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HOUSE BILL NO. 857

House Amendments in [ ] — February 10, 2022

A BILL to amend and reenact § 23.1-610 of the Code of Virginia, relating to Virginia National Guard; institutions of higher education; tuition grants.

Patron Prior to Engrossment—Delegate Reid

Referred to Committee on Education

Be it enacted by the General Assembly of Virginia:

1. That § 23.1-610 of the Code of Virginia is amended and reenacted as follows:

§ 23.1-610. Members of the National Guard; grants.

A. Any individual who (i) is a member of the Virginia National Guard and has a minimum remaining obligation of two years, (ii) has satisfactorily completed required initial active duty service, (iii) is satisfactorily performing duty in accordance with regulations of the National Guard, and (iv) is enrolled in any course or program at any public institution of higher education or accredited nonprofit private institution of higher education whose primary purpose is to provide collegiate or graduate education and not to provide religious training or theological education is eligible for a grant in the amount of the difference between the full cost of tuition and any other educational benefits for which he is eligible as a member of the National Guard. ~~Application for a grant shall be made to the Department of Military Affairs. Grants shall be awarded from funds made available for the purpose by the Department of Military Affairs.~~

B. ~~Notwithstanding the requirement in subsection A that a member of the Virginia National Guard have a minimum of two years remaining on his service obligation, if a member is activated or deployed for federal military service, an additional day shall be added to the member's eligibility for the grant for each day of active federal service, up to 365 days. Additional credit or credit for state duty may be given at the discretion of the Adjutant General~~ *Application for a grant shall be made to the Department of Military Affairs (the Department) no later than 30 days prior to the beginning of an academic semester. The Department shall determine whether an applicant is eligible for the grant as described in subsection A and communicate acceptance and any additional requirements determined by the Department in writing no later than 30 days after receipt of an application. Applicants eligible for a grant pursuant to this section shall:*

1. Satisfy all financial obligations with the institution for higher education at the beginning of each semester; and

2. Provide written proof of acceptable academic performance and good standing with the institution of higher education for the current term to the Department no later than 30 days following the end of a term or semester. Upon the receipt of proof of academic performance and continued good standing to the Department, the Department shall issue grants in a manner and amount that is consistent with regulations promulgated by the Adjutant General. As used in this subdivision, "academic performance" means (i) achieving a passing grade in each course during the semester and (ii) maintaining a cumulative grade point average of at least 2.0 on a scale of 4.0 or its equivalent, and "good standing" means that the individual has fulfilled all obligations to the institution of higher education.

C. Any member of the Virginia National Guard receiving grants under this section shall incur a single two-year service obligation to the Virginia National Guard. The two-year obligation shall commence on the last day of the last term or semester for which tuition assistance was awarded. Service in the inactive National Guard, the active duty or reserve forces of the United States, or the National Guard of any other state shall not count as applicable service toward fulfilling this incurred service obligation. [*Federal active duty mobilizations occurring while still a member of the Virginia National Guard and state active duty for the Commonwealth shall count toward the two-year service obligation.*]

ENGROSSED