

IN THE SENATE

SENATE BILL NO. 1279

BY EDUCATION COMMITTEE

AN ACT

1 RELATING TO THE IDAHO OPPORTUNITY SCHOLARSHIP; AMENDING SECTION 33-4303,
2 IDAHO CODE, TO PROVIDE THAT CERTAIN FUNDS MAY BE USED FOR SCHOLARSHIP
3 AWARDS TO ADULT STUDENTS MEETING CERTAIN CRITERIA AND TO MAKE TECHNICAL
4 CORRECTIONS.
5

6 Be It Enacted by the Legislature of the State of Idaho:

7 SECTION 1. That Section 33-4303, Idaho Code, be, and the same is hereby
8 amended to read as follows:

9 33-4303. IDAHO OPPORTUNITY SCHOLARSHIP. (1) The purposes of this sec-
10 tion are to:

11 (a) Recognize that all Idaho citizens benefit from an educated citi-
12 zenry;

13 (b) Increase individual economic vitality and improve the overall
14 quality of life for many of Idaho's citizens;

15 (c) Provide access to eligible Idaho postsecondary education through
16 funding to remove financial barriers;

17 (d) Increase the opportunity for economically disadvantaged Idaho stu-
18 dents; and

19 (e) Incentivize students to complete a postsecondary education degree
20 or certificate.

21 (2) For the purposes of this section, the following definitions shall
22 apply:

23 (a) "Educational costs" means the dollar amount determined annually
24 by the state board of education as necessary for student tuition, fees,
25 books and such other expenses reasonably related to attendance at an
26 eligible Idaho postsecondary educational institution.

27 (b) "Eligible Idaho postsecondary educational institution" means a
28 public postsecondary organization governed or supervised by the state
29 board, the board of regents of the university of Idaho, a board of
30 trustees of a community college established pursuant to the provisions
31 of chapter 21, title 33, Idaho Code, or the state board for career tech-
32 nical education or any educational organization located in Idaho that
33 is:

34 (i) Operated privately;

35 (ii) Classified as not-for-profit under state law;

36 (iii) Under the control of an independent board and not directly
37 controlled or administered by a public or political subdivision;
38 and

39 (iv) Accredited by an organization recognized by the state board
40 as provided in section 33-2402, Idaho Code.

41 (c) "Eligible student" means a student who:

- 1 (i) Is an Idaho resident as defined in section 33-3717B, Idaho
2 Code;
- 3 (ii) Has graduated or will graduate from an accredited high school
4 or its equivalent in Idaho as determined by the state board;
- 5 (iii) Has enrolled or applied to an eligible Idaho postsecondary
6 educational institution;
- 7 (iv) Is a postsecondary undergraduate student who has not pre-
8 viously completed a baccalaureate (bachelor's) degree or higher;
9 and
- 10 (v) Meets need and merit criteria as set by the state board.
- 11 "Eligible student" also means a student who has met the eligibility
12 requirements and was awarded an opportunity scholarship prior to June
13 30, 2014. Continued eligibility shall be based upon the eligibility
14 requirements at the time of the original award.
- 15 (d) "Opportunity scholarship program" means the scholarship program
16 described in this section and in the rules established by the state
17 board.
- 18 (e) "Shared model of responsibility" means a model set by the board to
19 determine the required and expected contributions of the student, the
20 student's family and available federal financial aid.
- 21 (f) "State board" means the state board of education.
- 22 (3) The state board shall promulgate rules to determine student eligi-
23 bility, academic and financial eligibility, a process for eligible students
24 to apply, amount of awards, how eligible students will be selected and when
25 the awards shall be made, as well as other rules necessary for the adminis-
26 tration of this section.
- 27 (4) An eligible student must:
- 28 (a) Apply or have applied for federal student financial assistance
29 available to an eligible student who will attend or is enrolled in an
30 eligible Idaho postsecondary educational institution; and
- 31 (b) Meet need and merit criteria established by the state board in rule.
- 32 (5) Funds that are available for the opportunity scholarship program
33 shall be used to provide scholarships based upon a shared model of respon-
34 sibility between the scholarship recipient and the recipient's family,
35 the federal government and the participating eligible Idaho postsecondary
36 educational institution that the recipient attends for covering the educa-
37 tional costs.
- 38 (6) Up to twenty percent (20%) of funds that are available for the op-
39 portunity scholarship program may be used for awards to adult students who
40 have earned at least twenty-four (24) credits toward a postsecondary degree
41 or certificate and who return to an eligible Idaho postsecondary educational
42 institution to complete a certificate or degree.
- 43 (7) The opportunity scholarship award shall not exceed the actual edu-
44 cational costs at the eligible Idaho postsecondary educational institution
45 that the student attends. The amount of scholarship shall not exceed the ed-
46 ucational costs established by the state board.
- 47 (78) Award payments shall be made annually to an eligible Idaho post-
48 secondary educational institution. In no instance may the entire amount of
49 an award be paid to or on behalf of such student in advance.

1 (89) If an eligible student becomes ineligible for a scholarship un-
2 der the provisions of this chapter, or if a student discontinues attendance
3 before the end of any semester, quarter, term or equivalent, covered by the
4 award after receiving payment under this chapter, the eligible Idaho post-
5 secondary educational institution shall remit, up to the amount of any pay-
6 ments made under this program, any prorated tuition or fee balances to the
7 state board.

8 (910) There is hereby created an account in the state treasury to be des-
9 ignated the opportunity scholarship program account.

10 (a) The account shall consist of moneys appropriated to the account by
11 the legislature, moneys contributed to the account from other sources
12 and the earnings on such moneys. The executive director of the state
13 board may receive on behalf of the state board any moneys or real or per-
14 sonal property donated, bequeathed, devised or conditionally granted
15 to the state board for purposes of providing funding for such account.
16 Moneys received directly or derived from the sale of such property shall
17 be deposited by the state treasurer in the account.

18 (b) Earnings from moneys in the account or specified gifts shall be
19 distributed annually to the state board to implement the opportunity
20 scholarship program as provided for under the provisions of this chap-
21 ter.

22 (c) All moneys placed in the account and earnings thereon are hereby
23 perpetually appropriated to the state board for the purpose described
24 in ~~subsection (9) paragraph~~ (b) of this subsection. All expenditures
25 from the account shall be paid out in warrants drawn by the state con-
26 troller upon presentation of the proper vouchers. Up to fifty thousand
27 dollars (\$50,000) of the annual earnings distribution to the state
28 board may be used by the state board annually for administrative costs
29 related to the implementation of the provisions of this chapter.

30 (d) Allowable administrative costs include, but are not limited to, op-
31 erating expenses for the implementation and maintenance of a database,
32 operating expenses to administer the program, personnel costs neces-
33 sary to administer the program and costs related to promoting awareness
34 of the program.

35 (e) Any unused annual funds shall be deposited into the opportunity
36 scholarship program account.

37 (f) Pending use, surplus moneys in the account shall be invested by the
38 state treasurer or endowment fund investment board in the same manner
39 as provided under section 67-1210 or 68-501, Idaho Code, as applicable.
40 Interest earned on the investments shall be returned to the account.

41 (101) The effectiveness of the Idaho opportunity scholarship will be
42 evaluated by the state board on a regular basis. This evaluation will in-
43 clude annual data collection as well as longer-term evaluations.