

2022 -- S 2290

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2022

A N A C T

RELATING TO EDUCATION -- RHODE ISLAND HOPE SCHOLARSHIP ACT

Introduced By: Senators Pearson, Gallo, Cano, Goodwin, Murray, Valverde, and DiMario

Date Introduced: February 15, 2022

Referred To: Senate Education

It is enacted by the General Assembly as follows:

1 SECTION 1. Title 16 of the General Laws entitled "EDUCATION" is hereby amended by
2 adding thereto the following chapter:

3 CHAPTER 112

4 RHODE ISLAND HOPE SCHOLARSHIP ACT

5 **16-112-1. Short title.**

6 This chapter shall be known and may be cited as the "Rhode Island Hope Scholarship Act".

7 **16-112-2. Legislative findings and purpose.**

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

9 (1) Education is critical for the state's young people to achieve their aspirations and develop
10 their talents;

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

12 (3) The state's future prosperity depends upon its ability to make educational opportunities
13 beyond high school available for all students.

14 (4) The coronavirus has inflicted undo hardships on students and their families creating
15 barriers to a four (4) year college degree.

16 (5) A merit-based tuition reduction program will make a four (4) year college degree
17 available to all students.

18 (6) The state declared an attainment goal of seventy percent (70%) by 2025.

19 (7) The state of Rhode Island's motto is, "Hope".

1 (b) In order to address the findings set forth in subsection (a) of this section, the purpose
2 of this chapter is to increase the number of students enrolling in and completing degrees on time
3 from Rhode Island college.

4 **16-112-3. Establishment of scholarship program.**

5 Beginning with the high school graduating class of 2021, it is hereby established the Rhode
6 Island hope scholarship program. The general assembly shall annually appropriate the funds
7 necessary to implement the purposes of this chapter. Additional funds beyond the scholarships may
8 be appropriated to support and advance the Rhode Island hope scholarship program. In addition to
9 appropriation by the general assembly, charitable donations may be accepted into the scholarship
10 program.

11 **16-112-4. Definitions.**

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

13 (1) "Certificate" means any certificate program with labor market value as defined by the
14 postsecondary commissioner.

15 (2) "College-level credit" means credit awarded by a college or university for completion
16 of its own courses or other academic work.

17 (3) "FAFSA" means the Free Application for Federal Student Aid form.

18 (4) "General education coursework" means the educational foundation of knowledge,
19 skills, and attitudes that prepare students for success in their majors and their personal and
20 professional lives after graduation. It includes, but is not limited to, the required coursework of all
21 degrees developed by each eligible postsecondary institution that is approved by the council on
22 postsecondary education that is intended to ensure that all graduates of a state institution have a
23 balanced core of competencies and knowledge. This does not necessarily include coursework
24 specifically required for one's major.

25 (5) "Mandatory fees and tuition" means the costs that every student is required to pay in
26 order to enroll in classes, and does not include room and board, textbooks, program fees that may
27 exist in some majors, course fees that may exist for some specific courses, meal plans, or travel.

28 (6) "On track to graduate on time" means the standards determined by Rhode Island college
29 in establishing the expectation of a student to graduate with a bachelor's degree within four (4)
30 years of enrollment, or the prescribed completion time for a student completing a certificate
31 (recognizing that some students, including students who require developmental education, are
32 double majors, or are enrolled in certain professional programs may require an extended time period
33 for degree completion).

34 (8) "Receiving institution" means the eligible postsecondary institution attended by a

1 transfer student after transfer.

2 (9) "Recipient student" means a student attending Rhode Island college who qualifies to
3 receive the Rhode Island hope scholarship pursuant to § 16-112-6.

4 (10) "Scholarship program" means the Rhode Island hope scholarship program that is
5 established pursuant to § 16-112-3.

6 (11) "Sending institution" means the eligible postsecondary institution attended by a
7 transfer student before transfer.

8 (12) "State" means the state of Rhode Island.

9 (13) "Transfer student" means any student who attends an eligible postsecondary institution
10 and holds any college-level credit hours for courses or other academic work at a previously attended
11 eligible postsecondary institution.

12 **16-112-5. Administration of scholarship program.**

13 (a) The financial aid office at Rhode Island college, in conjunction with the admissions
14 office or their respective equivalent offices at Rhode Island college, shall administer the scholarship
15 program for state residents seeking bachelor's degrees and/or certificates who meet the eligibility
16 requirements in this chapter.

