



MEMORANDUM

TAB D

April 10, 2020

Revision to Policy R609C, *Regents' Scholarship* and R604, *New Century Scholarship*

Regent Policies R609C and R604 are to be adjusted due to new statutory requirements and clarifying technical changes identified in cooperation with institution Financial Aid Directors:

- Establishes uniform data reporting requirements for the institutions that participate in the Regents' and New Century Scholarship programs.
- Adjusts the minimum credit hours required for students to maintain scholarship award eligibility for both the Regents' and New Century Scholarships to 12 credits.
- Allows the Regents' Scholarship to be awarded to students enrolling at an accredited, private, non-profit institution per [S.B. 117, Higher Education Financial Aid Amendments](#), in the 2020 Legislative Session.
- Clarifies the role of Commissioner's staff and institutions in accepting deferments and leaves of absence associated with the Regents' and New Century scholarship programs.
- Clarifies requirements for students to maintain scholarship award eligibility that better ensures timely degree completion.
- Removes the requirement that recipients have no criminal record, per [S.B. 162 Educational Financial Aid for Students with a Criminal Record](#), in the 2020 Legislative Session.
- Removes duplicate and outdated language.

Commissioner's Recommendations

The Commissioner recommends the Board approve the technical and statutorily required revisions to policies R609C and R604.

R609-1 Purpose: The Regents' Scholarship encourages students to complete the Regents' Recommended High School Curriculum, in order to provide better access to higher education opportunities and to reward students for preparing academically for college.

R609-2 References

- 2.1. Utah Code -Section 53B-8-108 et seq., Regents' Scholarship Program.
- 2.2. Utah Code Section 53B-2-101(1), Institutions of Higher Education
- 2.3. Utah Admin. Code §R277-700-7, High School Requirements (Effective for Graduating Students Beginning with the 2010-2011 School Year).

R609-3 Definitions

- 3.1. **"Advanced Math"** means any of the following courses: pre-calculus, calculus, statistics, AP calculus AB, AP calculus BC, AP statistics, college courses Math 1030 and higher, IB Math SL, HL, and Further Math.
- 3.2. **"Board"** means the Utah [State Board of Regents/Higher Education](#).
- 3.3. **"College Course Work"** means any instance in which college credit is earned, including but not limited to, concurrent enrollment, distance education, dual enrollment, or early college.
- 3.4. **"Eligible Institutions"** means institutions of higher education listed in Utah Code Section 53B-2-101(1), [or a private, nonprofit college or university in the state that is accredited by the Northwest Commission on Colleges and Universities.](#)
- 3.5. **"Excusable Neglect"** means a failure to take proper steps at the proper time, not in consequence of carelessness, inattention, or willful disregard of the scholarship application process, but in consequence of some unexpected or unavoidable hindrance or accident.
- 3.6. **"Good Cause"** means the student's failure to meet a scholarship application process requirement was due to circumstances beyond the student's control or circumstances that are compelling and reasonable.
- 3.7. **"High School"** means a public school established by the Utah State Board of Education or private high school within the boundaries of the State of Utah. If a private high school, it shall be accredited by a regional accrediting body approved by the Board.
- 3.8. **"Scholarship Appeals Committee"** means the committee designated by Commissioner of Higher Education to review appeals of Regents' Scholarship award decisions and take final agency action regarding awards.

¹ Adopted June 4, 1999, amended July 12, 1999, April 20, 2001, May 31, 2002, September 15, 2006. Amended and approved by the Board of Regents October 16, 2009, April 1, 2010, March 25, 2011, March 29, 2013, April 1, 2016, November 17, 2017, and May 17, 2019.

3.9. “Scholarship Award” means a -scholarship awarded to all applicants who meet the eligibility requirements of section R609-4.

3.10. “Scholarship Staff” means the employees assigned to review Regents’ Scholarship applications and make ~~initial~~ decisions awarding the scholarships and deferments.

3.11. “Substantial Compliance” means the applicant, in good faith, demonstrated clear intent to comply with the scholarship application requirements and has demonstrated likely eligibility, but failed to precisely comply with the application specifics.

