

R620, Utah Promise Program Grant¹

R620-1 The following policy has been codified² as Utah Administrative Code R765-620.

R620-2 References

- 2.1 Utah Code Title 53B Chapter 13a, Utah Promise Program Act
- 2.2 Utah Code § 63G-12-402, Receipt of State, Local, or Federal Public Benefits – Verification Exceptions
- 2.3 Utah Code § 53B-2-101(1), Institutions of Higher Education
- 2.4 Utah Code § 53B-8-102, Resident Student Status
- 2.5 Utah Code § 53B-8-106, Resident Tuition
- 2.6 Board Policy 512, Determination of Resident Status

R765. Higher Education (Utah Board of), Administration.

R765-620. ~~Acess~~–Utah Promise ~~Scholarship~~–Program Grant.

R765-620-1. Purpose.

The purpose of this rule is to provide the rules and procedures for implementing the ~~Acess~~–Utah Promise ~~Scholarship~~–Program Grant. ~~This program provides a statewide needs-based scholarship program to expand access to postsecondary opportunities for each student who faces financial barriers in paying for college. The program provides an eligible student an award for up to full tuition and fees in qualifying circumstances~~

R765-620-2. Authority.

This rule is authorized by ~~53B-8-303(8) and 53B-8-304(5)~~ Title 53B, Chapter 13a.

R765-620-3. Definitions.

- (1) “Board” means the Utah Board of Higher Education.
- ~~(2) “EFC” means Expected Family Contribution based on the Free Application for Federal Student Aid.~~
- ~~(3) “Institution” means institutions of higher education listed in Subsection 53B-2-101(1).~~
- ~~(4) “Promise Partner” means an employer that has~~
 - ~~(a) applied to the Board, and~~
 - ~~(b) established a Memorandum of Understanding with the Board.~~
- (2) “Cost of Attendance” means the estimated costs associated with attending an institution, including costs payable to the institution for tuition and fees, other direct educational expenses, transportation, and living expenses while attending the institution.
- (3) “Institution” means an institution of higher education ~~listed in Subsection 53B-2-101(1)~~ under Section 53B-2-101(1).
- (4) “OCHE” means the Office of the Commissioner of Higher Education.
- (5) “Promise ~~Scholarship~~ Grant” means ~~the scholarship described in Section 53B-8-303~~ a grant awarded under Title 53B, Chapter 13a and administered under this rule.

~~R765-620-4. Scholarship Administration.~~

- ~~(1) To qualify for a Promise Scholarship, an applicant must meet the following criteria:~~
 - ~~(a) have a high school diploma or equivalent;~~
 - ~~(b) not have previously earned an associate degree or higher postsecondary degree;~~
 - ~~(c) be a resident of the state under Section 53B-8-102 and board policy R512.~~

¹Adopted May 17, 2019; amended May 15, 2020, ~~and~~ May 20, 2022, ~~and~~ XXX.

²This administrative rule is still going through the codification process and minor, non-substantive edits to conform with the Administrative Code may need to be made.

~~(d) demonstrate financial need, in accordance with Subsections R765-620-4(2) and R765-620-4(7);~~

~~(e) accept all other grants, tuition and fee waivers, and scholarships offered to the applicant to attend the institution in which the applicant enrolls; and~~

~~(f) maintain academic good standing as defined by the institution at which the applicant attends.~~

~~(2) An institution shall establish criteria to assess an applicant's financial need. The criteria shall use quantifiable, needs-based measures. For example, institutions may establish a range with a minimum and maximum EFC within which an eligible recipient's EFC must fall to be eligible for an award. An institutions shall annually revise and publish eligibility criteria by February 1 in all publications referencing the scholarship.~~

~~(3) The institution may award an amount to each eligible recipient up to the cost of published tuition and fees.~~

~~(4) When determining the award amount, the institution shall first apply the total value of all grants, tuition waivers, fee waivers, and scholarships the recipient has received. The institution may then award an amount not to exceed the recipient's remaining cost of tuition and fees. If, after the recipient's aid has been packaged and awarded, the recipient later receives other financial assistance of more than \$500, the institution shall appropriately reduce the amount of financial aid disbursed to the recipient so that the total Promise Scholarship does not exceed the cost of tuition and fees.~~

