060279496

HOUSE BILL NO. 1293

Offered January 11, 2006

Prefiled January 11, 2006

A BILL to amend the Code of Virginia by adding in Title 23 a chapter numbered 4.4:6, consisting of sections numbered 23-38.53:25 through 23-38.53:29, relating to the Virginia Early Graduation Incentive Grant Program.

Patron—Saxman

Referred to Committee on Education

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Title 23 a chapter numbered 4.4:6, consisting of sections numbered 23-38.53:25 through 23-38.53:29, as follows:

CHAPTER 4.4:6.

VIRGINIA EARLY GRADUATION INCENTIVE GRANT PROGRAM.

§ 23-38.53:25. Definitions.

As used in this chapter:

1. "Accredited institution" means any institution approved to confer degrees pursuant to Chapter 21.1 of this title.

2. "Council" means the State Council of Higher Education for Virginia.

3. "Grant" means the amount of financial assistance awarded under this chapter whether disbursed by warrant directly to an institution of higher education or by voucher directly to a student.

4. "Institution of higher education" means a public educational institution within the Commonwealth whose primary purpose is to provide undergraduate collegiate or graduate education.

§ 23-38.53:26. Virginia Early Graduation Incentive Grant Program Fund established.

There is hereby created in the state treasury a special nonreverting fund to be known as the Virginia Early Graduation Incentive Grant Program Fund, hereafter referred to as "the Fund." The Fund shall be established on the books of the Comptroller. All funds appropriated by the General Assembly and any gifts, grants, bequests, or donations from public or private sources shall be paid into the state treasury and credited to the Fund. Interest earned on moneys in the Fund shall remain in the Fund and be credited to it. Any moneys remaining in the Fund, including interest thereon, at the end of each fiscal year shall not revert to the general fund but shall remain in the Fund. Moneys in the Fund shall be used solely for the purposes of providing grants to students who (i) have received an undergraduate degree within three years from an accredited institution of higher education in Virginia, (ii) are enrolled in a graduate program preparing students for careers in professions having workforce shortages, and (iii) have agreed to work in Virginia upon receiving a graduate degree. Expenditures and disbursements from the Fund shall be made by the State Treasurer on warrants issued by the Comptroller upon written request signed by the Director of the State Council of Higher Education for Virginia.

§ 23-38.53.27. State Council of Higher Education designated as administering agency.

The State Council of Higher Education for Virginia is hereby designated as the administering agency for the program established by this chapter and is authorized to promulgate necessary and appropriate regulations for the disbursement of grants and the administration of the program, including identifying graduate programs preparing students for careers in professions having workforce shortages. The Council shall also develop terms and conditions of the promissory note in accordance with subsection B of § 23-38.53:28.

§ 23-38.53:28. Eligibility criteria.

A. Under this program, grants shall be made to or on behalf of eligible Virginia domiciles entitled to in-state tuition charges pursuant to the provisions of § 23-7.4 who have received an undergraduate degree within three years from an institution of higher education in the Commonwealth and are enrolled in a graduate program identified by the Council to prepare students for careers in professions having workforce shortages. Grants shall be disbursed to eligible students, or on their behalf to the institution in which they are enrolled, for the academic year for which they enroll and are obligated to pay tuition as a full-time or part-time graduate student.

B. Before any grant is awarded in accordance with the provisions of this chapter, the grant recipient shall sign a promissory note under which he agrees (i) to begin employment in the Commonwealth within six months of receiving a graduate degree and (ii) to continue such employment in the Commonwealth for at least three years. Any grant amounts disbursed to recipients who fail to honor the

obligation under this section, and any interest thereon, shall be used only for the purposes of this chapter and shall not revert to the general fund. The State Council of Higher Education for Virginia shall collect all repayments by grant recipients who fail to honor the obligations under this section.

C. Only students who maintained a cumulative grade point average of at least 3.0 on a scale of 4.0 or its equivalent while enrolled as an undergraduate at a Virginia institution of higher education shall be eligible to receive a grant under this program.

D. Eligibility for a grant under this program shall be limited to two academic years or the equivalent number of credit hours and shall be used only for graduate studies.

E. Individuals who have failed to meet the federal requirement to register for the Selective Service shall not be eligible to receive grants pursuant to this chapter. However, a person who has failed to register for the Selective Service shall not be denied a right, privilege, or benefit under this section if (i) the requirement to so register has terminated or become inapplicable to the person and (ii) the person shows by a preponderance of the evidence that the failure to register was not a knowing and willful failure to register.

§ 23-38.53:29. Determination of domicile.

For the purposes of determining the eligibility of a student for an early graduation incentive grant, domicile shall be determined by the enrolling institution, as provided in § 23-7.4, and the State Council of Higher Education's guidelines for domiciliary status determinations.