WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1968

ENROLLED

HOUSE BILL No. 315

(By Mr. [Signature, Mr. White, and Mr. Borinsky])

PASSED February 7, 1968

In Effect Ninety days from Passage

FILED IN THE OFFICE
ROBERT D. BAILEY
SECRETARY OF STATE
IN S.R. DATE 2-16-68
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
It is therefore the policy of the Legislature and the purpose of this article to establish, within the limits of appropriations made therefore from time to time by the Legislature, a broad-scale state scholarship program designed to guarantee that the most able and needy students from all sectors of the state are given the opportunity to continue their program of self-improvement in an approved institution of higher education of their choice located in this state.


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

(a) The term “commission” shall mean the state commission on higher education.

(b) The term “approved institution of higher education” shall mean Bluefield state college, Concord col-
lege, Fairmont state college, Glenville state college, Marshall University, Shepherd college, West Liberty state college, West Virginia Institute of Technology, West Virginia state college, West Virginia University, including Potomac state college thereof, Alderson-Broaddus college, Beckley college, Bethany college, Davis and Elkins college, Greenbrier college for women, Morris Harvey college, Ohio Valley college, Salem college, West Virginia Wesleyan college and Wheeling college, all in West Virginia, and any other institution of higher education in this state, public or private, approved by the commission.

(c) The term "approved high school" shall mean any public high school located in the state and any public or private secondary school whether designated as a high school, academy, preparatory school or otherwise, located within or without the state, which, in the judgment of the West Virginia board of education, provides a course of instruction at the secondary level and maintains standards of instruction substantially equivalent to those of the public high schools located in the state.
§18-22A-3. Scholarship program to be administered by state commission on higher education.

1 The scholarship program established and authorized by this article shall be administered by the state commission on higher education.


1 Subject to the provisions of this article and within the limits of appropriations made by the Legislature, the commission is authorized and empowered: (1) To prepare and supervise the issuance of public information concerning the scholarship program; (2) to prescribe the form and regulate the submission of applications for scholarships; (3) administer or contract for the administration of such examinations as may be prescribed by the commission; (4) select qualified recipients of scholarship grants; (5) award scholarships; (6) accept grants, gifts, bequests and devises of real and personal property for the purposes of the scholarship program;
(7) administer federal and state financial loan programs;
(8) cooperate with approved institutions of higher education in the state and their governing boards in the administration of the scholarship program; (9) make the final decision pertaining to residency of an applicant for scholarship or renewal of scholarship; (10) employ or engage such professional, administrative, clerical and other employees as may be necessary to assist the commission in the performance of its duties and responsibilities; (11) prescribe the duties and fix the compensation of all such employees (which employees shall serve at the will and pleasure and under the direction and control of the commission or its designated representative); and (12) promulgate reasonable rules and regulations not inconsistent with the provisions of this article relating to the administration of the scholarship program.

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

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

(1) He is a citizen of the United States;
(2) He has been a resident of the state for one year immediately preceding the date of his application for a scholarship or a renewal of a scholarship;

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

(4) He satisfactorily meets the qualifications of financial need, character and academic promise, as well as academic achievement, as established by the commission.

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

The scholarship recipient shall be free to attend any approved institution of higher education in this state. The institution is not required to accept the scholarship recipient for enrollment, but is free to exact compliance with its own admission requirements, standards and policies.

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

Each scholarship is renewable until the course of study is completed, but not to exceed an additional three academic years beyond the first year of the award.
These may not necessarily be consecutive years and the scholarship will be terminated if the student receives his degree in a shorter period of time. Qualifications for renewal will include maintaining satisfactory academic standing, making normal progress toward completion of the course of study and continued eligibility, as determined by the commission.

Scholarship awards shall be made without regard to the applicant's race, creed, color, sex, national origin or ancestry; and in making scholarship awards, the commission shall provide a fair and equitable geographical distribution of the awards and shall treat all approved institutions of higher education in a fair and equitable manner.

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

Payments of scholarships shall be made directly to the institution and may be used only for payment of tuition and fees charged generally by the institution to all students.
In the event that a scholarship recipient transfers from one approved institution of higher education to another, his scholarship shall be transferable only with the approval of the commission.

Should the recipient terminate his enrollment for any reason during the academic year, the unused portion of the scholarship shall be returned to the commission by the institution according to the institution's own policy for issuing refunds.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

William Tappan  
Chairman Senate Committee

Clayton E. Davidson  
Chairman House Committee

Originated in the House.

Takes effect ninety days from passage.

Howard Meyers  
Clerk of the Senate

C.W. Blankenship  
Clerk of the House of Delegates

Howard W. Carson  
President of the Senate

H. Lehan White  
Speaker of the House of Delegates

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

Herbert C. Smith  
Governor
PRESENTED TO THE GOVERNOR

Date 2/12/68

Time 3:02 P.M.