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**IDAPA 08
TITLE 01
CHAPTER 05**

08.01.05 - IDAHO PROMISE SCHOLARSHIP PROGRAM

000. LEGAL AUTHORITY.

These rules are promulgated pursuant to the authority of the State Board of Education (the Board) under Section 33-105 and Title 33, Chapter 43, Idaho Code. (3-15-02)

001. TITLE AND SCOPE.

These rules shall be known as IDAPA 08.01.05, "Idaho Promise Scholarship Program". These rules constitute the requirements for the Idaho Promise Scholarship Program, Category A and Category B. (3-15-02)

002. WRITTEN INTERPRETATIONS.

In accordance with Section 67-5201(19)(b)(iv) Idaho Code any written interpretation of the rules of this chapter are available at the Board office. (3-15-02)

003. ADMINISTRATIVE APPEAL.

Unless otherwise provided for in the rules of the Board or in the State Board of Education Governing Policies and Procedures, all administrative appeals allowed by law shall be conducted as provided herein. (3-15-02)

004. INCORPORATION BY REFERENCE.

There are no documents to incorporate by reference pursuant to, and in accordance with Section 67-5229, Idaho Code. (3-15-02)

005. OFFICE -- OFFICE HOURS -- MAILING ADDRESS AND STREET ADDRESS.

The principal place of business of the Board is in Boise, Idaho. The mailing address is PO Box 83720, Boise, ID 83720-0037. The Board's street address is 650 West State Street, Room 307, Boise, Idaho, 83702. The office hours are from 8 a.m. to 5 p.m., except Saturday, Sunday and legal holidays. (3-15-02)

006. PUBLIC RECORDS ACT COMPLIANCE.

This rule has been promulgated in accordance with the Administrative Procedure Act, Title 67, Chapter 52, Idaho Code, and is a public record. (3-15-02)

007. DEFINITIONS.

These definitions are applicable to this chapter only. (3-15-02)

01. Full-Time Student. An average of at least twelve (12) credit hours per semester, including any remedial coursework. (3-15-02)

02. Secondary School Equivalent. The instruction of students in grades nine (9) through twelve (12), provided by home schools or other educational delivery systems or by successful completion of the General Educational Development (GED) test. (3-15-02)

03. Idaho Secondary School. Any secondary school located in the state of Idaho, including secondary schools located in border school districts attended by Idaho residents in accordance with Section 33-1403, Idaho Code. (3-15-02)

04. High School Record For Category A Students. An individual's rank in his secondary school class, cumulative grade point average (GPA) for grades nine (9) through twelve (12), and difficulty of course load taken as certified by an official of such secondary school. (3-15-02)

05. High School Record For Category B Students. An individual's secondary school cumulative grade point average for grades nine (9) through twelve (12), or a composite score on the American College Test (ACT), or a sum of sub-scores on the ACT Computerized Adaptive Placement Assessment and Support System (COMPASS), or a combined score on the College Board's Scholastic Aptitude Test I (SAT). (3-15-02)

008. -- 099. (RESERVED).

100. OBJECTIVES OF THE IDAHO PROMISE SCHOLARSHIP PROGRAM.

The legislature has recognized and declared that substantial economic and social benefits accrue to the state because of an educated citizenry, and that the encouragement of the State's most talented Idaho secondary school graduates to enroll in Idaho educational institutions is an important element for assuring the future leadership in the State. See Chapter 43, Title 33, Idaho Code. The Idaho Promise Scholarship Program recognizes high standards of achievement, as measured by competitive examination and high school records of graduates of public, private, or the equivalent secondary schools in Idaho who attend public or independent postsecondary institutions in Idaho. (3-15-02)

101. NUMBER OF SCHOLARSHIPS -- PRIORITY FOR AWARD.

01. Number Of Idaho Promise Category A Scholarships. The total number of initial and continuing scholarships will not exceed the number authorized in the "Idaho Promise Scholarship Program" or by the appropriation to support the program, whichever is less. The number of initial scholarships to individuals enrolled in professional-technical programs will not be less than twenty-five percent (25%) of the total number of initial scholarships awarded during any one (1) year, contingent upon a sufficient number of qualified professional-technical applicants. If the number of qualified professional-technical applicants is not sufficient, additional awards will be given to qualified academic applicants. (3-15-02)

