

## Crosswalk Rule to Statute – AP Exam Fee Grant Program

Rule 1 CCR 301-103 Rules for the Administration of the AP Exam Fee Grant Program	Statute 22-95.5-101 et. seq., C.R.S. Advanced Placement Exam Fee Grant Program
<p><b>1.00 STATEMENT AND BASIS OF PURPOSE</b></p> <p>The statutory basis for these rules is found in section 22-95.5-101, et. seq. C.R.S. The Advanced Placement Exam Fee Grant Program is intended to increase the number of eligible students who take advanced placement exams and receive scores for which college academic credit is awarded by providing funds to high schools, to pay all or a portion of advanced placement exam fees on behalf of eligible students.</p>	<p><b>22-95.5-102. Advanced placement exam fee grant program - creation – rules</b></p> <p>(1) There is created in the department the advanced placement exam fee grant program to increase the number of eligible students who take advanced placement exams and receive scores for which college academic credit is awarded by providing funds to high schools to pay all or a portion of advanced placement exam fees on behalf of eligible students.</p>
<p><b>2.00 DEFINITIONS</b></p> <p>2.01 “Advanced placement” means the Advanced Placement program administered by the College Board.</p> <p>2.02 “Applicant” means a public high school, either on its own behalf or through its authorizer or fiscal agent, which serves grades nine through twelve and has one or more students who plan to take an advanced placement exam. A school district, authorizer, or high school (as defined in section 2.06 of these rules) may act as an applicant.</p> <p>2.03 “Department” means the Department of Education created pursuant to section 24-1-115, C.R.S.</p> <p>2.04 “Eligible student” means a student enrolled in a high school who is a low-income individual, as defined in 20 U.S.C. sec.</p>	<p><b>22-95.5-101. Definitions</b></p> <p>(1) "Department" means the department of education created and existing pursuant to section 24-1-115.</p> <p>(2) "Eligible student" means a student enrolled in a high school who is a low-income individual, as defined in 20 U.S.C. sec. 6537, and who is planning to take one or more advanced placement exams.</p> <p>(3) "Grant program" means the advanced placement exam fee grant program created in section 22-95.5-102.</p> <p>(4) "High school" means any public school that serves grades nine through twelve and has one or more students who plan to take an advanced placement exam.</p>

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<p>9832(3)<sup>1</sup> and who is planning to take one or more advanced placement exams.</p> <p>2.05 “Grant program” means the advanced placement exam fee grant program created in section 22-95.5-102, C.R.S.</p> <p>2.06 “High school” means any public school that serves grades nine through twelve and has one or more students who plan to take an advanced placement exam.</p>	<p>(5) "State board" means the state board of education created and existing pursuant to section 1 of article IX of the state constitution.</p>
<p><b>3.00 APPLICATION INFORMATION</b></p> <p><b>3.01 Application Timeline</b></p> <p>3.01(1) Beginning with the 2018-2019 academic year, grant applications must be submitted to the department no later than April 1st.</p>	<p><b>22-95.5-102. Advanced placement exam fee grant program - creation – rules</b></p> <p>(4) Pursuant to article 4 of title 24, the state board shall promulgate rules to implement the grant program, including rules relating to:</p> <p style="padding-left: 40px;">(a) The application process, including application requirements and deadlines;</p>
<p><b>3.02 Application Procedures</b></p> <p>3.02(1) The department will implement the grant program and develop a grant application form. Each application must specify:</p>	<p><b>22-95.5-102. Advanced placement exam fee grant program - creation – rules</b></p> <p>(4) Pursuant to article 4 of title 24, the state board shall promulgate rules to implement the grant program, including rules relating to:</p>

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<sup>1</sup> Section 22-95.5-101(2), C.R.S. (2018) cites to the former 20 U.S.C. § 6537, but the federal definition which it seeks to incorporate has been relocated. The Every Student Succeeds Act defines "low-income student" in connection with Advanced Placement and International Baccalaureate programs at 20 U.S.C. § 9832(3).

