

## **R620, Utah Promise Program Grant<sup>1</sup>**

**R620-1** The following policy has been codified<sup>2</sup> 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 – Fraudulently Obtaining Benefits – Criminal Penalties – Annual Report
- 2.3** Utah Code § 53B-2-101, Institutions of Higher Education – Corporate Bodies - Powers
- 2.4** Utah Code § 53B-8-102, Definitions - Resident Student Status - Exceptions
- 2.5** Utah Code § 53B-8-106, Resident Tuition – Requirements - Rules
- 2.6** Board Policy 512, Resident Student Status

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

#### **R765-620. Utah Promise Program Grant.**

##### **R765-620-1. Purpose.**

The purpose of this rule is to provide the rules and procedures for implementing the Utah Promise Program Grant.

##### **R765-620-2. Authority.**

Title 53B, Chapter 13a, Utah Promise Program Act, authorizes this rule.

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<sup>1</sup>Adopted May 17, 2019; amended May 15, 2020; May 20, 2022; May 18, 2023; March 1, 2024; and May 15, 2025.

<sup>2</sup> This 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.

### **R765-620-3. Definitions.**

- (1) "Board" means the Utah Board of Higher Education.
- (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) "FAFSA" means Free Application for Federal Student Aid.
- (4) "Institution" means:
  - (a) an institution of higher education listed in Subsection 53B-1-102; or
  - (b) a Utah private, non-profit postsecondary educational institution that enters into an agreement with the Office of the Commissioner of Higher Education to participate in this program.
- (5) "OCHE" means the Office of the Commissioner of Higher Education.
- (6) "Promise grant" means a grant awarded under Title 53B, Chapter 13a, Utah Promise Program Act and administered under this rule.
- (7) "Utah Promise Program" means the grant program established under Title 53B, Chapter 13a, Utah Promise Program Act.

### **R765-620-4. Qualifications.**

- (1) To qualify for a promise grant, an applicant shall:
  - (a) be enrolled at an institution;
  - (b) either:
    - (i) qualify for Utah resident student status under Section 53B-8-102 and Board Policy R512; or
    - (ii) qualify for resident tuition under Section 53B-8-106;
  - (c) demonstrate financial need, in accordance with Subsection R765-620-6;
  - (d) accept all other grants, tuition and 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)(a) Each institution shall annually revise and publish eligibility criteria in all publications referencing the grant.

(b) Each institution shall disclose in any publications about the promise grant that program funds are limited and subject to change.

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

#### **R765-620-5. Application Process.**

(1)(a) Each institution shall establish an application process consistent with this rule that applicants can easily access and complete.

(b) 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 each applicant is required to submit all required materials.

(3) The institution shall:

(a) determine the most efficient method for issuing grant funds; and

(b) collect the information necessary for that purpose.

(4)(a) Each applicant shall complete and submit:

(i) the FAFSA; or

(ii) the alternative financial form approved by the board;

(b) the grant application, if applicable; and

(c) any required documentation.

#### **R765-620-6. Prioritization.**

Each institution shall:

(1) prioritize grants based primarily on financial need; and

(2) establish criteria to assess an applicant's financial need, which shall use quantifiable, need-based measures. For example, an institution may establish a range with a minimum and maximum need index based on the FAFSA 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) Each institution shall prioritize the grant based primarily on financial need as outlined in R765-620-6.

(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.**

(1) Each eligible recipient may receive a promise grant until the recipient:

(a) earns a first bachelor's degree; or

(b) attempts 120 credit hours.

### **R765-620-9. Competency-based Assessment.**

Each 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.

### **R765-620-10. Grant Transfers.**

(1) A recipient may transfer to another institution and retain eligibility for the grant, if the recipient meets the qualifications defined in Section R765-620-4 at the institution to which the recipient is transferring.

(2) Each recipient shall be responsible to inform the financial aid office at the institution to which the recipient is transferring that the recipient is receiving the promise grant at the recipient's current institution.

(3) The financial aid offices at each respective institution shall coordinate the transfer of scholarship information.

(4) Upon transfer, the institution may prioritize the award of any eligible recipient before all others awarded in accordance with Subsection R765-620-6.

(5) The institution to which the recipient is transferring shall make adjustments in a recipient's award in accordance with Section R765-620-7.

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

(1) In determining how to allocate program funds to an institution, the board shall 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 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 and students who qualified for resident tuition in the most recently completed award year by all participating institutions.

#### **R765-620-12. Grant Cancellation.**

If a recipient no longer meets the eligibility requirements, the institution shall cancel the recipient's grant, and no remaining funds shall be released.

#### **R765-620-13. Reporting.**

(1) As specified by the Office of the Commissioner of Higher Education, 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 other promise grant award information for the most recently completed fiscal year.

(2) The Office of the Commissioner of Higher Education may, at any time, request additional documentation or data related to the program grant and may review or formally audit an institution's documentation and compliance with this rule.

(3) By March 1 of each year, any participating institution's financial aid directors shall 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. Administrative Costs.**

The board may use up to 2% 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.**

(1) Each participating institution shall 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.

(2) 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 3% of the funds it receives for the Utah Promise Program to cover administrative costs.

(b) The institution may carry forward or carry back a limited portion of its promise grant allocation from one award year to another, subject to specific guidelines and approval by the board.

(c) 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.

(d) Absent approval by the board for a carry forward amount, each institution shall return unused funds to the board.

(e) The board shall redistribute unused program funds to the other eligible institutions as supplemental promise grant allocations for disbursement during the same award year.

(f) Promise grant allocations budgeted for administrative expenses may not be part of any carryover.

(g) There shall be no exception to these terms and conditions unless approved in advance by the board.

**R765-620-17. Report to Higher Education Appropriations Subcommittee.**

The board shall submit an electronic report annually to the Higher Education Appropriations Subcommittee about the Utah Promise Program.