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SENATE BILL NO. 148

Senate Amendments in [] — January 30, 2008

A BILL to amend and reenact §§ 23-38.10:8 through 23-38.10:11 and 23-38.10:13 of the Code of Virginia, relating to the Two-Year College Transfer Grant Program.

Patrons Prior to Engrossment—Senators Stosch, Edwards and Smith; Delegates: Marshall, D.W., Merricks and Nutter

Referred to Committee on Education and Health

Be it enacted by the General Assembly of Virginia:

1. That §§ 23-38.10:8 through 23-38.10:11 and 23-38.10:13 of the Code of Virginia are amended and reenacted as follows:

§ 23-38.10:8. Definitions.

As used in this chapter:

"Accredited institution" means any institution approved to confer degrees pursuant to Chapter 21.1 (§ 23-276.1 et seq.) of this title.

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

"Grant" means the amount of financial assistance awarded under this chapter ~~whether~~ disbursed by warrant directly to an institution of higher education ~~or directly to on behalf of an eligible student.~~

"Institution of higher education" means a four-year public or private nonprofit educational institution within the Commonwealth whose primary purpose is to provide undergraduate collegiate education and not to provide religious training or theological education.

"Student" means an undergraduate student who is entitled to in-state tuition charges pursuant to the provisions of § 23-7.4.

§ 23-38.10:9. Two-Year College Transfer Grant Program created; State Council of Higher Education for Virginia to promulgate regulations.

There is hereby created the Two-Year College Transfer Grant Program to provide financial assistance to eligible students, beginning with ~~the~~ first-time students entering ~~freshman~~ classes of the fall/summer 2007 academic year/term, for the costs of attending a public or private institution of higher education in Virginia. Funds may be paid to any institutions of higher education on behalf of students who have been awarded financial assistance pursuant to § 23-38.10:10. The Council shall promulgate regulations for the implementation of the provisions of this chapter and the disbursement of funds consistent therewith and appropriate to the administration of the program.

§ 23-38.10:10. Eligibility criteria.

A. Under this program, grants shall be made ~~to~~ ~~or~~ on behalf of eligible Virginia domiciles who (i) have received an associate degree at a Virginia two-year public institution of higher education, (ii) have enrolled in a Virginia four-year public or private institution of higher education by the fall following the award of the associate degree, (iii) have applied for financial aid, and (iv) have financial need, defined by an Expected Family Contribution (EFC) of no more than \$8,000 as calculated by the federal government using the family's financial information reported on the Free Application for Federal Student Aid (FAFSA) form. Only students who ~~maintained~~ graduated with a cumulative grade point average of at least 3.0 on a scale of 4.0 or its equivalent ~~while enrolled in~~ ~~at the completion of~~ an associate degree program at a Virginia two-year public institution of higher education shall be eligible to receive a grant under this chapter.

B. Eligibility for a higher education grant under this program shall be limited to three academic years ~~or 70 credit hours~~ and shall be used only for [~~full-time~~] undergraduate collegiate work in educational programs other than those providing religious training or theological education. To remain eligible for a grant under this program, a student must continue to demonstrate financial need, as defined in this section, maintain a grade point average of 3.0 on a scale of 4.0 or its equivalent, ~~be enrolled as a~~ [~~full-time~~] student, and make satisfactory academic progress towards a degree.

C. 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.

§ 23-38.10:11. Amount of award.

The amount of the grant for an eligible student shall be provided in accordance with the

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60 appropriation act and shall be fixed at *a maximum of \$1,000* per year. An additional *maximum of \$1,000*
61 per year shall be provided to those *eligible* students pursuing undergraduate collegiate work in
62 engineering, mathematics, nursing, teaching, or science. [*Grant awards shall be prorated for eligible*
63 *students taking less than a full-time course load. If the amount provided in the general appropriation*
64 *act would result in grants less than the maximum amounts per year for all classes of eligible students as*
65 *provided in this section (including prorated grants for students taking less than a full-time course load),*
66 *then the Council shall determine the amount of the grant for each eligible student such that (i) each*
67 *eligible student not pursuing undergraduate collegiate work in engineering, mathematics, nursing,*
68 *teaching, or science shall be awarded a grant in the same amount (with students taking less than a*
69 *full-time course load awarded a prorated grant) and (ii) each eligible student pursuing undergraduate*
70 *collegiate work in engineering, mathematics, nursing, teaching, or science shall be awarded a grant in*
71 *the same amount, which shall be twice the amount of the grant described under clause (i) (with students*
72 *taking less than a full-time course load awarded a prorated grant).]*

73 § 23-38.10:13. State financial aid eligibility.

74 ~~The institutions of higher education shall reduce state financial aid eligibility by the amount of the~~
75 ~~grant awarded pursuant to this chapter.~~ Tuition assistance received by a student under this program shall
76 not be reduced by the receipt of other financial aid from any source by such student. However, a student
77 shall not receive a grant pursuant to this chapter that, when added to other financial aid received by that
78 student, would enable the student to receive total assistance in excess of the estimated cost to the
79 student of attending the institution in which he is enrolled.