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HOUSE BILL NO. 1393

Offered January 12, 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 23-38.53:28, relating to the Virginia Mathematics, Science, and Technology Education Grant Program.*

Patron—Cosgrove

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 23-38.53:28, as follows:

*CHAPTER 4.4:6.**VIRGINIA MATHEMATICS, SCIENCE, AND TECHNOLOGY EDUCATION GRANT PROGRAM.**§ 23-38.53:25. Definitions.*

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

"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.

"Institution of higher education" means an accredited four-year public or private nonprofit educational institution within the Commonwealth whose primary purpose is to provide undergraduate or graduate education and not to provide religious training or theological education.

"Qualified employment" means full-time employment located in the Commonwealth identified by the Council pursuant to § 23-38.53:27.

"Qualified undergraduate and graduate degree program" means a degree program in the field of mathematics, science, engineering, or technology at an institution of higher education identified by the Council pursuant to § 23-38.53:27.

"Student" means an undergraduate or graduate student who is entitled to in-state tuition charges pursuant to the provisions of § 23-7.4.

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

There is hereby created in the state treasury a special nonreverting fund to be known as the Virginia Mathematics, Science, and Technology Education 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, 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 grants to residents of Virginia who are enrolled in a qualified undergraduate or graduate degree program, as identified by the Council, in a Virginia institution of higher education. 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 for Virginia designated as administering agency.

A. The State Council on Higher Education for Virginia is hereby designated as the administering agency for the program established by this chapter and is authorized to promulgate regulations for the disbursement of grants and appropriate administration of the program.

B. The Council shall identify and make available a list of all qualified undergraduate and graduate degree programs eligible for the grant program. In compiling the list the Council shall, at a minimum, consider the following factors:

- 1. Foundation in hard sciences such as mathematics, chemistry, and physics;*
- 2. Innovation in curriculum targeting emerging technologies; and*
- 3. Integration of computer science, modeling, or simulation in the curriculum.*

C. The Council shall consult with the Center for Innovative Technology in identifying qualified employment located in the Commonwealth for graduates. In identifying qualified employment the Council shall, at a minimum, consider:

- 1. Whether the student's degree is a prerequisite for his employment;*
- 2. The student's utilization of mathematics, science, technology, or other hard science; and*

INTRODUCED

HB1393

59 3. *The student's contribution to an innovative or emerging technology industry within the*
60 *Commonwealth.*

61 D. *The Council shall develop terms and conditions of the promissory note in accordance with*
62 *subsection B of § 23-38.53:28.*

63 § 23-38.53:28 *Eligibility criteria.*

64 A. *Under this program grants shall be made to, or on behalf of, an eligible Virginia resident entitled*
65 *to in-state tuition for the academic year for which he is enrolled as a full-time undergraduate or*
66 *graduate student in a qualified degree program as determined by the Council pursuant to § 23-38.53:27.*
67 *Grants shall be disbursed to an eligible student, or on the student's behalf, to the institution in which*
68 *the student is enrolled for the academic year and is obligated to pay tuition as a full-time*
69 *undergraduate or graduate student. A student must maintain at least a 2.0 grade point average on a*
70 *scale of 4.0 or its equivalent and maintain enrollment in a qualified degree program to be eligible*
71 *under the grant program.*

72 B. *Before any grant is awarded in accordance with the provisions of this chapter, the grant recipient*
73 *shall sign a promissory note under which he agrees (i) to begin employment in the Commonwealth in*
74 *the area of mathematics, science, engineering, or technology as determined by the Council pursuant to*
75 *§ 23-38.53:27 within six months of receiving an undergraduate or graduate degree in such area and (ii)*
76 *to continue such employment in the Commonwealth for at least four years. Any grant amounts disbursed*
77 *to recipients who fail to honor the obligation under this section, and any interest thereon, shall revert*
78 *back to the Fund to be used only for the purposes of this chapter and shall not revert to the general*
79 *fund. The Council shall collect all repayments by grant recipients who fail to honor the obligations*
80 *under this section.*

81 C. *A student may be eligible for grants under this chapter for no more than five consecutive*
82 *academic years after the first grant is awarded to the student. The student may be granted an amount*
83 *not in excess of \$15,000 per academic year, or the total tuition for the academic year, whichever is*
84 *lower.*

85 D. *The Council shall make available at least 25% of the Fund to students pursuing a qualified*
86 *graduate degree as determined by the Council in § 23-38.53:27.*

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