R609-4 Award Requirements

4.1. To qualify for the Regents' Scholarship, the applicant shall satisfy the following criteria:

4.1.1. Graduate from a Utah high school with a minimum, non-weighted GPA of 3.3.

4.1.2. Complete four credits of English.

4.1.3. Complete four credits of math, including one course of advanced math.

4.1.4. Complete three credits of lab-based biology, chemistry and physics.

4.1.5. Complete two credits of world languages.

4.1.6. Complete three credits of social science.

4.1.7. Complete the ACT with a minimum score of 22.

4.1.8. Complete and submit the Free Application for Federal Student Aid (FAFSA).

4.2. A student may satisfy a course requirement through a competency-based assessment provided it is documented for credit on an official transcript.

4.3. The courses completed must be unique except when repeated for a higher grade.

4.4. Repeated course work will not count toward accumulation of required credits.

4.5. **College Course Work:** College course work will only be evaluated if the applicant submits an official college transcript. If an applicant enrolls in and completes a college course worth three or more college credits, this shall be counted as one high school credit toward the scholarship requirements.

4.6. **Mandatory Enrollment:** An award recipient attending a credit-granting eligible institution shall enroll ~~in a minimum of 12 credit hours per academic semester,~~ beginning with the fall semester after high school graduation. An award recipient attending a non-credit granting institution must enroll full time in a program eligible for federal aid by September 1 after high school graduation. ~~The institution at which the student attends shall verify the recipient has met the enrollment requirement.~~

4.6.1. Scholarship recipients must elect whether to use the award funds at credit granting institutions or non-credit granting institutions. -The decision is irrevocable; recipients may not transfer awards between non-credit granting and credit granting institutions.

4.7. **New Century Scholarship:** A recipient shall not receive both a Regents' Scholarship and the New Century Scholarship established in Utah Code Section 53B-8-105.

609-5 Application Procedures

5.1. **Application Deadline:** Applicants shall submit an official scholarship application no later than February 1 of the year that they graduate from high school. -The Board may establish a priority deadline each year. Applicants who meet the priority deadline may be given first priority or consideration for the scholarship. Subject to funding, students may be considered based on the date of they completed and submitted their application.

5.2. **Required Documentation:** Applicants shall submit the following documents:

5.2.1. The online Regents' Scholarship application.

5.2.2. An official high school paper or electronic transcript, official college transcript(s) when applicable, and any other miscellaneous official transcripts demonstrating all completed courses and GPA.

5.2.3. If a student completed coursework at an educational institution outside of the district from which the student graduated, the student must submit an official transcript from the school at which he or she completed the coursework if the courses completed and grades earned are not reflected in the official high school transcript.

5.2.4. Verified ACT score(s).

R609-6 Award Amounts and Renewals.

6.1. **Funding Constraints of Awards:** The Board will determine award amounts, depending on the annual legislative appropriation, whether the institution is a credit granting or non-credit granting institution, and the number of qualified applicants. Awards shall be adjusted for students enrolled at an eligible private or nonprofit college or university based on 53B-8-205.

6.2. **Scholarship Award:** Students who meet the eligibility criteria and enroll at a credit granting institution will receive a -four-semester scholarship award, a maximum the amount of which will be determined annually by the Board. Students who enroll in a non-credit granting institution will receive a one-time scholarship award, the amount of which will be determined annually by the Board, which the institution may disburse over the course of a recipient's enrollment within this policy's limits and requirements.

6.3. **Ongoing Eligibility:** If a student receives an award disbursement, the Scholarship recipient ~~musts~~ who enroll at a credit granting institution, must maintain a 3.0 GPA and complete a minimum of 12 credit hours per academic semester to remain eligible for future disbursements. the award. -Students who earn less than a 3.0 Semester GPA will be placed on probation. If the recipient again at any time earns less than a 3.03 GPA the scholarship may be revoked. Institutions shall verify the recipient has met these requirements. -Recipients who do not maintain eligibility forfeit the remaining award amount.

R609-7. Time Constraints and Deferrals

7.1. **Time Limitation:** Scholarship funds are only available to a recipient for five years after their high school graduation date.

7.2. Upon the first day a recipient begins courses using the scholarship funds at a non-credit granting institution, the recipient must use the award in its entirety within two years, unless extended under section 7.3. This time limit does not extend ~~the~~ the five-year award availability under section 7.1.

7.3. **Deferral or Leave of Absence:** Recipients who will not enroll continuously for Fall and Spring/Winter at an eligible institution a student shall apply for a deferral or leave of absence with their institution.

7.3.1. Deferrals may be granted at the discretion of the scholarship review committee. ~~or~~ ~~leaves of absence may be granted, at the discretion of the institution.~~ Deferrals and leaves of absences may be granted, for military service, humanitarian/religious service, documented medical reasons, and other exigent reasons.

