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SENATE BILL NO. 1439

Offered January 21, 2011

A BILL to amend and reenact §§ 23-38.12 and 23-38.13 of the Code of Virginia, relating to the Tuition Assistance Grant Program.

Patron—Herring

Referred to Committee on Education and Health

Be it enacted by the General Assembly of Virginia:**1. That §§ 23-38.12 and 23-38.13 of the Code of Virginia are amended and reenacted as follows:**

§ 23-38.12. Program of tuition assistance established.

There is hereby established, from funds provided by law, a program of tuition assistance in the form of grants, as hereinafter provided, to or on behalf of bona fide residents of Virginia who attend private, nationally recognized, regionally accredited, and nonprofit institutions of collegiate education ~~in that are~~ formed, chartered, or established within the Commonwealth, or that were admitted into this program as of January 1, 2011, whose primary purpose is to provide collegiate, graduate, or professional education and not to provide religious training or theological education. Individuals who have failed to meet the federal requirement to register for the Selective Service shall not be eligible to receive these grants. 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. The State Council of Higher Education shall be assisted in enforcing this provision by the private institutions of higher education whose students benefit from this program. Unless otherwise indicated, as used in this chapter "accredited" means any institution approved to confer degrees pursuant to Chapter 21.1 (§ 23-276.1 et seq.) of this title.

§ 23-38.13. State Council of Higher Education designated as administering agency; power to define certain terms.

The State Council of Higher Education is hereby designated as the administering agency for the program established by this chapter, and authorized to promulgate regulations consistent therewith and appropriate to the administration of the program. The administering agency shall have the power to define by regulation such terms as, but not limited to, "full-time," "undergraduate," "graduate," "professional," "successful academic year," "financial aid," "meritorious extenuating circumstances," and "incapacity" as used in this chapter. *The Council shall keep a current, and periodically updated, list of institutions eligible to receive grants pursuant to this chapter on behalf of eligible students.*

INTRODUCED

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