17 (b) An award of the scholarship program shall cover up to the cost of two (2) years of
18 tuition and mandatory fees, or in the case of an adult student sixty (60) credit hours of tuition and
19 mandatory fees over a duration of no more than four (4) years, less federal and all other financial
20 aid monies available to the recipient student. None of any grants received by students from the
21 department of children, youth and families' higher education opportunity incentive grant as
22 established by chapter 72.8 of title 42 or the college crusade scholarship act as established in chapter
23 70 of title 16 shall be considered federal or financial aid for the purposes of this chapter.

24 (c) The scholarship program is limited to one award per student as required by § 16-112-
25 6(a)(7).

26 **16-112-6. Eligibility for merit based tuition reduction scholarship at Rhode Island**
27 **college.**

28 (a) Beginning with the students who enrolled at Rhode Island college in the fall of 2020 a
29 student:

30 (1) Must qualify for in-state tuition and fees pursuant to the residency policy adopted by
31 the council on postsecondary education, as amended, supplemented, restated, or otherwise modified
32 from time to time ("residency policy");

33 (2) Must be a currently enrolled full-time student who has declared a major and earned a
34 minimum of sixty (60) credit hours towards an eligible program of study, as determined by Rhode

1 Island college;

2 (3) Must complete the FAFSA and any required FAFSA verification by the deadline
3 prescribed by Rhode Island college for each year in which the student seeks to receive funding
4 under the scholarship program;

5 (4) Must enroll full-time as a freshman as a first-time student and continue to be enrolled
6 on a full-time basis;

7 (5) Must maintain an average annual cumulative grade point average (GPA) of 2.5 or
8 greater, as determined by Rhode Island college;

9 (6) Must remain on track to graduate on time as determined by Rhode Island college;

10 (7) Must not have already received an award under this program or under chapter 107 of
11 title 16; and

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

13 (b) Rhode Island college shall develop a policy that will secure the commitment set forth
14 in subsection (a) of this section from recipient students.

15 (c) Notwithstanding the eligibility requirements under subsection (a) of this section
16 ("specified conditions"):

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

22 (2) In the case of a recipient student who is a member of the national guard or a member
23 of a reserve unit of a branch of the United States military and is unable to satisfy one or more
24 specified conditions because the student is or will be in basic or special military training, or is or
25 will be participating in a deployment of the student's guard or reserve unit, the student may continue
26 to receive an award under the scholarship program upon completion of the student's basic or special
27 military training or deployment.

28 **16-112-7. Reporting and disbursement.**

29 (a) On or before November 10 and May 10 of each fiscal year following fiscal year 2022,
30 Rhode Island college shall submit a report to the director of the office of management and budget,
31 the state budget officer, the house fiscal advisor, the senate fiscal advisor, the commissioner of
32 postsecondary education, and the chair of the council on postsecondary education detailing the
33 following:

34 (1) The number of students eligible to participate in the scholarship program;

1 (2) The amount of federal and institutional financial aid anticipated to be received by
2 recipient students;

3 (3) The aggregate tuition and mandatory fee costs attributable to recipient students; and

4 (4) The resulting total cost of the scholarship program to the state.

5 (5) The report shall contain such data for both the current fiscal year and the most up-to-
6 date forecast for the following fiscal year. Data reported shall be subdivided by student-year cohort
7 and shall be accompanied by a written explanation detailing the estimating methodology utilized
8 and any impact(s) the forecasted data may present to institutional capacity, operational costs, and
9 the tuition/fee revenue base of the institution.

10 (b) On or before July 1, 2027, and annually thereafter, Rhode Island college shall submit a
11 report evaluating the program to the governor, speaker of the house, and the president of the senate.

12 This evaluation shall include the following:

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

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

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

18 (4) The number of students in each cohort who began the program but have been unable to
19 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 Rhode Island college and the
25 commissioner of postsecondary education deem appropriate to include in the evaluation.

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

29 **16-112-8. Rules and procedure.**

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

34 SECTION 2. Section 16-59-9 of the General Laws in Chapter 16-59 entitled "Council on

1 Postsecondary Education [See Title 16 Chapter 97 - The Rhode Island Board of Education Act]" is
2 hereby amended to read as follows:

3 **16-59-9. Educational budget and appropriations.**

4 (a) The general assembly shall annually appropriate any sums it deems necessary for
5 support and maintenance of higher education in the state and the state controller is authorized and
6 directed to draw his or her orders upon the general treasurer for the payment of the appropriations
7 or so much of the sums that are necessary for the purposes appropriated, upon the receipt by him
8 or her of proper vouchers as the council on postsecondary education may by rule provide. The
9 council shall receive, review, and adjust the budget for the office of postsecondary commissioner
10 and present the budget as part of the budget for higher education under the requirements of § 35-3-
11 4.