7.3.2. An approved deferral or leave of absence will not extend the time limits of the scholarship. The scholarship may only be used for academic terms that begin within five years after the recipient's high school graduation date.

R609-8 Transfers

8.1. Recipients who elect to attend a credit granting institution may transfer to another credit granting institution and retain the scholarship award. ~~Recipients are responsible to inform the Office of the Commissioner of their intent to transfer. The Office of the Commissioner shall coordinate the transfer of scholarship funds and information.~~

R609-9 Scholarship Determinations and Appeals

9.1. **Scholarship Determinations:** Submission of a scholarship application does not guarantee a scholarship award. ~~The Scholarship Staff shall review individual scholarship applications and determine eligibility. Awards are based on available funding, applicant pool, and applicants' completion of scholarship criteria by the specified deadline.~~

9.2. **Appeals:** An applicant has the right to appeal the Scholarship Staff's adverse decision by filing an appeal with the Scholarship Appeals Committee subject to the following conditions:

9.2.1. Applicants may submit a written appeal through either the U.S. Mail or their Regents Scholarship Student Account. ~~Appeals must be postmarked (if mailed) or submitted online within 30 days of the date on which the scholarship notification was issued.~~

9.2.2. In the appeal, the applicant must provide his or her full name, mailing address, the high school he or she last attended, a statement of the reason for the appeal, and all information or evidence that supports the appeal. The failure of an applicant to provide the information in this subsection shall not preclude the acceptance of an appeal.

9.2.3. An appeal filed before the applicant receives official notification from the Scholarship Staff of its decision may not be considered.

9.2.4. If an applicant failed to file his or her appeal on time, the Scholarship Appeals Committee shall notify the applicant of the late filing and give him or her an opportunity to explain the reasons for failing to file the appeal by the deadline. The Scholarship Appeals Committee shall not have

jurisdiction to consider the merits of an appeal that is filed beyond the deadline unless it determines the applicant established excusable neglect.

9.2.5. The Scholarship Appeals Committee shall review the appeal to determine if the award decision was made in error, or if the applicant demonstrated substantial compliance with the scholarship application requirements but failed to meet one or more requirements for good cause.

9.2.6. If the Scholarship Appeals Committee determines the applicant has shown by a preponderance of the evidence that the initial decision was made in error, it shall either reverse the initial decision or remand it back to the Scholarship Staff for further review in accordance with the Appeals Committee's instructions.

9.2.7. If the Scholarship Appeals Committee determines the applicant has shown by a preponderance of the evidence that he or she demonstrated substantial compliance with the application process requirements and good cause for failing to meet one or more of the requirements, the Appeals Committee shall grant the applicant a reasonable period of time to complete the remaining requirements and to resubmit the completed application to the Scholarship Staff for a redetermination. In such a case, the applicant shall have the right to appeal an adverse decision according to this rule.

9.2.8. The Scholarship Appeals Committee's decision shall be in writing and contain its findings of facts, reasoning and conclusions of law and notice of the right to judicial review.

9.2.9. The Scholarship Appeals Committee's decision represents the final agency action. An applicant who disagrees with the Scholarship Appeal Committee's Decision may seek judicial review in accordance with Utah Code Ann. 63G-4-402.

R609-10 Reporting

10.1. As directed by Commissioner's staff, eligible institutions shall report to the Board ~~of Regents~~ the following:

10.1.1. The names of students the institutions awarded Regents' Scholarship funds.

10.1.2. Enrollment information such as the current GPA, the number of credits completed, and deferment or leave of absence information.

10.1.3. Other information deemed necessary to evaluate eligibility or the effectiveness of the program.

10.2. The Board ~~of Regents~~ may, at any time, request additional documentation or data related to the Regents Scholarship and may review or formally audit an eligible institution's compliance with this policy.

R609-1 Purpose: The Regents' Scholarship encourages students to complete the Regents' Recommended High School Curriculum, in order to provide better access to higher education opportunities and to reward students for preparing academically for college.

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6.3. Ongoing Eligibility: If a student receives an award disbursement, the recipient must enroll at a credit granting institution, maintain a 3.0 GPA and complete a minimum of 12 credit hours per academic semester to remain eligible for future disbursements. . Students who earn less than a 3.0 Semester GPA will be placed on probation. If the recipient again at any time earns less than a 3.0 GPA the scholarship may be revoked. Institutions shall verify the recipient has met these requirements. Recipients who do not maintain eligibility forfeit the remaining award amount.

