

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1968



ENROLLED

HOUSE BILL No. 315

(By Mr. Specker, Mr. White, and
Mr. Boraisky)



PASSED February 7, 1968

In Effect Ninty days Passage



FILED IN THE OFFICE
ROBERT D. BAXLEY
SECRETARY OF STATE
THIS DATE 2-16-68

315

ENROLLED

House Bill No. 315

(By MR. SPEAKER, MR. WHITE, and MR. BOLARSKY)

[Passed February 7, 1968; in effect ninety days from passage.]

AN ACT to amend chapter eighteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new article, designated article twenty-two-a, relating to the granting of scholarships by the state commission on higher education to qualified students from the state to attend approved institutions of higher education in the state, and providing for the administration of the article.

Be it enacted by the Legislature of West Virginia:

That chapter eighteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended

by adding thereto a new article, designated article twenty-two-a, to read as follows:

ARTICLE 22A. STATE SCHOLARSHIP PROGRAM.

§18-22A-1. Declaration of public need for scholarship assistance; establishment of scholarship program.

1 The Legislature declares that although enrollments
2 in institutions of higher education in this state and
3 throughout the nation continue to increase at a rapid pace,
4 and although the state now provides a limited scholar-
5 ship program for students attending an institution
6 of higher education in West Virginia, there continues
7 to exist an underdevelopment of the state's human
8 talent and resources because of the inability of many
9 able but needy students to finance a higher educational
10 program.

11 The Legislature further declares that the state can
12 achieve its full economic and social potential only if
13 every individual has the opportunity to contribute to
14 the full extent of his capabilities and only if the state
15 assists in removing such financial barriers to his edu-
16 cational goals as may remain after the individual has

17 utilized all resources and work opportunities available
18 to him.

19 It is therefore the policy of the Legislature and the
20 purpose of this article to establish, within the limits
21 of appropriations made therefore from time to time
22 by the Legislature, a broad-scale state scholarship pro-
23 gram designed to guarantee that the most able and
24 needy students from all sectors of the state are given
25 the opportunity to continue their program of self-
26 improvement in an approved institution of higher edu-
27 cation of their choice located in this state.

§18-22A-2. Definitions.

1 Notwithstanding the provisions of section one, article
2 one of this chapter, the following words when used
3 in this article shall have the meaning hereafter ascribed
4 to them unless the context clearly indicates a different
5 meaning:

6 (a) The term "commission" shall mean the state
7 commission on higher education.

8 (b) The term "approved institution of higher edu-
9 cation" shall mean Bluefield state college, Concord col-

10 lege, Fairmont state college, Glenville state college,
11 Marshall University, Shepherd college, West Liberty
12 state college, West Virginia Institute of Technology,
13 West Virginia state college, West Virginia University,
14 including Potomac state college thereof, Alderson-
15 Broaddus college, Beckley college, Bethany college,
16 Davis and Elkins college, Greenbrier college for women,
17 Morris Harvey college, Ohio Valley college, Salem col-
18 lege, West Virginia Wesleyan college and Wheeling
19 college, all in West Virginia, and any other institution
20 of higher education in this state, public or private,
21 approved by the commission.

22 (c) The term "approved high school" shall mean any
23 public high school located in the state and any public
24 or private secondary school whether designated as a
25 high school, academy, preparatory school or otherwise,
26 located within or without the state, which, in the
27 judgment of the West Virginia board of education, pro-
28 vides a course of instruction at the secondary level and
29 maintains standards of instruction substantially equiv-
30 alent to those of the public high schools located in the
31 state.

32 (d) The terms "scholarship" or "scholarship pro-
33 gram" shall mean a scholarship or the scholarship pro-
34 gram authorized and established by the provisions of
35 this article.

**§18-22A-3. Scholarship program to be administered by state
commission on higher education.**

1 The scholarship program established and authorized
2 by this article shall be administered by the state com-
3 mission on higher education.

§18-22A-4. Powers and duties of commission.