~~(5) A recipient may receive scholarship funds until the earliest of the following events occurs:~~

~~(a) two years after the initial award;~~

~~(b) the recipient uses the scholarship for four semesters;~~

~~(c) the recipient meets the academic qualifications for an associate degree; or~~

~~(d) for institutions that do not offer an associate degree, a recipient earns a cumulative total of 60 credits.~~

~~(6) An institutions shall establish an application process that an applicant can easily access and complete. The board may require an institution to modify an application form or process that is overly cumbersome or confusing.~~

~~(7) If an institution does not have enough appropriated Promise Scholarship funds or other funding sources to award each eligible applicant, it may establish procedures to prioritize which applicants will receive awards based on financial need.~~

~~(8) An institution shall evaluate a recipient's knowledge, skills, and competencies acquired through formal or informal education outside the traditional postsecondary academic environment, and award appropriate credit for the recipient's prior learning.~~

~~(9) An institutions may advertise the Promise Scholarship under another name. Any publication about the Promise Scholarship shall include disclosure that program funds are limited and subject to change.~~

~~R765-620-5. Transfers.~~

~~(1) A recipient may transfer to another institution and retain eligibility for the scholarship, if the recipient meets the qualifications defined in Subsection R765-620-4(2) at the institution to which the recipient is transferring. The recipient is responsible to inform the financial aid office at the institution to which the recipient is transferring that the recipient is receiving the Promise Scholarship at the recipient's current institution.~~

~~(2) Each financial aid office at the respective institutions shall coordinate the transfer of scholarship information. Upon transfer, the institution shall prioritize the award of any eligible recipient before all others awarded in accordance with Subsection R765-620-4(7). The institution to which the recipient is transferring shall make adjustments in the recipient's award in accordance with Subsection R765-620-4(3).~~

~~R765-620-6. Distribution of Award Funds to Institutions.~~

~~(1) As a condition of program participation, an eligible institution's financial aid director shall report to the board the total dollar amount of Federal Pell Grant funds awarded to resident students at the institution for the most recently completed academic year by March 1 each year.~~

~~(2) An institution that fails to report the total amount of Pell Grant funds by March 1 is ineligible to participate in the program for the next fiscal year.~~

~~(3) The board shall allocate program funds to eligible institutions in proportion to each eligible institution's percentage of the total Federal Pell Grant funds received for Utah resident students in the most recently completed award year by each participating institution.~~

~~R765-620-7. Deferral or Leave of Absence.~~

(1) A recipient shall apply for a deferral or leave of absence if they do not continuously enroll and wish to continue to receive the scholarship.

(2) An institutions shall develop a process for each recipient to apply for a deferral or leave of absence, which may be granted for military service, humanitarian or religious service, documented medical reasons, and other exigent reasons.

~~R765-620-8. Utah Promise Partners.~~

~~(1) The board, in consultation with the Talent Ready Utah Center at the Governor's Office of Economic Development, may select employers as Promise Partners whose employees may be eligible to receive a partner award. The board shall establish a Memorandum of Understanding with any selected Promise Partner that includes requirements related to an employer providing reimbursement to an employee who receives an award. The reimbursement of a Promise Partner to a corresponding recipient employed by that Promise Partner must be applied during the eligible term of the award in accordance with Subsection R765-620-4(4).~~

~~(2) An employee is eligible to receive an award in accordance with the requirements of Subsection R765-620-4(1) in addition to any criteria and limitations established through a corresponding Memorandum of Understanding with a Promise Partner.~~

~~(3) A recipient of an award who is an employee of a Promise Partner is subject to the same conditions as any other recipient under this rule.~~

~~R765-620-9. Reporting.~~

~~(1) During the first year of the program, no later than October 1, 2019, a participating institution shall report to the board all requested data on Promise Scholarships awarded to date.~~

~~(2) Annually, the board shall distribute a Promise Scholarship performance report template to the director of financial aid of each participating institution before the end of each fiscal year. The institution shall submit the completed report by July 31 of each year.~~