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9.2.4. If an applicant failed to file his or her appeal on time, the Scholarship Appeals Committee shall notify the applicant of the late filing and give him or her an opportunity to explain the reasons for failing to file the appeal by the deadline. The Scholarship Appeals Committee shall not have

jurisdiction to consider the merits of an appeal that is filed beyond the deadline unless it determines the applicant established excusable neglect.

9.2.5. The Scholarship Appeals Committee shall review the appeal to determine if the award decision was made in error, or if the applicant demonstrated substantial compliance with the scholarship application requirements but failed to meet one or more requirements for good cause.

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10.1.2. Enrollment information such as the current GPA, the number of credits completed, and deferment or leave of absence information.

10.1.3. Other information deemed necessary to evaluate eligibility or the effectiveness of the program.

10.2. The Board may, at any time, request additional documentation or data related to the Regents Scholarship and may review or formally audit an eligible institution's compliance with this policy.

R604-1. Purpose: The New Century Scholarship encourages students to accelerate their education by earning an Associate's degree in high school from an institution within the Utah System of Higher Education.

R604-2. References

- 2.1. Utah Code §53B-8-105 (2010).
- 2.2. Policy and Procedures R609, Regents' Scholarship.

R604-3. Definitions

- 3.1. **"Applicant"**: is a student who is in their last term in high school and on track to complete the high school graduation requirements of a public school established by the Utah State Board of Education and the student's school district or charter school or a private high school in the state that is accredited by a regional accrediting body approved by the Utah State Board of Regents, or a home-school student.
- 3.2. **"Associate's Degree"**: An Associate of Arts, Associate of Science, or Associate of Applied Science degree received from, or verified by, a regionally accredited institution within the Utah System of Higher Education. If the institution does not offer the above listed degrees, equivalent academic requirements will suffice under subsection 3.5.2. of this policy.
- 3.3. **"Awards"**: New Century Scholarship funds.
- 3.4. **"Board"**: The Utah ~~State~~ Board of ~~Regents~~Higher Education.
- 3.5. **"Completes the requirements for an associate degree"**: Means that an applicant completes either of the following:
 - 3.5.1. all the required courses for an associate degree from an institution within the Utah System of Higher Education that offers Associate's degrees; and applies for the Associate's degree from the institution; or
 - 3.5.2. all the required courses for an equivalency to the associate degree from a higher education institution within the Utah System of Higher Education that offers Baccalaureate degrees but does not offer Associate's degrees.²
- 3.6. **"Excusable Neglect"** means a failure to take proper steps at the proper time, not in consequence of carelessness, inattention, or willful disregard in the processing of an appeal, but in consequence of some unexpected or unavoidable hindrance or accident.
- 3.7. **"Good Cause"** means the student's failure to meet a scholarship application process requirement was due to circumstances beyond the student's control or circumstances that are compelling and reasonable.

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² Please note the requirement to have the coursework certified by the campus registrar under subsection 5.3 of this policy.

- 3.8. **“High school”**: a public high school established by the Utah State Board of Education or private high school within the boundaries of the State of Utah. If a private high school, it shall be accredited by a regional accrediting body approved by the Board.
- 3.9. **“High school graduation date”**: the day on which the recipient’s class graduates from high school. For home-schooled student refer to subsection 4.2.1 of this policy.
- 3.10. **“Home-schooled”**: refers to a student who has not graduated from a Utah high school and received a high school grade point average (GPA).
- 3.11. **“Math and science curriculum”**: the rigorous math and science curriculum developed and approved by the Board which, if completed, qualifies a high school student for an award. Curriculum requirements can be found at the website of the Utah System of Higher Education.
- 3.12. **“New Century Scholarship”**: a renewable scholarship to be awarded to applicants who complete the eligibility requirements of section 4 of this policy.
- 3.13. **“Reasonable progress”**: enrolling and completing at least twelve credit hours during Fall and Spring semesters and earning a 3.3 GPA or higher each semester. If applicable, students attending summer must enroll full-time according to their institution and or program policy regarding full-time status.
- 3.14. **“Recipient”**: an applicant who receives an award under the requirements set forth in this policy.
- 3.15. **“Renewal Documents”**: a college transcript demonstrating that the recipient has met the required semester GPA and a detailed schedule providing proof of enrollment in twelve credit hours for the semester which the recipient is seeking award payment.
- 3.16. **“Scholarship Appeals Committee”**: means the committee designated by Commissioner of Higher Education to review appeals of Regents’ Scholarship award decisions and take final agency action regarding awards.
- 3.17. **“Scholarship Staff”** means the group assigned to review Regents’ Scholarship applications and make ~~initial~~ decisions awarding the scholarships and deferments.
- 3.18. **“Substantial Compliance”** means the applicant, in good faith, complied with the substantial or essential scholarship application requirements and has demonstrated likely eligibility but failed to comply exactly with the application specifics.
- 3.19. **“The Utah System of Higher Education-- USHE”**: the Utah System of Higher Education, which includes the University of Utah, Utah State University, Weber State University, Southern Utah University, Snow College, Dixie State University, Utah Valley University, and Salt Lake Community College.