02. Priority For Category A Scholarships. In the event the state of Idaho does not provide an appropriation sufficient to support the maximum number of scholarships authorized by the "Idaho Promise Scholarship Program," the priority for initial and continuing scholarships will be as follows: (3-15-02)

a. Highest priority is given to continuing recipients in an order beginning with the date of the initial award. However, in the event further priority must be established among continuing recipients, the recipient's rank within his academic or professional-technical major and class will be used, with priority given to the recipient with a higher ranking within his academic or professional-technical major and class. (3-15-02)

b. Secondary priority is given to initial scholarship recipients until the appropriation is exhausted or the maximum number of initial scholarships authorized by the "Idaho Promise Scholarship Program" is reached, whichever is less. (3-15-02)

03. Number Of Idaho Promise Category B Scholarships. The total number of scholarships awarded to Category B students will be determined annually by the Board based on the number of eligible students as certified by the eligible postsecondary institutions, the individual award amount, and the availability of funds. (3-15-02)

04. Priority For Category B Scholarships. In the event that the state of Idaho does not provide an appropriation sufficient to award the maximum amount of the scholarship authorized by the Idaho Promise Scholarship Program, the Board may proportionally decrease the amount of the scholarship so as to provide an award to all eligible students. (3-15-02)

102. MONETARY VALUE OF THE SCHOLARSHIP.

01. Monetary Value. The monetary value of each scholarship shall be set annually by the Board in accordance with Sections 33-4307(3) et seq., Idaho Code. (3-15-02)

02. Duration. The grant covers up to one (1) educational year or equivalent for attendance at an eligible postsecondary educational institution. (3-15-02)

103. SELECTION AND ELIGIBILITY REQUIREMENTS OF SCHOLARSHIP RECIPIENTS.

01. Selection And Eligibility Requirements. Selection and eligibility requirements for a scholarship are based upon the provisions of the "Idaho Promise Scholarship Program." Applicants for the Idaho Promise Scholarship are responsible for providing to the eligible institution in which he intends to enroll any and all information necessary for said institution to verify a student's eligibility for the Idaho Promise Scholarship. (3-15-02)

02. Educational Costs. The recipient must certify that his scholarship, if awarded, will be used only for educational costs as defined in Section 33-4306, Idaho Code. (3-15-02)

03. Enrollment. The recipient must pursue an undergraduate course of study leading to a degree, certificate, diploma, or other documentation of completion, which requires at least six (6) months, or equivalent of consecutive attendance. Furthermore, the applicant shall not enroll in an educational program leading directly to a baccalaureate degree in theology or divinity. (3-15-02)

04. Compliance. The recipient must comply with all the provisions of the "Idaho Promise Scholarship Program" and these rules. (3-15-02)

05. Category B Recipients. First time applicants who intend to enroll in an eligible Idaho postsecondary institution and who meet the eligibility requirements of the Idaho Promise Category B Scholarship as verified by the designated financial aid or scholarship office of the eligible institution will receive the Category B Scholarship, provided said student is not a recipient of the Category A Scholarship. Criteria used to determine eligibility includes the following: (3-15-02)

a. Grade Point Average for Category B Scholarship. Applicants must have a cumulative secondary school (grades nine (9) through twelve (12)) GPA of three point zero (3.0) or better on a scale of four point zero (4.0). The participating educational institutions will consider the GPA as indicated on the high school transcript at the time of application to said institution without regard to whether the GPA is weighted or unweighted. (3-15-02)

b. ACT or Equivalent Score. Applicants who do not have a three point zero (3.0) grade point average must verify a composite score of twenty (20) or better on the ACT assessment, or a corresponding score on the SAT I as established on the ACT/SAT I equivalency table, or at least a combined score of one hundred ninety-five (195) from the Writing Skills, Reading Skills and Algebra areas of the ACT COMPASS examination. (3-15-02)

c. The applicant must have completed secondary school or its equivalent in the state of Idaho as defined in Section 007 of this chapter. (3-15-02)

d. An individual must be under the age of twenty-two (22) on July 1 of the educational year in which the initial award is made. (3-15-02)

e. An individual must enroll as a full-time student for the first time in the 2001- 2002 or subsequent educational years. (3-15-02)

f. The applicant must comply with all the provisions of the "Idaho Promise Scholarship Program" and these rules. (3-15-02)

