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HOUSE BILL NO. 1244

Offered January 11, 2006

Prefiled January 11, 2006

A BILL to amend the Code of Virginia by adding in Title 23 a chapter numbered 4.4:6, consisting of sections numbered 23-38.53:25 through 23-38.53:29, relating to the Virginia Mathematics, Science, Engineering, and Technology Career Grant Program.

Patrons—Hugo, Albo, Athey, Byron, Callahan, Cosgrove, Eisenberg, Gear, Gilbert, Kilgore, Landes, Lingamfelter, Marshall, D.W., Nixon, O'Bannon, Rapp, Rust, Suit, Welch and Wittman

Referred to Committee on Education

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 4.4:6, consisting of sections numbered 23-38.53:25 through 23-38.53:29, as follows:

CHAPTER 4.4:6.

**VIRGINIA MATHEMATICS, SCIENCE, ENGINEERING,
AND TECHNOLOGY CAREER
GRANT PROGRAM.**

§ 23-38.53:25. *Definitions.**As used in this chapter:*

1. "Accredited institution" means any institution approved to confer degrees pursuant to Chapter 21.1 of this title.

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

3. "Grant" means the amount of financial assistance awarded under this chapter whether disbursed by warrant directly to an institution of higher education or by voucher directly to a student.

4. "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.

§ 23-38.53:26. Virginia Mathematics, Science, Engineering, and Technology Career Grant Program Fund established.

There is hereby created in the state treasury a special nonreverting fund to be known as the Virginia Mathematics, Science, Engineering and Technology Career Grant Program Fund, hereafter referred to as "the Fund." The Fund shall be established on the books of the Comptroller. All funds appropriated by the General Assembly and any gifts, grants, bequests, or donations from public or private sources shall be paid into the state treasury and credited to the Fund. Interest earned on moneys in the Fund shall remain in the Fund and be credited to it. Any moneys remaining in the Fund, including interest thereon, at the end of each fiscal year shall not revert to the general fund but shall remain in the Fund. Moneys in the Fund shall be used solely for the purposes of providing higher education grants to domiciles of Virginia who are enrolled in an undergraduate program preparing students for careers in professions in the areas of mathematics, science, engineering, and technology, and who have agreed to work in Virginia for at least two years upon receiving an undergraduate degree in the area of mathematics, engineering, science, or technology. Expenditures and disbursements from the Fund shall be made by the State Treasurer on warrants issued by the Comptroller upon written request signed by the Director of the State Council of Higher Education for Virginia.

§ 23-38.53:27. State Council of Higher Education designated as administering agency.

The State Council of Higher Education for Virginia is hereby designated as the administering agency for the program established by this chapter and is authorized to promulgate necessary and appropriate regulations for the disbursement of grants and the administration of the program, including the identification of undergraduate programs and careers in the areas of mathematics, science, engineering, and technology. The Council shall also develop terms and conditions of the promissory note in accordance with subsection B of § 23-38.53:28.

§ 23-38.53:28. Eligibility criteria.

A. Under this program, grants shall be made to or on behalf of eligible Virginia domiciles entitled to in-state tuition charges pursuant to the provisions of § 23-7.4 who are enrolled in an undergraduate program determined by the Council pursuant to § 23-38.53:27 to be in the area of mathematics, science, engineering, or technology. Grants shall be disbursed to eligible students, or on their behalf to the institution in which they are enrolled, for the academic year for which they enroll and are obligated to pay tuition as a full-time undergraduate student.

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58 *B. Before any grant is awarded in accordance with the provisions of this chapter, the grant recipient*
59 *shall sign a promissory note under which he agrees (i) to begin employment in the Commonwealth in*
60 *the area of mathematics, science, engineering, or technology as determined by the Council pursuant to*
61 *§ 23-38.53:27 within six months of receiving an undergraduate degree in such area and (ii) to continue*
62 *such employment in the Commonwealth for at least two years. Any grant amounts disbursed to*
63 *recipients who fail to honor the obligation under this section, and any interest thereon, shall be used*
64 *only for the purposes of this chapter and shall not revert to the general fund. The State Council of*
65 *Higher Education for Virginia shall collect all repayments by grant recipients who fail to honor the*
66 *obligations under this section.*

67 *C. Only students who maintain a cumulative grade point average of at least 2.5 on a scale of 4.0 or*
68 *its equivalent while enrolled as an undergraduate at a Virginia institution of higher education shall be*
69 *eligible to receive a grant under this program.*

70 *D. Eligibility for a grant under this program shall be limited to four academic years or the*
71 *equivalent number of credit hours and shall be used only for undergraduate studies in mathematics,*
72 *science, engineering, or technology programs.*

73 *E. Individuals who have failed to meet the federal requirement to register for the Selective Service*
74 *shall not be eligible to receive grants pursuant to this chapter. However, a person who has failed to*
75 *register for the Selective Service shall not be denied a right, privilege, or benefit under this section if (i)*
76 *the requirement to so register has terminated or become inapplicable to the person and (ii) the person*
77 *shows by a preponderance of the evidence that the failure to register was not a knowing and willful*
78 *failure to register.*

79 *§ 23-38.53:29. Determination of domicile.*

80 *For the purposes of determining the eligibility of a student for a grant under this chapter, domicile*
81 *shall be determined by the enrolling institution, as provided in § 23-7.4, and the State Council of Higher*
82 *Education's guidelines for domiciliary status determinations.*