R604-4. Recipient Requirements: This section enumerates the requirements to qualify as a recipient. Subsection 4.1. creates the general academic requirements. Subsections 4.2 and 4.3 clarify the exceptions and requirements specific for home-schooled students and students whose graduation date occurs in 2010 or before. Subsections 4.4. through 4.7. establish other generally applicable requirements.

- 4.1 **General Academic Requirements:** Unless an exception applies, to qualify as a recipient a student shall:

4.1.1. complete the requirements for an associate degree³ or the math and science curriculum at a regionally accredited institution within the Utah ~~State~~ System of Higher Education

4.1.1.1. with at least a 3.0 grade point average

4.1.1.2. by applicant's high school graduation date; and

4.1.2. complete the high school graduation requirements of a Utah high school with at least a 3.5 cumulative GPA.

4.2. **Utah Home-schooled Students:** For Utah home-schooled applicants the following exceptions and requirements apply:

4.2.1. **High School Graduation Date for Home-schooled Applicants:**

4.2.1.1. **Completes High School in 2011 and After:** If a home-schooled applicant would have completed high school in 2011 or after, the high school graduation date (under subsection 4.1.1.2.) is June 15 of the year the applicant would have completed high school;

4.2.2. **ACT Composite Score Requirement:** A composite ACT score of 26 or higher is required in place of the high school GPA (under subsection 4.1.2).

4.3. **Mandatory Fall Term Enrollment:** A recipient shall enroll in ~~and successfully complete twelve credit hours at~~ an eligible institution by Fall semester immediately following the student's high school graduation date or receive an approved deferral or leave of absence ~~from the Board~~ under subsection 8.7 of this policy. ~~Documentation shall include the recipient's name, the semester the recipient will attend, the name of the institution they are attending and the number of credits for which the recipient is enrolled.~~

4.4. **Citizenship Requirement:** A recipient shall certify under penalty of law they are a citizen of the United States or a noncitizen who is eligible to receive federal student aid.

~~4.5. — No Criminal Record Requirement: A recipient shall not have a criminal record, with the exception of a misdemeanor traffic citation.~~

~~4.65. **Regents' Scholarship:** A recipient shall not receive both New Century and an award and the Regents' Scholarship, established in Utah Code §53B-8-108 and administered in R609.~~

R604-5 Application Procedures: This section establishes the basic application procedures for an award.

5.1. **Application Contact:** Qualifying students shall apply for the award through the Board.

5.2. **General Procedure:** An application for an award shall contain the following:

5.2.1. **Application Form:** the official online application will become available on the New Century website.

³ Please refer to section 3.5 for clarification.

5.2.2. **College Transcript:** an official college transcript showing college courses, Advanced Placement and transfer work an applicant has completed to meet the requirements for the associate degree and verification of the date the award was earned; and

5.2.3. **High School Transcript:** an official high school transcript with high school graduation dated posted (if applicable).

5.2.4. **ACT Score:** a copy of the student's verified ACT score (if applicable).

5.3. **Registrar Verification:** If an applicant is enrolled at an institution which does not offer an associate degree or an institution that will not award the associate degree until the academic on-campus residency requirement has been met, the registrar must verify that the applicant has completed the equivalent academic requirements under 4.1.1.

5.4. **Application Deadline:** Applicants shall meet the following deadlines:

5.4.1. **Application Submission:** Applicants must submit the official scholarship application no later than February 1 of the year of their high school graduation date or the year they would have graduated from high school.

