

LD4746693

## SENATE BILL NO. 550

Offered January 25, 1994

A BILL to amend the Code of Virginia by adding in Title 23 a chapter numbered 4.4:3, consisting of sections numbered 23-38.53:8, 23-38.53:9, and 23-38.53:10, relating to the Virginia Nonresident Higher Education Grants Program for Minority Students.

Patrons—Lambert and Howell; Delegates: Cunningham and Jones, D.C.

Referred to the Committee on Education and Health

**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 4.4:3, consisting of sections numbered 23-38.53:8, 23-38.53:9, and 23-38.53:10, as follows:

## CHAPTER 4.4:3.

## VIRGINIA NONRESIDENT HIGHER EDUCATION GRANTS PROGRAM AND FUND FOR MINORITY STUDENTS.

§ 23-38.53.8. Virginia Nonresident Higher Education Grants Program for Minority Students established; State Council of Higher Education to administer; promulgation of regulations.

A. A program of tuition assistance, from such funds as may be appropriated and from other funds as might be received on its behalf, is hereby established in the form of grants awarded to financially needy undergraduate students who are not Virginia residents and who are enrolled full-time or accepted for full-time enrollment in a degree-granting program at any accredited, four-year public institution of higher education in Virginia.

B. The program shall be administered by the State Council on Higher Education for Virginia through such regulations as the Council may deem necessary and appropriate. By July 1, 1994, the Council shall promulgate regulations for the implementation of the provisions of this chapter. Such regulations shall include guidelines for determining priority for awarding grants to eligible students under the Program and for granting exceptions to the continuous enrollment requirement pursuant to subsection B of § 23-38.53:10. Emphasis shall be given to eligible African-American students who are enrolled in or accepted for full-time enrollment at an accredited, historically black four-year public institution of higher education in Virginia.

For the purposes of this chapter, a student shall be identified as financially needy if his economic circumstances impose a barrier or an obstacle to the pursuit of postsecondary education or training.

§ 23-38.53.9. Virginia Nonresident Higher Education Grants Fund for Minority Students created; application of awards; maximum amount of award per student.

A. There is hereby created in the Department of the Treasury a special nonreverting fund which shall be known as the Virginia Nonresident Higher Education Grants Fund for Minority Students. The Fund shall be established on the books of the Comptroller, and any moneys remaining in such Fund at the end of the biennium shall not revert to the general fund but shall remain in the Fund. Interest earned on such funds shall remain in the Fund and be credited to it. Funds may be paid to any accredited public institution of higher education on behalf of students who have been awarded financial assistance pursuant to the provisions of this chapter.

B. The Department of the Treasury shall administer and manage the Virginia Nonresident Higher Education Fund for Minority Students, subject to the authority of the State Council of Higher Education to provide for its disbursement, from such funds as are appropriated for this purpose and from such gifts, donations, grants, bequests, and other funds as may be received on its behalf. The Fund shall be disbursed for the purpose of making grants to eligible students according to the Congressional methodology for determining financial need and eligibility for financial aid. The first grants shall be awarded on and after July 1, 1994.

C. The amount of each grant awarded to an eligible student shall be used only for payment of charges for tuition, fees, room and board, and to cover the costs of books, supplies, or other educational expenses as may be approved by the State Council of Higher Education.

D. Grants awarded to eligible students shall not exceed in amount the annual average appropriation per full-time equivalent student for the previous year from the general fund of the state treasury for operating costs at two-year and four-year public institutions of higher education in Virginia. Further, such grants received by a student under this program shall not be reduced by the receipt by such student of other financial aid from any source, provided that in no case shall a student receive a grant pursuant to this chapter which when added to other financial aid, would enable the student to receive total assistance in excess of the estimated cost to the student of attending the institution in which he is

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60 enrolled.

61 § 23-38.53:10. Eligible students; criteria for awarding grants; renewals.

62 A. Only students who (i) do not meet the residency requirements as defined by § 23-7.4, (ii) are  
63 deemed financially needy pursuant to § 23-38.53.8, and (iii) are enrolled full time or accepted for  
64 enrollment full time in a degree-granting program in any accredited four-year public institution of  
65 higher education in Virginia shall be eligible to receive such awards.

66 B. All grants shall be awarded for one year, but may be renewed annually for no more than three  
67 subsequent years of study, if the recipient:

68 1. Makes satisfactory academic progress toward a degree, earning not less than the minimum  
69 number of hours of credit required for full-time standing in each academic period during enrollment at  
70 the institution in which he is enrolled, as provided in this chapter;

71 2. Demonstrates continued financial need; and

72 3. Maintains continuous enrollment for not less than two semesters or three quarters in each  
73 successive academic year, unless granted an exception for cause by the State Council of Higher  
74 Education.