12 (b) The office of postsecondary commissioner and the institutions of public higher
13 education shall establish working capital accounts.

14 (c) Any tuition or fee increase schedules in effect for the institutions of public higher
15 education shall be received by the council on postsecondary education for allocation for the fiscal
16 year for which state appropriations are made to the council by the general assembly; provided that
17 no further increases may be made by the board of education or the council on postsecondary
18 education for the year for which appropriations are made. Except that these provisions shall not
19 apply to the revenues of housing, dining, and other auxiliary facilities at the university of Rhode
20 Island, Rhode Island college, and the community colleges including student fees as described in
21 P.L. 1962, ch. 257 pledged to secure indebtedness issued at any time pursuant to P.L. 1962, ch. 257
22 as amended.

23 (d) All housing, dining, and other auxiliary facilities at all public institutions of higher
24 learning shall be self-supporting and no funds shall be appropriated by the general assembly to pay
25 operating expenses, including principal and interest on debt services, and overhead expenses for
26 the facilities, with the exception of the mandatory fees covered by the Rhode Island promise
27 scholarship program as established by § 16-107-3 [and the Rhode Island hope scholarship program](#)
28 [as established by § 16-112-3](#). Any debt-service costs on general obligation bonds presented to the
29 voters in November 2000 and November 2004 or appropriated funds from the Rhode Island capital
30 plan for the housing auxiliaries at the university of Rhode Island and Rhode Island college shall
31 not be subject to this self-supporting requirement in order to provide funds for the building
32 construction and rehabilitation program. The institutions of public higher education will establish
33 policies and procedures that enhance the opportunity for auxiliary facilities to be self-supporting,
34 including that all faculty provide timely and accurate copies of booklists for required textbooks to

1 the public higher educational institution's bookstore.

2 (e) The additional costs to achieve self-supporting status shall be by the implementation of
3 a fee schedule of all housing, dining, and other auxiliary facilities, including but not limited to,
4 operating expenses, principal, and interest on debt services, and overhead expenses.

5 (f) The board of education is authorized to establish two (2) restricted-receipt accounts for
6 the higher education and industry centers established throughout the state: one to collect lease
7 payments from occupying companies, and fees from room and service rentals, to support the
8 operation and maintenance of the facilities; and one to collect donations to support construction,
9 operations and maintenance. All such revenues shall be deposited to the restricted-receipt accounts.

10 (g) Notwithstanding subsections (a) and (d) of this section or any provisions of this title, to
11 the extent necessary to comply with the provisions of any outstanding bonds issued by the Rhode
12 Island health and educational building corporation or outstanding lease certificates of participation,
13 in either case, issued for the benefit of the university of Rhode Island, the community college of
14 Rhode Island, and/or Rhode Island college, to the extent necessary to comply with the provisions
15 of any such bonds or certificates of participation, the general assembly shall annually appropriate
16 any such sums it deems necessary from educational and general revenues (including, but not limited
17 to, tuition) and auxiliary enterprise revenues derived from the university of Rhode Island, the
18 community college of Rhode Island and Rhode Island college, to be allocated by the council on
19 postsecondary education or by the board of trustees of the university of Rhode Island, as
20 appropriate, in accordance with the terms of the contracts with such bondholders or certificate
21 holders.

22 (h) The board of education is authorized to establish a restricted-receipt account for income
23 generated by the Rhode Island nursing education center through the rental of classrooms,
24 laboratories, or other facilities located on the Providence campus of the nursing education center.
25 All such revenues shall be deposited to the restricted receipt account.

26 SECTION 3. The act shall take effect upon passage and its provisions shall be given
27 retroactive as well as prospective effect.

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

1 This act would establish the Rhode Island hope scholarship act whereby the goal would be
2 to increase the number of students enrolling in and obtaining degrees in a timely fashion from
3 Rhode Island college. The hope scholarship act will provide up to the cost of two (2) years of tuition
4 and mandatory fees for eligible students. The act would include detailed eligibility requirement for
5 students, and reporting and disbursement requirements for Rhode Island college. In addition the act
6 would permit charitable donations to the scholarship program in addition to an annual appropriation
7 by the general assembly.

8 The act would take effect upon passage and its provisions would be given retroactive as
9 well as prospective effect.

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