

2021 -- H 5224 SUBSTITUTE A

=====
LC001215/SUB A
=====

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2021

A N A C T

RELATING TO EDUCATION

Introduced By: Representatives Shekarchi, Diaz, Amore, Baginski, Blazejewski,
Kazarian, Potter, Felix, Biah, and Batista

Date Introduced: January 29, 2021

Referred To: House Finance

It is enacted by the General Assembly as follows:

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

3 **16-107-3. Establishment of scholarship program.**

4 Beginning with the high school graduating class of 2017, ~~it~~ [there](#) is hereby established the
5 Rhode Island promise scholarship program ~~that will end with the high school graduating class of~~
6 ~~2021~~. The general assembly shall annually appropriate the funds necessary to implement the
7 purposes of this chapter. Additional funds beyond the scholarships may be appropriated to support
8 and advance the Rhode Island promise scholarship program. In addition to appropriation by the
9 general assembly, charitable donations may be accepted into the scholarship program.

10 **16-107-4. Definitions.**

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

12 (1) "FAFSA" means the Free Application for Federal Student Aid form;

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

16 (3) "On track to graduate on time" means the standards determined by the community
17 college of Rhode Island in establishing the expectation of a student to graduate with an associate's
18 degree within two (2) years of enrollment (recognizing that some students, including students who
19 require developmental education, are double majors, or are enrolled in certain professional

1 programs may require an extended time period for degree completion);

2 (4) "Scholarship program" means the Rhode Island promise scholarship program that is
3 established pursuant to § 16-107-3;

4 (5) "Recipient student" means a student attending the community college of Rhode Island
5 who qualifies to receive the Rhode Island promise scholarship pursuant to § 16-107-6; ~~and~~

6 (6) "State" means the state of Rhode Island ~~and Providence Plantations;~~

7 (7) "Student with a disability" means any student otherwise eligible pursuant to § 16-107-
8 6 who has a physical, developmental or hidden disability or disabilities, as defined in § 42-87-1,
9 that would create a hardship or other functional obstacles preventing participation in this program;

10 (8) "ADA" means the American with Disabilities Act 42 U.S.C. § 12101, as may be
11 amended from time to time; and

12 (9) "Reasonable accommodations" means any necessary modifications or adjustment to a
13 facility, equipment, program or manner of operation as required by the Americans with Disabilities
14 Act ("ADA") and section 504 of the Rehabilitation Act of 1973 as may be amended from time to
15 time.

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

17 (a) Beginning with the students who enroll at the community college of Rhode Island in
18 the fall of 2017 ~~and ending with students who enroll at the community college of Rhode Island in~~
19 ~~the fall of 2021~~, to be considered for the scholarship, a student:

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

29 (2) Must be admitted to, and must enroll and attend the community college of Rhode Island
30 on a full-time basis by the semester immediately following high school graduation or the semester
31 immediately following receipt of a high school equivalency diploma;

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

- 1 (4) Must continue to be enrolled on a full-time basis;
- 2 (5) Must maintain an average annual cumulative grade point average (GPA) of 2.5 or
3 greater, as determined by the community college of Rhode Island;
- 4 (6) Must remain on track to graduate on time as determined by the community college of
5 Rhode Island;
- 6 (7) Must not have already received an award under this scholarship program; and
- 7 (8) Must commit to live, work, or continue their education in Rhode Island after graduation.

8 The community college of Rhode Island shall develop a policy that will secure this
9 commitment from recipient students.

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

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

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

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

1 SECTION 2. This act shall take effect upon passage.

=====
LC001215/SUB A
=====

EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO EDUCATION

1 This act would remove the requirement that the scholarship program cease with the
2 enrollment of the high school graduating class of 2021 at the community college of Rhode Island.
3 The act would also provide for students with disabilities to be afforded reasonable
4 accommodations.

5 This act would take effect upon passage.

=====
LC001215/SUB A
=====