06. Category A Recipients. Applicants who intend to enroll in academic programs at eligible Idaho postsecondary educational institutions are selected as recipients on the basis of their high school record as defined in this chapter. Applicants who intend to enroll in professional-technical programs at eligible Idaho postsecondary educational institutions are selected on the basis of performance on the ACT COMPASS exam and grade point average (GPA) in grades nine through twelve (9-12). Criteria used during the selection process are as follows: (3-15-02)

a. High School Record and GPA. Academic applicants must rank in the top ten percent (10%) of their graduating class, and have a cumulative GPA of three point five (3.5) or better on a scale of four point zero (4.0). Professional-technical applicants must have a cumulative GPA of two point eight (2.8) or better on a scale of four point zero (4.0). (3-15-02)

b. ACT Composite Score. Academic applicants must verify an ACT composite score of twenty-eight (28) or better. (3-15-02)

c. COMPASS Score. Professional-technical applicants must provide a copy of their ACT COMPASS report, which must include scores from the Writing Skills, Reading Skills and Mathematics sections of the COMPASS. Scores on the COMPASS report will be evaluated as a whole and used to rank professional-technical

applicants. (3-15-02)

d. Attendance. The applicant must be attending an accredited Idaho public or private secondary school and must declare his intention of enrolling at an eligible public or private postsecondary educational institution in Idaho (as defined in Section 33-4306(1), Idaho Code) during the academic year immediately following his graduation from secondary school. (3-15-02)

e. ACT, GPA and High School Rank. Academic applicants are ranked against other academic applicants, and professional-technical applicants are ranked against other professional – technical applicants. (3-15-02)

i. Equal weight is given to the academic applicant's performance on the prescribed ACT measurements, the applicant's cumulative GPA and the rank in the secondary school from which the applicant will be graduated. (3-15-02)

ii. Equal weight is given to the professional-technical applicant's performance on the COMPASS and cumulative GPA. (3-15-02)

104. CONTINUING ELIGIBILITY.

To remain eligible for renewal of a scholarship following the successful completion of the first or freshman year of study, the recipient must comply with all of the provisions of the Idaho Promise Scholarship Program and these rules in addition to the following requirements: (3-15-02)

01. Credit Hours. Enroll in and complete at least an average of twelve (12) credit hours per semester during the educational year in which the student receives the award at an eligible postsecondary institution. (3-15-02)

02. GPA. Students who do not meet the GPA and enrollment requirements at the end of the educational year will forfeit the scholarship in subsequent years. (3-15-02)

03. Transfer Of Scholarship. A recipient who transfers from one eligible postsecondary educational institution in Idaho to another must comply with all of the requirements of the Idaho Promise Scholarship Program and these rules to maintain eligibility for the scholarship. In addition, the Category A recipient must file a statement with the Office of the State Board of Education declaring his intention to transfer as a full-time undergraduate student in an academic or professional-technical program in an eligible postsecondary educational institution in Idaho for the succeeding year no later than sixty (60) days prior to the first day of the academic term in which the student intends to enroll. (3-15-02)

