Rhode Island~~ higher education facilities shall develop a policy
6 that will secure this commitment from recipient students; and

7 (9) Must complete and submit the uniform Rhode Island promise scholarship application.

8 (b) Notwithstanding the eligibility requirements under subsection (a) of this section
9 ("specified conditions"):

10 (1) In the case of a recipient student who has an approved medical or personal leave of
11 absence or is unable to satisfy one or more specified conditions because of the student's medical or
12 personal circumstances, the student may continue to receive an award under the scholarship
13 program upon resuming the student's education so long as the student continues to meet all other
14 applicable eligibility requirements;

15 (2) In the case of a recipient student who is a member of the national guard or a member
16 of a reserve unit of a branch of the United States military and is unable to satisfy one or more
17 specified conditions because the student is or will be in basic or special military training, or is or
18 will be participating in a deployment of the student's guard or reserve unit, the student may continue
19 to receive an award under the scholarship program upon completion of the student's basic or special
20 military training or deployment; and

21 (3) Any student with a disability, otherwise eligible for a scholarship pursuant to the
22 provisions of this section, as of May 15, 2021, shall be entitled to access this program and shall be
23 afforded all reasonable accommodations, as required by the ADA and the Rehabilitation Act of
24 1973, including, but not limited to, enrolling on a part-time basis, attaining a high school
25 diploma/GED by age twenty-one (21), and taking longer than two (2) years to graduate with an
26 associate's degree, or continue their education to attain a bachelor's degree or higher degree.

27 **16-107-7. Reporting and disbursement.**

28 (a) On or before November 10 and May 10 of each fiscal year following fiscal year 2017,
29 the ~~community college of Rhode Island~~ each higher education facility in Rhode Island where
30 students matriculate and use funds of a promise scholarship shall submit a report to the director of
31 the office of management and budget, the state budget officer, the house fiscal advisor, the senate
32 fiscal advisor, the commissioner of postsecondary education, and the chair of the council on
33 postsecondary education detailing the number of students eligible to participate in the scholarship
34 program, the amount of federal and institutional financial aid anticipated to be received by recipient

1 students, the aggregate tuition and mandatory fee costs attributable to recipient students, and the
2 resulting total cost of the scholarship program to the state. The report shall contain such data for
3 both the current fiscal year and the most up-to-date forecast for the following fiscal year. Data
4 reported shall be subdivided by student-year cohort and shall be accompanied by a written
5 explanation detailing the estimating methodology utilized and any impact(s) the forecasted data
6 may present to institutional capacity, operational costs, and the tuition/fee revenue base of the
7 institution.

8 (b) On or before July 1, 2020, and annually on or before July 1 thereafter, the ~~community~~
9 ~~college of Rhode Island~~ council on postsecondary education and the commissioner of
10 postsecondary education shall submit a report evaluating the program ~~based on the first two cohorts~~
11 to the governor, speaker of the house, and the president of the senate. This evaluation shall include
12 the following:

13 (1) The number of students who started in each ~~cohort~~ group;

14 (2) The number of students in each ~~cohort~~ group who have attained a degree or certification
15 in an on-time manner;

16 (3) The number of students in each ~~cohort~~ group who have not attained a degree or
17 certification in an on-time manner and an analysis of why that has happened;

18 (4) The number of students in each ~~cohort~~ group who began the program but have been
19 unable to continue or complete the program and an analysis of why that has happened;

20 (5) The costs of the program and the costs of continuing the program;

21 (6) Suggestions for ways to increase the success of the program;

22 (7) Recommendations as to modifying, continuing, expanding, curtailing, or discontinuing
23 the program; and

24 (8) Any such other recommendations or information as the ~~community college of Rhode~~
25 ~~Island~~ council on postsecondary education and the commissioner of postsecondary education deem
26 appropriate to include in the evaluation.

27 (c) The office of management and budget, in consultation with the office of the
28 postsecondary commissioner, shall oversee the apportionment and disbursement of all funds
29 appropriated for the purpose of the scholarship program.

30 **16-107-8. Rules and procedures.**

31 The council on postsecondary education is hereby authorized to promulgate rules to
32 effectuate the purposes of this chapter and ~~the community college of Rhode Island~~ shall establish
33 appeal procedures for the award, denial, or revocation of funding under the scholarship program.
34 The rules shall be promulgated in accordance with § 16-59-4.

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SECTION 2. This act shall take effect on January 1, 2023.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO EDUCATION -- RHODE ISLAND PROMISE SCHOLARSHIP

1 This act would expand the promise scholarship program to allow a student who is eligible
2 to receive funds under the Rhode Island promise scholarship to use the same funds at most public
3 or private institutions of postsecondary education in Rhode Island.

4 This act would take effect on January 1, 2023.

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