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SENATE BILL NO. 429

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee on Finance)

(Patron Prior to Substitute—Senator Hanger)

Senate Amendments in [] — February 6, 2014

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

Be it enacted by the General Assembly of Virginia:

1. That §§ 23-38.10:8 through 23-38.10:11 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.

"Four-year 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.

"Grant" means the amount of financial assistance awarded under this chapter whether disbursed by warrant directly to an a four-year institution of higher education or directly to a 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 entering freshman class of the fall 2007 academic year, for the costs of attending a public or private four-year institution of higher education in Virginia. Funds may be paid to any four-year 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 \$12,000 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 a cumulative grade point average of at least 3.0 on a scale of 4.0 or its equivalent while enrolled in 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 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 3.0 on a scale of 4.0 or its equivalent, 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.

A. The amount of the grant for an eligible student shall be provided in accordance with the appropriation act and shall be fixed at \$1,000 per year. An additional \$1,000 per year shall be provided

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60 to those students pursuing undergraduate collegiate work in engineering, mathematics, nursing, teaching,
61 or science.

62 1. For an eligible student transferring to a Virginia four-year public institution of higher education,
63 based on the difference between the costs of tuition and mandatory educational and general fees paid by
64 the recipient at a Virginia [~~community college~~ two-year public institution of higher education] and the
65 cost of such tuition and fees at the public institution of higher education to which he has transferred.

66 2. For an eligible student transferring to a Virginia four-year private institution of higher education,
67 based on the difference between the costs of tuition and mandatory educational and general fees paid by
68 the recipient at a Virginia [~~community college~~ two-year public institution of higher education] and the
69 average cost of such tuition and fees at a Virginia four-year public institution of higher education, as
70 determined by the Council.

71 B. That in basing such grants on the difference in costs pursuant to subdivision A 1 or 2 the Council
72 may annually consider the number of grant applications received and the funds available and may
73 award grants accordingly.

74 2. That the provisions of this act shall not become effective unless an appropriation effectuating
75 the purposes of this act is included in a general appropriation act passed in 2014 by the General
76 Assembly that becomes law.

77 3. That the State Council of Higher Education for Virginia shall develop statistics on students
78 receiving two-year college transfer grants and examine whether there is a correlation between
79 students receiving such grants and increased graduation rates from a four-year institution of
80 higher education by November 1, 2018, and shall make such information available upon request.