04. Eligibility Following Interruption Of Continuous Enrollment. A Category A recipient whose continuous enrollment is interrupted for more than four (4) months for any reason but who intends to re-enroll in an eligible postsecondary educational institution in Idaho must file a letter of intent to interrupt continuous enrollment no later than sixty (60) days prior to the first day of the academic term of the discontinued attendance. Failure to do so may result in forfeiture of the scholarship. The Office of the State Board of Education will review each request for interruption and notify the applicant of approval or denial of the request. In addition, the recipient must file a statement with the Office of the State Board of Education declaring his intent to re-enroll as a full-time undergraduate student in an academic or professional-technical program in an eligible postsecondary institution in Idaho for the succeeding academic year no later than thirty (30) days prior to the first day of the academic term in which the student intends to re-enroll. (3-15-02)

05. Category A Recipient. (3-15-02)

a. Must file a statement with OSBE each year declaring his intention to continue as a full-time undergraduate student in an academic or professional-technical program at an eligible postsecondary educational institution in Idaho for the succeeding year. The Office of the State Board of Education will provide to each eligible institution a list of anticipated recipients. The education official of each institution shall certify to the Office of the State Board of Education the current cumulative GPA of those recipients attending said institution. (3-15-02)

b. Must maintain high standards of performance and rank within the top fifty percent (50%) of the

students in his academic or professional-technical major and class, with a cumulative GPA of three point zero (3.0) or better. (3-15-02)

06. Category B Recipient. The Category B recipient must maintain high standards of performance by achieving and maintaining a two point five (2.5) cumulative GPA on a four point zero (4.0) system. (3-15-02)

105. SCHEDULE FOR APPLICATION, NOTICE, AND RESPONSE TO COMMUNICATIONS, CATEGORY A SCHOLARSHIP.

01. Initial Applications. Completed applications for initial scholarships must be postmarked no later than December 15 for the awarding of initial scholarships for each succeeding year. (3-15-02)

02. Announcement Of Award. Announcement of award of initial scholarships will be made no later than May 1 of each year, with awards to be effective July 1 of that year. (3-15-02)

03. Deadline For Acceptance. An applicant notified that he has been selected as a recipient must respond in writing by the date specified regarding his intent to accept the award. Failure to submit a response of acceptance in writing will result in forfeiture of the scholarship. (3-15-02)

04. Communication With State Officials. Applicants for either initial or continuing scholarships must respond by the date specified to any communication from officials of the Idaho Promise Scholarship Program. Failure to respond within the time period specified will result in cancellation of the application or forfeiture of the scholarship unless extenuating circumstances are involved. (3-15-02)

106. RESPONSIBILITIES OF SCHOLARSHIP APPLICANTS AND RECIPIENTS.

01. Application For Initial Scholarship. Applicants for the Idaho Promise Scholarship are responsible for any errors or omissions in the information provided on the application form or to the eligible postsecondary institutions. The State Board of Education, the Office of the State Board of Education, any official of an eligible postsecondary educational institution in Idaho, American College Testing, and any official of the Idaho Promise Scholarship Program, individually or collectively, are not responsible for any information provided by an applicant on the application form or for any errors or omissions in the information provided by the applicant. In addition, each applicant must submit the required standardized test scores. Applications submitted without the required standardized scores are incomplete and will not be considered for the scholarship. (3-15-02)

02. Submission of Application. Applicants for initial Idaho Promise Category A Scholarships are responsible for submitting completed application forms to the Idaho Promise Scholarship Program at the Office of the State Board of Education. Applicants for the Idaho Promise Category B Scholarship must apply to the eligible postsecondary institution that they plan to attend in accordance with their internal procedures. (3-15-02)

03. Unused Scholarship Balances. Following the initial award of the scholarship, each recipient is responsible for remitting any reasonable unused scholarship balances to the State Board of Education in the event the recipient discontinues attendance before the end of any semester, quarter, term, or equivalent. (3-15-02)

107. ADDITIONAL RESPONSIBILITIES OF ELIGIBLE POSTSECONDARY INSTITUTIONS.

In addition to other responsibilities provided for in this chapter, officials of Idaho postsecondary educational institutions in which scholarship recipients have enrolled are responsible for the following: (3-15-02)

