2004 Special Session I

Budget Bill - HB5001 (Chapter 4)

State Council of Higher Education for Virginia

Item 163	First Year - FY2005	Second Year - FY2006
Higher Education Student Financial Assistance (10800)	**$50,915,465**	**$47,224,948**
Scholarships (10810)	$50,915,465	$47,224,948
Fund Sources:		
General	$49,015,000	$46,324,483
Special	$1,000,000	$0
Federal Trust	$900,465	$900,465

Authority: College Scholarship Assistance Program: Title 23, Chapter 4.4, Code of Virginia; Tuition Assistance Grant Program: Title 23, Chapter 4.1, Code of Virginia.

A. Appropriations in this Item are subject to the conditions specified in paragraphs B, C, D, E and G hereof.

B. Those private institutions which participate in the programs provided by the appropriations in this Item shall, upon request by the State Council of Higher Education, submit financial and other information which the Council deems appropriate.

C.1. Out of the amounts for Scholarships the following sums shall be made available for:

a.1) College Scholarship Assistance Program, $4,413,750 from the general fund and $900,465 in federal funds the first year and $4,413,750 from the general fund and $900,465 in federal funds the second year.

2) Any general fund amounts designated for the College Scholarship Assistance Program not required for federal maintenance of effort dollars shall be used for Virginia's discretionary financial aid program. Allocations of the discretionary financial aid funds shall be based on the need-based model approved by the State Council of Higher Education for Virginia.

b. Tuition Assistance Grant Program, $41,391,082 the first year and $41,740,733 the second year from the general fund is designated for undergraduate and graduate students.

c. Virginia Space Grant Consortium Scholarships, $170,000 the first year and $170,000 the second year from the general fund.

2. No amount, or part of an amount, listed for any program specified in paragraph C 1 above shall be expended for any other program in this appropriation except for the amounts identified in C 1 a2).

D. College Scholarship Assistance Program Payments to students out of this appropriation shall not exceed $5,000 each year per undergraduate and graduate student.

E. Tuition Assistance Grant Program

1. Payments to students out of this appropriation shall not exceed $3,000 for qualified undergraduate students and $2,200 for qualified graduate and medical students attending not-for-profit, independent institutions in accordance with §§ 23-38.12 through 23-38.19, Code of Virginia.

2. Any appropriations in the Tuition Assistance Grant Program which are unexpended at the close of business on June 30, 2004, and June 30, 2005, shall be reappropriated for use in the program in the following year.

3. The private institutions which participate in this program shall, during the spring semester previous to the commencement of a new academic year or as soon as a student is admitted for that year, whichever is later, notify their enrolled and newly admitted Virginia students about the availability of tuition assistance awards under the program. The information provided to students and their parents must include information about the eligibility requirements, the application procedures, and the fact that the amount of the award is an estimate and is not guaranteed. The number of students applying for participation and the funds appropriated for the program determine the amount of the award. Conditions for reduction of award amount and award eligibility are described in this Item and in the regulations issued by the State Council of Higher Education. The institutions shall certify to the Council that such notification has been completed and shall indicate the method by which it was carried out.

4. Institutions participating in this program must submit annually to the Council copies of audited financial statements.

5. To be eligible for a fall or full-year award out of this appropriation, a student's application must have been received by a participating independent college or by the State Council of Higher Education by July 31. Returning students who received the award in the previous year will be prioritized with the July 31 award. Applications for a fall or full-year award received after July 31 but no later than September 14 will be held for consideration if funds are available after July 31 and returning student awards have been made. Applications for spring semester only awards must be received by December 1 and will be considered only if funds remain available.

6. Students at the Virginia Women's Institute for Leadership at Mary Baldwin College are not eligible for Tuition Assistance Grants. However, beginning in fiscal year 2006 each new student entering the Virginia Women's Institute for Leadership shall become eligible for Tuition Assistance Grants.

7. No limitations shall be placed on the award of Tuition Assistance Grants other than those set forth herein or in the Code of Virginia.

8. All eligible institutions not previously approved by the State Council of Higher Education to participate in the Tuition Assistance Grant Program shall have received accreditation by a nationally recognized regional accrediting agency, prior to participation in the program.

9. Payments to undergraduate students shall be greater than payments to graduate and medical students and shall be based on a differential established by the State Council of Higher Education for Virginia.

F. Military Tuition Waivers

1. Out of this appropriation, $1,990,168 the first year from the general fund is designated to offset the difference in tuition and fee charges between resident and nonresident students in conformance with the Code of Virginia § 23-7.4:2 A iii.

2. a) Students qualifying under this provision shall be eligible for the waiver of nonresident tuition and fee charges for one year from the actual reporting date shown on military orders.

b) Such students shall continue to be eligible for the waiver of nonresident tuition and fee charges so long as either they or the nonresident parents claiming them as a dependent for federal or state income tax purposes are employed full time in Virginia, paying Virginia income taxes on all taxable income earned in this Commonwealth and the students are claimed as a dependent for Virginia and federal income tax purposes.

3. The Director, Department of Planning and Budget, shall allocate these funds to public institutions of higher education on behalf of students qualifying under this provision based on a recommendation of the Director, State Council of Higher Education for Virginia. By November 1, 2004, the State Council of Higher Education shall make a recommendation on whether students qualifying under this provision shall be counted as resident students for tuition and fee revenue policy purposes.

G. Out of this appropriation, $1,050,000 the first year from the general fund and $1,000,000 from nongeneral funds is provided for the Brown v. Board of Education Scholarship Program and Fund. The State Council of Higher Education for Virginia shall administer this program as set out in Chapter 935 of the Acts of Assembly of 2004.