5.4.2. **Support Documentation Submission:** All necessary support documentation shall be submitted on or before September 1 following the student's high school graduation date. In some cases exceptions may be made as advanced placement and transfer work verification may be delayed at an institutional level and no fault of the applicant. Scholarship awards may be denied if all documentation is not complete and submitted by the specified deadlines. And if any documentation demonstrates that the applicant did not satisfactorily fulfill all coursework and GPA requirements, or if any information, including the attestation of criminal record and citizenship status, proves to be falsified.

5.4.3. **Priority Deadline:** A priority deadline may be established each year. Applicants who meet the priority deadline may be given first priority of consideration for awards.

5.5. **Incomplete Documentation:** Applications or other submissions that have missing information or missing documents are considered incomplete, will not be considered, and may result in failure to meet a deadline.

R604-6 Awards: This section establishes the total value of an award, the power of the Board to change that value, and the eligible institutions where the award may be used.

6.1. **Value of the Award:** -The award is up to the amount provided by the law and determined each Spring by the Board based on legislative funding and number of applicants. -The total value may change in accordance with subsection 6.2.

6.2. **The Board May Decrease Award:** If the appropriation from the Utah Legislature for the scholarship is insufficient to cover the costs associated with the scholarship, the Board may reduce or limit the award.

6.3. **Eligible Institutions:** An award may be used at the following institutions:

6.3.1. For recipients whose high school graduation date is on or before July 1, 2019, award funds may be used at a four-year institution within the Utah System of Higher Education that offers

Baccalaureate programs or a private not-for-profit higher education four-year institution in the state of Utah accredited by the Northwest Commission on Colleges and Universities that offers Baccalaureate programs.

6.3.2. For recipients whose high school graduation date is after July 1, 2019, funds may be used at a four-year institution within the Utah System of Higher Education that offers Baccalaureate programs.-

6.4. **Enrollment at Multiple Institutions:** The award may only be used at the institution from which the student is earning a Baccalaureate degree.

6.5. **Student Transfer:** The award may be transferred to a different eligible institution upon the request of the recipient.

~~6.6. **Regents' Scholarship:** A recipient shall not receive both a Regents' Scholarship and the New Century Scholarship established in Utah Code Section 53B-8-201.~~

R604-7 Disbursement of Award: This section details the disbursement of the award amounts.

7.1. **Disbursement Schedule of Award:** The award shall be disbursed semester-by-semester over the shortest of the following time periods:

7.1.1. Four semesters of enrollment in twelve credit hours;

7.1.2. sixty credit hours; or

7.1.3. until the recipient meets the requirements for a baccalaureate degree.

7.2. **Enrollment Documentation:**- ~~Institutions shall verify the recipient has met the requirements outlined in R604-8. Recipients who do not maintain eligibility may forfeit the remaining award amount. The recipient shall submit to the Scholarship staff a detailed copy of a class schedule verifying that the recipient is enrolled in twelve credit hours or more at an eligible institution. Documentation must include the student's name, the semester the recipient will attend, institution that they are attending and the number of credits the recipient is enrolled.~~

7.4. **Dropped Hours after Award:** If a recipient drops credit hours after having received the award which results in enrollment below twelve credit hours, the scholarship will be revoked and the student may will no longer be eligible for future awards (see 8.1) unless the student needs fewer than twelve credit hours for completion of a degree.

R604-8. Continuing Eligibility: This section establishes the expectations of recipients to renew their award.

8.1 **Reasonable Progress Toward Degree Completion:** The Board may cancel a recipient's scholarship if the student fails to:

8.1.1. **Maintain 3.3 GPA:** to maintain a 3.3 GPA or higher for each semester for which he or she has received awards; or

8.1.2. **Reasonable Progress:** to make reasonable progress (twelve credit hours) toward the completion of a Baccalaureate degree, and submit the documentation by the deadline as described in subsection 8.2. -A recipient must apply and receive an approved deferral or leave of absence

under subsection 8.7 if he or she will not enroll in twelve credit hours continuously for Fall and Spring semesters.

~~8.2. —Duty of Student to Report Reasonable Progress: Each semester, the recipient must submit to the Board a copy of his or her grades to verify that he or she has met the required grade point average and has completed a minimum of twelve credit hours each semester. Recipients will not be paid for the coming semester until the requested documentation has been received. These documents must be submitted by established deadlines.~~

8.23. Probation: If a recipient earns less than a 3.3 GPA in any single semester, the recipient must earn a 3.3 GPA or better the following semester to maintain eligibility for the scholarship. If the recipient again at any time earns less than a 3.3 GPA the scholarship will be revoked.