01. Number of Category B Recipients. The total number of grants to Category B students will be determined annually. (3-15-02)

a. The officials of eligible Idaho postsecondary educational institution are responsible for identifying eligible Category B recipients in accordance with Promise Scholarship Program and these rules. (3-15-02)

b. The officials must provide to the Office of the State Board of Education an estimation of the number of Idaho Promise Category B recipients enrolled at the postsecondary institution during each of the corresponding academic terms. (3-15-02)

02. Annual Report to State Board of Education. The officials must report annually to the Board the number of students for each term receiving a Category B award and the number of awards that were matched by the institution. (3-15-02)

03. Annual Educational Costs. The officials must certify that the Idaho Promise Category A Scholarship award does not exceed the average educational costs for students who will be enrolled during the succeeding year. (3-15-02)

04. Certification Of Enrollment. The officials must certify that scholarship recipients have actually enrolled as full-time students. Such certification for Category A recipients must be submitted within thirty (30) days following the end of the regular enrollment period. (3-15-02)

05. Withdrawal From Institution. In the event a scholarship recipient withdraws from the college, school, or university, the officials at the college, school, or university must certify to the Office of the State Board of Education that the recipient has withdrawn. Furthermore, in the event a recipient withdraws from all classes within the first sixty percent (60%) of any semester, quarter, term, or equivalent, the officials must remit to the Office of the State Board of Education a prorated share of any scholarship payments made to the institution, up to the full amount of the scholarship received for the current semester, quarter, term, or equivalent. (3-15-02)

a. Remittance in Case of Discontinued Attendance. The refund to the Promise Scholarship Program shall be calculated as follows: refund due to the student from the educational institution minus federal financial aid repayments as calculated in accordance with The Return of Title IV Funds Formula, provides the refund due the Promise Scholarship, up to the total amount the student received for the term. The educational institution must remit the balance if any as provided in Section 108 of this chapter. (3-15-02)

b. Waiver. In the event of extreme hardship as determined by the professional judgment of the designated official at the educational institution, a student may request to the educational institution a waiver of remittance. Members of the National Guard or Reserves who have been ordered to active military duty are eligible for a waiver of remittance. Each institution shall provide to the Office of the State Board of Education an accounting of all waivers granted. (3-15-02)

108. PAYMENT OF SCHOLARSHIPS.

Scholarships will be awarded on an annual basis and payments will correspond to academic terms, semesters, quarters, or equivalent units. In no instance will the entire amount of a scholarship be paid in advance to or on behalf of a scholarship recipient. (3-15-02)

01. Category A Payments. Payments are made in the name of the recipient and will be sent to a designated official at the postsecondary educational institution in which the recipient is enrolled. The official must transmit the payment to the recipient within a reasonable time following receipt of the payment. (3-15-02)

02. Category B Payments. Payments will be sent to a designated official at the eligible postsecondary educational institution based upon the estimated number of recipients expected to enroll at the institution as provided for in Section 107 of this chapter. The official must transmit the payment to the recipients within a reasonable time following receipt of the payment. Transmittal of funds for the scholarship will be in accordance with a schedule established by the Office of the State Board of Education. The schedule will also establish dates by which the following activities will occur to ensure accurate and timely payments to the postsecondary institutions on behalf of recipients. (3-15-02)

a. Number of Estimated Recipients: The postsecondary educational institutions must submit to the Office of the State Board of Education the estimated number of Idaho Promise Category B fall term and spring term recipients each educational year. (3-15-02)

b. Semester Payment Schedule. The Office of the State Board of Education shall distribute scholarship funds to a designated official at the postsecondary educational institutions at least fifteen (15) days prior to the start of the fall and spring academic terms. (3-15-02)

c. Mid-semester Adjustments. The postsecondary educational institution must submit mid-semester scholarship adjustment information, including refunds resulting from withdrawal from the institution, which reports the actual number of students who were eligible to receive the Category B Scholarship to the Office of the State Board of Education each academic term of the educational year. (3-15-02)

i. Where the postsecondary educational institution has underestimated the number of scholarship recipients, the Office of the State Board of Education will send an additional payment on behalf of those students to the educational institutions each academic term of the educational year. (3-15-02)

