

VIRGINIA ACTS OF ASSEMBLY -- 2002 SESSION

CHAPTER 521

An Act to amend and reenact §§ 23-38.55 and 23-38.56 of the Code of Virginia, relating to the Senior Citizens Higher Education Act.

[H 218]

Approved April 5, 2002

Be it enacted by the General Assembly of Virginia:

1. That §§ 23-38.55 and 23-38.56 of the Code of Virginia are amended and reenacted as follows:

§ 23-38.55. Definitions.

For the purposes of this chapter, the following words shall have the meanings ascribed to them by this section:

(a) "Senior citizen" ~~shall mean~~ *means* any person who, before the beginning of any term, semester or quarter in which such person claims entitlement to the benefits of this chapter, (i) has reached sixty years of age ~~and~~, (ii) has had his legal domicile in this Commonwealth for one year, *and (iii) has a taxable individual income not exceeding \$15,000 for Virginia income tax purposes for the year preceding the year in which enrollment is sought.*

(b) "Course" ~~shall mean~~ *means* any course of study offered in any state institution of higher education including the regular curriculum of any department, or school, or subdivision of any such institution or any special course given for any purpose, including, but not limited to, adult education.

(c) ~~[Repealed.]~~

Nothing in this section shall be construed to exclude any other rules and requirements now or hereafter made applicable for all other persons with respect to residency in this Commonwealth by a state institution of higher learning.

§ 23-38.56. Attendance at state institutions; conditions.

A senior citizen shall be permitted, under regulations as may be prescribed by the State Council of Higher Education:

(i) To register for and enroll in courses as a full-time or part-time student for academic credit if such senior citizen had a taxable individual income not exceeding ~~\$10,000~~ *15,000* for Virginia income tax purposes for the year preceding the year in which enrollment is sought;

(ii) To register for and audit courses offered for academic credit; and

(iii) To register for and enroll in courses not offered for academic credit in any state institution of higher education in this Commonwealth.

Such senior citizen shall pay no tuition or fees except fees established for the purpose of paying for course materials, such as laboratory fees, but shall be subject to the admission requirements of the institution and a determination by the institution of its ability to offer the course or courses for which the senior citizen registers. The State Council of Higher Education shall establish procedures to ensure that tuition-paying students are accommodated in courses before senior citizens participating in this program are enrolled. However, the state institutions of higher education may make individual exceptions to these procedures when the senior citizen has completed seventy-five percent of the requirements for a degree.