~~(3) The board may, at any time, request additional documentation or data related to the Promise Scholarship and may review or formally audit an institution's compliance with this rule. The institution shall cooperate with the board in providing records and information requested for any scheduled audits or program reviews. Each participating institution shall maintain records substantiating its compliance with the program's terms for three years after the end of the award year, or until a program review has been completed and any exceptions raised in the review have been resolved, whichever occurs first. If at the end of the three year retention period, an audit or program review exception is pending resolution, the institution shall retain records for the award year involved until the exception has been resolved.~~

~~R765-620-10. Institutional Participation Agreement.~~

~~(1) Each participating institution shall enter into a written agreement with the board or assigned designee agreeing to abide by the program rules, accept and disburse funds per program rules, provide the required report each year, and retain documentation for the program to support the awards and actions taken. By accepting the funds, the participating institution agrees to the additional following terms and conditions:~~

~~(a) The institution may at its discretion use up to three percent of the allocated program funds for its student financial aid administrative expenses.~~

~~(b) The institution may not carry forward or carry back from one award year to another any of its Promise Scholarship allocation. Any exception to this rule must be approved in advance by the board. The institution shall inform the board immediately if it determines it will not be able to utilize all program funds allotted to it for an award year. Absent any exception for a carry forward amount, each institution shall return unused funds to the board. The board shall redistribute unused funds to the other eligible institutions as supplemental Promise Scholarship allocations for disbursement during the same award year. The portion of Promise Scholarship allocations budgeted for administrative expenses pursuant to Subsection (1)(a) shall not be part of any carryover.~~

~~R765-620-4. Qualifications.~~

~~(1) To qualify for a Promise Grant, an applicant must:~~

~~(a) Be enrolled as at an institution;~~

~~(b) Either be a resident of Utah under Section 53B-8-102 and Board Policy R512 or qualify for resident tuition under Section 53B-8-106;~~

~~(c) Demonstrate financial need, in accordance with subsections 6;~~

~~(d) Accept all other grants, tuition and/or fee waivers, and scholarships offered to the applicant to attend the institution in which the applicant enrolls; and~~

~~(e) Maintain academic good standing as defined by the institution the applicant attends.~~

(2) Institutions shall annually revise and publish eligibility criteria in all publications referencing the grant. All publications about the Promise Grant shall disclose that program funds are limited and subject to change.

(3) Under Section 63G-12-402, verification of lawful presence in the United States is not required to be eligible for a grant under this policy.

R765-620-5. Application Process.

(1) Institutions shall establish an application process consistent with this policy that applicants can easily access and complete. The Board may require an institution to modify an application or process that is overly cumbersome or confusing.

(2) The institution shall set deadlines by which applicants must submit all required materials.

(3) The institution shall determine the most efficient method for issuing grant funds and shall collect the information necessary for that purpose.

(4) Applicants must complete and submit either the Free Application for Federal Student Aid (“FAFSA”) or the alternative financial form approved by the Board and the grant application and include all required documentation.

R765-620-6. Prioritization.

Grants shall be prioritized based primarily on financial need. An institution shall establish criteria to assess an applicant’s financial need. The criteria shall use quantifiable, need-based measures (for example, institutions may establish a range with a minimum and maximum need index based on the ~~Free Application for Federal Student Aid~~ [FASFA](#) within which an eligible recipient’s expected contribution must fall to be eligible for an award).

R765-620-7. Grant Award and Calculation.

(1) An institution shall use other funding sources, tuition waivers, and fee waivers, when possible, to fully fund awards.

(2) In determining awards, the institution shall consider all other loans, grants, employment, and family and individual contributions the applicant can put toward financing the cost of attendance.

(3) Grants shall be prioritized based primarily on financial need as outlined in section 6.

(4) The institution may award an amount to an eligible recipient up to the cost of attendance, after taking into account the total value of other financial aid the recipient receives toward the cost of attendance.

R765-620-8. Grant Duration.

~~After an institution has awarded a Promise Grant to an eligible recipient, as long as the recipient continues to meet the qualifications, the Promise Grant shall continue until the earlier of either~~ [An eligible recipient may receive a Promise Grant until the recipient:](#)

(1) ~~Two years after the initial grant~~ [Earns a first bachelor’s degree](#); or

(2) ~~A recipient uses the grant to attend an institution for four semesters~~ [Attempts 120 credit hours](#).