ii. Where the postsecondary educational institution has overestimated the number of fall recipients, the Office of the State Board of Education will deduct the amount overpaid to the educational institution from its spring semester payment. Spring semester overpayments to the educational institutions must be refunded to the Office of the State Board of Education prior to the end of the educational year. (3-15-02)

d. Year-End Final Report. The postsecondary educational institution must submit to the Office of the State Board of Education prior to the end of the educational year a final report indicating for each term the number of students that received an Idaho Promise Category B scholarship and the number of Category B scholarships that were matched by the institution. Any outstanding overpayment made to the institution during the educational year must accompany the final year-end report. (3-15-02)

109. ADMINISTRATION.

The State Board of Education has delegated to the Office of the State Board of Education the responsibility for the administration of the Idaho Promise Scholarship Program. As administrator, the Office of the State Board of Education is responsible for releasing any public information regarding the Idaho Promise Scholarship Program, determination of scholarship recipients, determination of procedures for payment of scholarships to recipients, maintaining fiscal controls and accounting procedures, preparing annual reports as required, and authorizing release of all forms, affidavits, and certification necessary for the operation of the program. (3-15-02)

110. APPEAL PROCEDURE.

Any Category B applicant or recipient adversely affected by a decision made under provisions of this chapter may appeal using the institution's financial aid appeals process. Any Category A applicant, recipient, or eligible postsecondary educational institution, or any Category B applicant who desires further consideration of an appeal after the institutional decision has been reached, may appeal to the State Board of Education. The applicant, recipient, or eligible postsecondary educational institution must submit the appeal in writing no later than thirty (30) days following notice of the decision, and the written statement must include a statement of the reason the applicant, recipient, or eligible postsecondary educational institution believes the decision should be changed. The appeal must be submitted to the president of the State Board of Education in care of the Office of the State Board of Education, which must acknowledge receipt of the appeal within seven (7) days. The president of the Board may or may not agree to review the action, or may appoint a subcommittee of three (3) persons, including at least one (1) financial aid administrator at an eligible postsecondary educational institution in Idaho. (3-15-02)

01. Transmittal To Subcommittee. If the appeal is transmitted to the subcommittee, the subcommittee will review the appeal and submit a written recommendation to the president of the State Board of Education within fifteen (15) days from the time the subcommittee receives the appeal document. The applicant, recipient, or institution initiating the appeal will be notified by the chairperson of the subcommittee of the time and place when the subcommittee will consider the appeal and will be allowed to appear before the subcommittee to discuss the appeal. (3-15-02)

02. Subcommittee Recommendations. Following the subcommittee's decision, the president of the State Board of Education will present the subcommittee's recommendation to the State Board of Education at the next regularly scheduled meeting of the Board. The applicant, recipient, or eligible postsecondary educational institution initiating the appeal may, at the discretion of the president of the State Board of Education, be permitted to make a presentation to the Board. (3-15-02)

03. Board Decision. The decision of the State Board of Education is final, binding, and ends all administrative remedies, unless otherwise specifically provided by the Board. The State Board of Education will inform the applicant, recipient, or eligible postsecondary educational institution in writing of the decision of the State

Board of Education.

(3-15-02)

111. AUTHORITY OF THE STATE BOARD OF EDUCATION.

With the sole exception of the ability to audit the Idaho Promise Scholarship Program as set forth in Section 112 of this chapter, these rules do not grant any authority to the State Board of Education and Board of Regents of the University of Idaho to control or influence the policies of any eligible, nonpublic postsecondary education institution or community college because those institutions accept as students recipients of the Idaho Promise Scholarship, nor do these rules require any institution to admit or, once admitted, retain a recipient of an Idaho Promise Scholarship.

(3-15-02)

112. AUDIT.

Participating institutions shall agree in advance to submit to regular, periodic audits by the legislative auditor and/or an auditor designated by the Board to ensure compliance with the statutes, rules, and policies governing the Idaho Promise Scholarship Program.

(3-15-02)

113. -- 999. (RESERVED).

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