

2023 -- H 5099

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2023

A N A C T

RELATING TO EDUCATION -- RHODE ISLAND HOPE SCHOLARSHIP PILOT
PROGRAM ACT

Introduced By: Representatives McNamara, Diaz, Biah, Donovan, Sanchez, Shallcross
Smith, McGaw, and Felix

Date Introduced: January 12, 2023

Referred To: House Finance

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 PILOT PROGRAM ACT

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

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

8 **16-112-2. Legislative findings and purpose.**

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

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

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

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

15 (4) The coronavirus has inflicted undue hardships on students and their families, creating
16 barriers to a four (4) year college degree;

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

1 (6) Rhode Island college offers students a feasible opportunity to obtain a four (4) year
2 degree, but remains an underutilized resource in the state; and

3 (7) The State of Rhode Island's motto is "Hope".

4 (b) In order to address the findings set forth in subsection (a) of this section, the purpose
5 of this chapter is to increase the number of students enrolling in and completing four (4) year
6 degrees and certificates on time from Rhode Island college, and to promote more graduates in high-
7 need fields such as nursing, pre-k through grade twelve (12) education, and the trades, which are
8 fields for which Rhode Island college provides a strong and affordable education.

9 (c) The purpose of the pilot program is also to determine whether a scholarship program
10 for Rhode Island college that is modeled on the promise scholarship program established in chapter
11 107 of title 16 would be successful in attaining the goals set forth in this section.

12 **16-112-3. Establishment of scholarship program.**

13 Beginning with the high school graduating class of 2023, there is hereby established the
14 Rhode Island hope scholarship pilot program. The general assembly shall annually appropriate the
15 funds necessary to implement the purposes of this chapter for the periods of the pilot program.
16 Additional funds beyond the scholarships may be appropriated to support and advance the Rhode
17 Island hope scholarship pilot program. In addition to appropriation by the general assembly,
18 charitable donations may be accepted into the scholarship program.

19 **16-112-4. Definitions.**

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

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

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

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

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

33 (5) "Mandatory fees and tuition" means the costs that every student is required to pay in
34 order to enroll in classes, and does not include room and board, textbooks, program fees that may

1 exist in some majors, course fees that may exist for some specific courses, meal plans, or travel.

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

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

10 (8) "Pilot program" and "scholarship program" means the Rhode Island hope scholarship
11 pilot program that is established pursuant to § 16-112-3.

12 (9) "State" means the State of Rhode Island.

13 **16-112-5. Administration of scholarship program.**

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

18 (b) An award of the scholarship program shall cover the cost of up to two (2) years of
19 tuition and mandatory fees, for the junior and senior years of the student, or in the case of an adult
20 student, who has attained at least sixty (60) credit hours, then the award may cover tuition and
21 mandatory fees over a duration of not more than two (2) years. In all instances, these awards shall
22 be reduced by the amount of federal and all other financial aid monies available to the recipient
23 student. None of any grants received by students from the department of children, youth and
24 families' higher education opportunity incentive grant as established by chapter 72.8 of title 42 or
25 the college crusade scholarship act as established in chapter 70 of title 16 shall be considered federal
26 or financial aid for the purposes of this chapter.

27 (c) The scholarship program is limited to one award per student as required by § 16-112-
28 6(a)(7); provided that, the award may cover the two (2) years which constitute the junior and senior
29 years of the student, or the two (2) years for an adult student, and may be dispersed in separate
30 installments.

31 **16-112-6. Eligibility for merit based tuition reduction scholarship at Rhode Island**
32 **college.**

33 (a) Beginning with the students who enrolled at Rhode Island college in the fall of 2023, a
34 student:

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

4 (2) Must be a currently enrolled full-time student who has declared a major and earned a
5 minimum of sixty (60) total credit hours towards an eligible program of study, as determined by
6 Rhode Island college;

7 (3) Must complete the FAFSA and any required FAFSA verification by the deadline
8 prescribed by Rhode Island college for each year in which the student seeks to receive funding
9 under the scholarship program; provided that, persons who are legally unable to complete the
10 FAFSA must complete a comparable form created by Rhode Island college, by the deadline
11 prescribed by Rhode Island college, for each year in which the student seeks to receive funding
12 under the scholarship program;

13 (4) Must enroll or have enrolled full-time as a freshman as a first-time student and continue
14 to be enrolled on a full-time basis at Rhode Island college, by the dates indicated within this chapter;

15 (5) Must maintain an average annual cumulative grade point average (GPA) of 2.5 or
16 greater, as determined by Rhode Island college, prior to obtaining the scholarship and also as a
17 condition of being able to continue to be a scholarship recipient;

18 (6) Must remain on track to graduate on time as determined by Rhode Island college and
19 must complete both the student's freshman and sophomore years at Rhode Island college, or in the
20 case of an adult student, have completed sixty (60) credit hours of tuition and mandatory fees at
21 Rhode Island college over a duration of no more than four (4) years;

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

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

25 (b) Rhode Island college, in conjunction with the office of the postsecondary
26 commissioner, shall develop a policy that will secure the commitment set forth in subsection (a) of
27 this section from recipient students.