8.34. Final Semester: A recipient will not be required to enroll in twelve credit hours if the recipient can complete the degree program with fewer credits.

8.45. No Awards after Five Years: The Board will not make an award to a recipient for an academic term that begins more than five years after the recipient's high school graduation date.

8.56. No Guarantee of Degree Completion: An award does not guarantee that the recipient will complete his or her Baccalaureate program within the recipient's scholarship eligibility period.

8.67. Deferral or Leave of Absence:

~~8.67.1. A recipient shall apply to the Board for a deferral, of award or a leave of absence request are reviewed and approved by the institution the student is attending. Student are required to submit deferral and leave of absence request if they do not continuously enroll in fall and spring semester in twelve credit hours.~~

~~8.67.2. A deferral or leave of absence will not extend the time limits of the scholarship under subsection 8.5.~~

~~8.67.3. Deferrals or leaves of absence may be granted, at the discretion of the decision maker Board, for military service, humanitarian/religious service, documented medical reasons, and other exigent reasons.~~

R604-9 Appeals

9.1. Scholarship Determinations: Submission of a scholarship application does not guarantee a scholarship award. ~~The Scholarship Staff shall review individual scholarship applications and make the awards determination. Awards are based on available funding, applicant pool, and applicants' completion of scholarship criteria by the specified deadline.~~

9.2. Appeals: An applicant has the right to appeal the Scholarship Staff's decision by filing an appeal with the Scholarship Appeals Committee subject to the following conditions:

9.2.1. Appeals must be ~~hand-delivered to the office or postmarked~~ submitted within 30 days of the date on which the scholarship notification was issued.

9.2.2 In the appeal, the applicant must provide his or her full name, mailing address, the high school he or she last attended, a statement of the reason for the appeal, and all information

or evidence that supports the appeal. The failure of an applicant to provide the information in this subsection shall not preclude the acceptance of an appeal.

- 9.2.3. An appeal filed before the applicant receives official notification from the Scholarship Staff regarding their application shall not be considered.
- 9.2.4. If an applicant failed to file his or her appeal on time, the Scholarship Appeals Committee shall notify the applicant and give him or her an opportunity to show that the appeal was timely or that it was delayed for excusable neglect. If it is found that the appeal was not timely and the delay was without excusable neglect, the Scholarship Appeals Committee shall not have jurisdiction to consider the merits.
- 9.2.5. The Scholarship Appeals Committee may consider a late appeal on its merits if it determines the appeal was delayed because of excusable neglect.
- 9.2.6. The Scholarship Appeals Committee shall review the appeal to determine if the award decision was made in error, or if the applicant demonstrated substantial compliance with the scholarship application requirements but failed to meet one or more requirements for good cause.
- 9.2.7. If the Scholarship Appeals Committee determines the applicant has shown by a preponderance of the evidence that the initial decision was made in error, it shall either reverse the initial decision or remand it back to the Scholarship Staff for further review in accordance with the Appeals Committee's instructions.
- 9.2.8. If the Scholarship Appeals Committee determines the applicant has shown by a preponderance of the evidence that he or she demonstrated substantial compliance with the application process requirements and good cause for failing to meet one or more of the requirements, the Appeals Committee shall grant the applicant a reasonable period of time to complete the remaining requirements and to resubmit the completed application to the Scholarship Staff for a redetermination.
- 9.2.9. The Scholarship Appeals Committee's decision shall be in writing and contain its findings of facts, reasoning and conclusions of law and notice of the right to judicial review.
- 9.2.10. The Scholarship Appeals Committee's decision represents the final agency action. An applicant who disagrees with the Scholarship Appeal Committee's Decision may seek judicial review in accordance with Utah Code Ann. 63G-4-402.

R609-10 Reporting

10.1. As directed by Commissioner's staff, eligible institutions shall report to the Board the following:

10.1.1. The names of students the institutions awarded New Century Scholarship funds.

10.1.2. Enrollment information such as the current GPA, the number of credits completed, and deferment or leave of absence information.

10.1.3. Other information deemed necessary to evaluate eligibility or the effectiveness of the program.

10.2. The Board may, at any time, request additional documentation or data related to the Regents Scholarship and may review or formally audit an eligible institution's compliance with this policy.