1 Subject to the provisions of this article and within
2 the limits of appropriations made by the Legislature,
3 the commission is authorized and empowered: (1) To
4 prepare and supervise the issuance of public information
5 concerning the scholarship program; (2) to prescribe
6 the form and regulate the submission of applications
7 for scholarships; (3) administer or contract for the
8 administration of such examinations as may be prescribed
9 by the commission; (4) select qualified recipients of
10 scholarship grants; (5) award scholarships; (6) accept
11 grants, gifts, bequests and devises of real and personal
12 property for the purposes of the scholarship program;

13 (7) administer federal and state financial loan programs;
14 (8) cooperate with approved institutions of higher edu-
15 cation in the state and their governing boards in the
16 administration of the scholarship program; (9) make
17 the final decision pertaining to residency of an applicant
18 for scholarship or renewal of scholarship; (10) employ
19 or engage such professional, administrative, clerical and
20 other employees as may be necessary to assist the com-
21 mission in the performance of its duties and re-
22 sponsibilities; (11) prescribe the duties and fix the
23 compensation of all such employees (which employ-
24 ees shall serve at the will and pleasure and under the
25 direction and control of the commission or its designated
26 representative); and (12) promulgate reasonable rules
27 and regulations not inconsistent with the provisions of
28 this article relating to the administration of the scholar-
29 ship program.

§18-22A-5. Eligibility for a scholarship.

1 A person shall be eligible for consideration for a
2 scholarship if:

3 (1) He is a citizen of the United States;

4 (2) He has been a resident of the state for one year
5 immediately preceding the date of his application for a
6 scholarship or a renewal of a scholarship;

7 (3) He meets the admission requirements of the
8 approved institution of higher education of his choice;

9 (4) He satisfactorily meets the qualifications of finan-
10 cial need, character and academic promise, as well as
11 academic achievement, as established by the commission.

§18-22A-6. Recipients and awards of scholarships.

1 The scholarship recipient shall be free to attend any
2 approved institution of higher education in this state.
3 The institution is not required to accept the scholar-
4 ship recipient for enrollment, but is free to exact com-
5 pliance with its own admission requirements, standards
6 and policies.

7 Scholarship grants shall be made to undergraduate
8 students only and during the first year, under this
9 article will be limited to freshmen students.

10 Each scholarship is renewable until the course of study
11 is completed, but not to exceed an additional three
12 academic years beyond the first year of the award.

13 These may not necessarily be consecutive years and the
14 scholarship will be terminated if the student receives
15 his degree in a shorter period of time. Qualifications
16 for renewal will include maintaining satisfactory aca-
17 demic standing, making normal progress toward com-
18 pletion of the course of study and continued eligibility,
19 as determined by the commission.

20 Scholarship awards shall be made without regard to
21 the applicant's race, creed, color, sex, national origin
22 or ancestry; and in making scholarship awards, the
23 commission shall provide a fair and equitable geograph-
24 ical distribution of the awards and shall treat all approved
25 institutions of higher education in a fair and equitable
26 manner.

27 The minimum scholarship award shall be one hundred
28 dollars per academic year and the maximum scholarship
29 award shall be six hundred dollars per academic year.

30 Payments of scholarships shall be made directly to
31 the institution and may be used only for payment of
32 tuition and fees charged generally by the institution to
33 all students.

34 In the event that a scholarship recipient transfers from
35 one approved institution of higher education to an-
36 other, his scholarship shall be transferable only with the
37 approval of the commission.

38 Should the recipient terminate his enrollment for any
39 reason during the academic year, the unused portion of
40 the scholarship shall be returned to the commission by
41 the institution according to the institution's own policy
42 for issuing refunds.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

William Tompco
Chairman Senate Committee

Clayton C. Davidson
Chairman House Committee

Originated in the House.

Takes effect ninety days from passage.

Howard Meyer
Clerk of the Senate

C. Blankenship
Clerk of the House of Delegates

Howard W. Cannon
President of the Senate

H. Lahan White
Speaker of the House of Delegates

The within approved this the 15
day of February, 1968.

Hurret C. Smith
Governor



PRESENTED TO THE
GOVERNOR

Date 2/12/68

Time 3:02 P.M.

RECEIVED

FEB 13 1 03 PM '68

OFFICE OF
SECRETARY OF STATE
STATE OF VIRGINIA