28 (c) Notwithstanding the eligibility requirements under subsection (a) of this section
29 ("specified conditions");

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

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

7 (3) Students enrolled in Rhode Island college as of July 1, 2021, who have attained junior
8 status at Rhode Island college as of July 1, 2023, or who enrolled in Rhode Island college as of July
9 1, 2022, and who have attained junior status at Rhode Island college as of July 1, 2024, and who
10 are otherwise in compliance with this chapter, shall be eligible for a hope scholarship under this
11 chapter.

12 (d) The decision of whether or not a student has attained junior or senior status by the
13 appropriate date shall be determined by the appropriate body of Rhode Island college, subject to
14 the rules, regulations, and procedures established pursuant to §16-112-8.

15 **16-112-7. Reporting and disbursement.**

16 (a) On or before November 10, 2023, and on or before November 10 thereafter for every
17 year through and including calendar year 2028, Rhode Island college shall submit a report to the
18 director of the office of management and budget, the state budget officer, the house fiscal advisor,
19 the senate fiscal advisor, the commissioner of postsecondary education, and the chair of the council
20 on postsecondary education, a report detailing the following:

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

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

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

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

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

31 (b) On or before July 1, 2024, and on before July 1 thereafter for every year until through
32 and including calendar year 2028, Rhode Island college, in conjunction with the office of the
33 postsecondary commissioner, shall submit a report evaluating the program to the governor, speaker
34 of the house, and the president of the senate. This evaluation shall include the following:

- 1 (1) The number of students who started in each cohort;
2 (2) The number of students in each cohort who have attained a degree or certification in an
3 on-time manner;
4 (3) The number of students in each cohort who have not attained a degree or certification
5 in an on-time manner and an analysis of why that has happened;
6 (4) The number of students in each cohort who began the program but have been unable to
7 continue or complete the program and an analysis of why that has happened;
8 (5) The costs of the program and the costs of continuing the program;
9 (6) Suggestions for ways to increase the success of the program;
10 (7) Recommendations as to modifying, continuing, expanding, curtailing, or discontinuing
11 the program; and
12 (8) Any such other recommendations or information as Rhode Island college and the
13 commissioner of postsecondary education deem appropriate to include in the evaluation.
14 (c) The office of management and budget, in consultation with the office of the
15 postsecondary commissioner, shall oversee the apportionment and disbursement of all funds
16 appropriated for the purpose of the scholarship program.

17 **16-112-8. Rules, regulations, and procedures.**

18 The council on postsecondary education is hereby authorized to promulgate rules and
19 regulations to effectuate the purposes of this chapter, including, but not limited to, the residency
20 policy, and Rhode Island college shall establish appeal procedures for the award, denial, or
21 revocation of funding under the scholarship program. The rules and regulations shall be
22 promulgated in accordance with § 16-59-4.

23 **16-112-9. Applicability to current students.**

24 Currently enrolled students at Rhode Island college who have attained junior status as of
25 July 1, 2023, or July 1, 2024, and who otherwise meet the requirements of this chapter, shall be
26 eligible for a hope scholarship under this chapter.

27 **16-112-10. Funding of and sunset of pilot program.**

28 The Rhode Island hope scholarship pilot program shall be funded from July 1, 2023,
29 through and including July 1, 2028. There shall be no further funding of the pilot program without
30 further action of the general assembly. Any final reports due pursuant to this chapter shall be filed
31 pursuant to the dates set forth herein.

32 SECTION 2. Section 16-59-9 of the General Laws in Chapter 16-59 entitled "Council on
33 Postsecondary Education [See Title 16 Chapter 97 — The Rhode Island Board of Education Act]"
34 is hereby amended to read as follows:

1 **16-59-9. Educational budget and appropriations.**

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

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

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

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

34 (e) The additional costs to achieve self-supporting status shall be by the implementation of

1 a fee schedule of all housing, dining, and other auxiliary facilities, including but not limited to,
2 operating expenses, principal, and interest on debt services, and overhead expenses.

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

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

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

24 (i) The board of education is authorized to establish a restricted-receipt account for the
25 receipt and expenditure of monies received from IGT Global Solutions Corporation for the purpose
26 of financing scholarships relating to studying science, technology, engineering, or mathematics at
27 an accredited educational institution. This account shall be housed within the budget of the office
28 of the postsecondary commissioner and exempt from the indirect cost recovery provisions of § 35-
29 4-27.

30 SECTION 3. This act shall take effect on July 1, 2023, and sunset and expire on January
31 1, 2029.

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

1 This act would establish the Rhode Island hope scholarship pilot program act. The purpose
2 would be to increase the number of students enrolling in and obtaining degrees in a timely fashion
3 from Rhode Island college, and to promote more graduates in high-need fields and the trades. The
4 hope scholarship would provide the cost of two (2) years of tuition and mandatory fees for eligible
5 students during their junior and senior years. The act would include detailed eligibility requirements
6 for students, and reporting and disbursement requirements for Rhode Island college. In addition the
7 act would permit charitable donations to the scholarship program as well as an annual appropriation
8 by the general assembly.

9 This act would take effect on July 1, 2023, and sunset and expire on January 1, 2029.

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