R765-620-9. Competency-based Assessment.

Institutions shall evaluate a recipient’s knowledge, skills, and competencies acquired through formal or informal education outside the traditional postsecondary academic environment, and award appropriate credit for the recipient’s prior learning.

R765-620-10. Grant Transfers.

A recipient may transfer to another institution and retain eligibility for the grant, if the recipient meets the qualifications defined in Subsection R765-620-4 at the institution to which the recipient is transferring. Recipients are responsible to inform the financial aid office at the institution to which they are transferring that they are receiving the Promise Grant at their current institution. The financial aid offices at the respective institutions shall coordinate the transfer of scholarship information. Upon transfer, the institution shall prioritize the award of any eligible recipient before all others awarded in accordance with section 6 of this policy. The institution to which the recipient is transferring shall make adjustments in a recipient’s award in accordance with subsection R765-620-7 ~~of this policy~~.

R765-620-11. Distribution of Funds to Institutions.

(1) In determining how to allocate program funds to an institution, the Board will consider:

(a) The costs of attendance of programs offered by the institution; and

(b) The number of eligible students who attend each institution.

(2) The Board will allocate program funds to eligible institutions in proportion to each eligible institution’s percentage of the total Federal Pell Grant funds received for Utah resident students and

students who qualified for resident tuition in the most recently completed award year by all participating institutions.

~~R765-620-12. Grant Deferrals.~~

~~12.1 Institutions shall develop a process for recipients to apply for deferrals or leaves of absence, which may be granted for military service, humanitarian/religious service, documented medical reasons, and other exigent reasons.~~

R765-620-12.3. Grant Cancellation.

If a recipient ~~does not return to pursue their degree after a deferral, or~~ no longer meets the eligibility requirements, their grant will be canceled, and no remaining funds will be released.

R765-620-13.4. Reporting.

(1) As specified by the Office of the Commissioner, each institution shall provide, as part of an annual institutional financial aid file submission by February 28 of each year, data pertaining to applications, awards, program enrollments, utilization, funding, and/or other Promise Grant award information for the most recently completed fiscal year.

(2) The Office of the Commissioner may, at any time, request additional documentation or data related to the Utah Promise Program Grant and may review or formally audit an institution's documentation and compliance with this ~~policy~~rule.

(3) By March 1 of each year, participating institutions financial aid directors will report to the Board the total dollar amount of Federal Pell Grant funds awarded to resident students and students who qualified for resident tuition under Section 53B-8-106 at the institution for the most recently completed academic year.

(4) An institution that fails to submit the required reports by the required deadlines may be ineligible to participate in the program for the next fiscal year.

R765-620-14.5 Administrative Costs.

The Board may use up to 3% of the money appropriated for the Utah Promise Program to cover administrative costs.

R765-620-15. Funding Sources.

The Board may supplement state appropriations for the program with private contributions and may name an award after the donor.

R765-620-16. Institutional Participation Agreement.

Each participating institution will enter into a written agreement with the Board or assigned designee agreeing to abide by the program policies, accept and disburse funds per program rules, provide the required report each year, and retain documentation for the program to support the awards and actions taken. By accepting the funds, the participating institution agrees to the additional following terms and conditions:

(1) The institution may at its discretion use up to 3% of the funds it receives for the Utah Promise Program to cover administrative costs.

(2) The institution may not carry forward or carry back from one award year to another any of its Promise Grant allocation. Any exception to this rule must be approved in advance by the Board. The institution will inform the Board immediately if it determines it will not be able to utilize all program funds allotted to it for an award year. Absent any exception for a carry forward amount, institutions shall return unused funds to the Board. The Board will redistribute unused to the other eligible institutions as supplemental Promise Grant allocations for disbursement during the same award year. ~~The portion of~~ Promise Grant allocations budgeted for administrative expenses ~~pursuant to subsection 18.1~~ will not be part of any carryover.

R620-17. Report to Higher Education Appropriations Subcommittee.

Annually, the Board shall submit an electronic report to the Higher Education Appropriations Subcommittee about the Utah Promise Program.