

VIRGINIA ACTS OF ASSEMBLY -- 2023 SESSION

CHAPTER 605

An Act to amend and reenact § 30-231.2 of the Code of Virginia, relating Brown v. Board of Education Scholarship Program; extension of eligibility.

[H 1419]

Approved March 26, 2023

Be it enacted by the General Assembly of Virginia:

1. That § 30-231.2 of the Code of Virginia is amended and reenacted as follows:

§ 30-231.2. Criteria for awarding and renewal of scholarships; awards made by the Brown v. Board of Education Scholarship Committee; eligible students; Standards of Learning requirements and assessments waived for eligible students.

A. With the funds made available from gifts, grants, donations, bequests, and other funds as may be received for such purpose, scholarships shall be awarded annually. Awards may be granted for part-time or full-time attendance for no more than one year of study for students enrolled in adult education programs for the high school diploma and preparation programs for a high school equivalency examination approved by the Board of Education or the College-Level Examination Program (CLEP) credit, and for no more than the minimum number of credit hours required to complete program requirements, except as approved by the Committee for students enrolled in the following approved education programs: (i) an approved career or technical education or training program at a comprehensive community college, or at an accredited career and technical education postsecondary school in the Commonwealth; (ii) a two-year undergraduate comprehensive community college program; (iii) a four-year undergraduate degree program; (iv) a recognized five-year undergraduate degree program; (v) a masters or doctoral level degree program; and (vi) a professional degree program. Awards granted may also be used for the College-Level Examination Program (CLEP) examinations and costs related to preparation for the tests, transition programs and services, and dual enrollment programs as may be approved by the Committee, in accordance with § 30-231.8. Awards granted to applicants accepted for enrollment at accredited career and technical education postsecondary schools shall be made in accordance with Article VIII, ~~section~~ Section 11 of the Constitution of Virginia. In addition, no scholarship under this Program shall be used to obtain multiple baccalaureate, masters, doctoral, or professional degrees.

B. The Standards of Learning requirements and all related assessments shall be waived for any student awarded a scholarship under this Program and enrolled in an adult basic education program to obtain the high school diploma.

C. No student pursuing a course of religious training or theological education or a student enrolled in any institution whose primary purpose is to provide religious training or theological education shall be eligible to receive scholarship awards. However, nothing in this section shall be construed to prohibit a student from taking courses of a religious or theological nature to satisfy undergraduate and graduate elective requirements for a liberal arts nonreligious degree.

D. Only students who are domiciled residents of Virginia as defined by § 23.1-502 shall be eligible to receive such awards. However, to facilitate the purposes of this Program only, the Committee may establish a list of acceptable documents to verify United States citizenship and legal presence in the Commonwealth from among those included in regulations promulgated by the Department of Motor Vehicles governing legal presence in the Commonwealth to obtain a driver's license or identification card, and regulations promulgated by the State Health Department governing requests for and access to vital records.

E. Scholarships shall be awarded to eligible students by the Committee.

F. Scholarships may be renewed, upon request, annually if the recipient:

1. Maintains Virginia domicile and residency;
2. Evidences satisfactory academic achievement and progress toward program completion; and
3. Maintains continuous enrollment in an approved education program until graduation or program completion, in accordance with the provisions of this section and § 30-231.1.

For scholarship renewal purposes, the Committee may extend the period in which satisfactory academic achievement shall be demonstrated for no more than two semesters or the equivalent thereof.

G. For the purpose of this chapter, "eligible student" means a person ~~currently domiciled and residing in the Commonwealth~~, who resided in a jurisdiction in Virginia between 1954 and 1964 in which the public schools were closed to avoid desegregation, and who (i) was unable during such years to (a) begin, continue, or complete his education in the public schools of the Commonwealth, (b) ineligible to attend a private academy or foundation, whether in state or out of state, established to circumvent desegregation, or (c) pursue postsecondary education opportunities or training because of the inability to

obtain a high school diploma; or (ii) was required to relocate within or outside of the Commonwealth to begin, continue, or complete his public education during such years because public schools were closed to avoid desegregation. *"Eligible student" also means a lineal or collateral descendant of such person. "Eligible student" includes only persons currently domiciled and residing in the Commonwealth.*