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<p>3.02(1)(a) applicant name, including name of high school and district or authorizer;</p> <p>3.02(1)(b) total number of advanced placement exams for which the applicant requests funding;</p> <p>3.02(1)(c) total number of eligible students planning to take advanced placement exams for which the applicant requests funding;</p> <p>3.02(1)(d) subject matter or exam name of advanced placement exams for which the applicant is requesting funding;</p> <p>3.02(1)(e) amount of federal funding (e.g. Title IV Part A and Title I) set aside, pledged or received to pay for advanced placement exam fees, and for how many students and exams funding applies, if applicable;</p> <p>3.02(1)(e)(i) assurance that funds from this program will not supplant federal funding pledged or received for the payment of advanced placement exam fees.</p> <p>3.02(1)(f) assurance that grant funds will be used only for advanced placement exam fees of eligible students as verified through the process outlined in section 3.03 of these rules;</p> <p>3.02(1)(g) if the applicant is a high school that applies on its own, an assurance that its fiscal agent or authorizer has not applied for funding on its behalf for the same eligible students for which the high school is requesting funds.</p>	<p>(a) The application process, including application requirements and deadlines;</p>
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<p>3.02(2) By June 1st, applicants must verify in writing to the department the number of advanced placement exams actually administered to eligible students.</p>	
<p><b>3.03 Process for Student Eligibility</b></p> <p>3.03 (1) An applicant must verify and provide an assurance to the department that a student for whom the applicant seeks a grant award for exam fees is an eligible student. In verifying and providing the assurance, applicants must confirm that an eligible student is a child ages 5 through 19, and from a low-income family, based on the following eligibility criteria</p> <p>3.03(1)(a) The student qualifies for free or reduced-price lunches under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751); or</p> <p>3.03(1)(b) The student or his or her family is eligible for assistance under part A of title IV of the Social Security Act (42 U.S.C. 601); or</p> <p>3.03(1)(c) The student is eligible to receive medical assistance under the Medicaid program under title XIX of the Social Security Act (42 U.S.C. 1396); or</p> <p>3.03(1)(d) The student qualifies as low-income based on data used by the federal Department of Education to determine basic grants to states under 20 U.S.C. 6333; or</p> <p>3.03(1)(e) The student is determined to be low-income through an alternate method that combines or extrapolates from the data in sections 3.03(1)(a) through 3.03(1)(d) of these rules.</p>	<p><b>22-95.5-102. Advanced placement exam fee grant program - creation – rules</b></p> <p>(4) Pursuant to article 4 of title 24, the state board shall promulgate rules to implement the grant program, including rules relating to:</p> <p style="padding-left: 40px;">(b) A process for verifying student eligibility; and</p> <p><b>22-95.5-101. Definitions</b></p> <p>(2) "Eligible student" means a student enrolled in a high school who is a low-income individual, as defined in 20 U.S.C. sec. 6537, and who is planning to take one or more advanced placement exams.</p>

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<p><b>3.04 Application Review Criteria</b></p> <p>3.04(1) In reviewing applications, the department shall consider the following criteria:</p> <p>3.04(1)(a) the number of eligible students participating in advanced placement exams, and the number of advanced placement exams administered by the high school;</p> <p>3.04(1)(b) whether or not funds will be used for an eligible student as defined in section 2.04 of these rules, and verified by the applicant pursuant to section 3.03 of these rules; and</p> <p>3.04(1)(c) whether or not the high school receives and uses federal funding to cover advanced placement exam fees.</p>	<p><b>22-95.5-102. Advanced placement exam fee grant program - creation – rules</b></p> <p>(2) The department shall administer the grant program in accordance with state board rules. The department shall:</p> <p>(a) Accept and review grant applications received from high schools;</p> <p>(b) Determine the amount, based on available appropriations, that will be awarded for each advanced placement exam that will be administered to an eligible student; and</p> <p>(c) Award grants, at the amount set for each exam that will be administered to an eligible student, determined pursuant to subsection (2)(b) of this section, to each high school that has submitted an application.</p>
<p><b>3.05 Duration and Amount of Grant Awards</b></p> <p>3.05(1) Subject to available appropriations, the department will award grants to applicants based upon the amount set for each advanced placement exam administered to an eligible student.</p> <p>3.05(1)(a) The amount allocated per exam will be set by the department on an annual basis based on available appropriations, reduced fee prices as set by the advanced placement, amount of federal funding received by applicants for payment of advanced placement exam fees, and total number of exams to be funded for eligible students.</p>	<p><b>22-95.5-102. Advanced placement exam fee grant program - creation – rules</b></p> <p>(2) The department shall administer the grant program in accordance with state board rules. The department shall:</p> <p>(b) Determine the amount, based on available appropriations, that will be awarded for each advanced placement exam that will be administered to an eligible student; and</p> <p>(c) Award grants, at the amount set for each exam that will be administered to an eligible student, determined pursuant to subsection (2)(b) of this section, to each high school that has submitted an application.</p>

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3.05(1)(b) The amount allocated per exam must be the same for each exam, except for exams which the applicant paid in part or in full by federal funding. The amount allocated per exam cannot be greater than the reduced fee price set by the advanced placement vendor for each exam taken by an eligible student, less any federal funding received for payment of an eligible student's exam fee.

3.05(1)(c) The department's total distribution for the grant program shall not exceed the annual appropriation.

3.05(1)(d) Applicants may request and receive funding for multiple exams per eligible student.

3.05(1)(e) Grantees may not use grant awards to supplant federal funds already available to pay for advanced placement exam fees for eligible students.

3.05(2) The department will award grants to applicants to reimburse all or a portion of exam fees actually paid on behalf of eligible students. Grant awards will be made on an annual basis as soon as practicable before June 30th of each fiscal year.

3.05 (3) Additional grant funding for subsequent years will be contingent upon annual appropriations by the General Assembly. Funded applicants are not guaranteed any additional funding in subsequent years. There will be no carryover of funds; funds must be expended by June 30th of each grant year.

(3) The amount set by the department for each advanced placement exam pursuant to subsection (2)(b) of this section must be the same for each exam, regardless of the subject of the exam.

(4) Pursuant to article 4 of title 24, the state board shall promulgate rules to implement the grant program, including rules relating to:

(c) Deadlines for the department to award grants.

(5) A high school that receives an award pursuant to this section shall use the entire amount awarded to pay all or a portion of advanced placement exam fees on behalf of eligible students who will take an advanced placement exam in the amount set for each exam by the department pursuant to subsection (2)(b) of this section.