

WEST VIRGINIA LEGISLATURE

2021 REGULAR SESSION

Introduced

House Bill 2061

**FISCAL
NOTE**

BY DELEGATE ROWE

[Introduced February 10, 2021; Referred to the
Committee on Education then Finance]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article,
 2 designated §18C-10-1, §18C-10-2, §18C-10-3, §18C-10-4, §18C-10-5, §18C-10-6, §18C-
 3 10-7, and §18C-10-8, all relating to creating the Katherine Johnson College Award
 4 Program; providing tuition assistance to qualified students pursuing baccalaureate
 5 degrees in eligible post-secondary programs at state regional colleges or universities.

Be it enacted by the Legislature of West Virginia:

ARTICLE 10. KATHERINE JOHNSON COLLEGE AWARD PROGRAM.

§18C-10-1. Short title.

1 This article shall be known and may be cited as the Katherine Johnson College Award
 2 Program.

§18C-10-2. Findings by the Legislature.

1 The Legislature finds that even with the many efforts made by the state to provide its
 2 citizens with tuition assistance and other grants for post-secondary education, many potential
 3 students remain uncertain that they can finance a four-year higher education, even at regional
 4 colleges and universities conveniently located in or near their communities. Only when these
 5 anticipated financial barriers are addressed, can the state improve the education level of its
 6 citizens and workforce, enhance the quality of life for its citizens, develop and sustain economic
 7 growth, improve the culture for education in secondary schools, and expand education opportunity
 8 to all citizens.

9 The Legislature further finds that facilitating attendance at the state regional colleges and
 10 universities supports the academic missions of these institutions to provide top level educational
 11 opportunities to their students and also strengthens the contributions these institutions make in
 12 the intellectual and cultural lives of the communities in the various regions of the state.

§18C-10-3. Definitions.

1 “Chancellor” means the Chancellor of the Higher Education Policy Commission.

2 “Eligible institution” means a state regional college or university as defined in this section.

3 “Eligible post-secondary program” means a curriculum of courses offered at one or more
4 eligible institutions leading to a baccalaureate degree.

5 “State regional college or university” means Bluefield State College, Concord University,
6 Fairmont State University, Glenville State College, Shepherd University, West Liberty University,
7 West Virginia State University, or West Virginia University Institute of Technology.

8 “Tuition” means the semester or term charges imposed by an eligible institution required
9 as a condition of enrollment by all students and includes mandatory fees.

§18C-10-4. Katherine Johnson, space program mathematician, celebrated.

1 The Legislature recognizes and celebrates the determination, work and success of
2 Katherine Johnson, who is a native of White Sulphur Springs in Greenbrier County. Katherine
3 Johnson is an internationally acclaimed physicist and mathematician who in 1937 graduated from
4 the college that is today West Virginia State University. Following graduation, she became the
5 first female African American graduate student to attend West Virginia University and began a
6 career of accomplishment as a lead mathematician for the national space program of the National
7 Aeronautics and Space Administration. The State of West Virginia salutes Katherine Johnson for
8 her success with the national space program and as an example of a woman, mother and African
9 American who excelled in her career in a time when women, mothers and African Americans were
10 limited in their opportunities.

§18C-10-5. Katherine Johnson College Award Program for West Virginia Regional Higher
Education created.

1 (a) There is hereby created the Katherine Johnson College Award Program to assure
2 tuition-free education for the first 30 semester hours for students eligible for an award to attend
3 West Virginia regional colleges and universities. The program shall be administered by the
4 chancellor of the Higher Education Policy Commission in accordance with this article.

5 (b) The Higher Education Policy Commission shall grant Katherine Johnson College
6 Awards under this article pursuant to the following terms and conditions:

7 (1) A Katherine Johnson College Award may be granted only to applicants satisfying the
8 requirements provided in §18C-10-6 of this code;

9 (2) The amount of a Katherine Johnson College Award shall be the cost of tuition and
10 mandatory fees charged to all students to work toward completion of a baccalaureate degree,
11 less all other state and federal scholarships and grants for which the award recipient is eligible.
12 All other state and federal scholarships and grants for which the award recipient is eligible shall
13 be deducted from the amount of the Katherine Johnson College Award for each individual student.
14 The maximum amount of tuition and mandatory fees to be covered shall be for 30 hours of course
15 work completed in the first three consecutive semesters of the recipient's degree work.

16 (3) Award payments shall be made directly to the eligible institutions;

17 (4) If an award recipient transfers from one eligible institution to another, the award is
18 transferable only with approval of the chancellor;

19 (5). An institution is not required to accept an award recipient for enrollment and may
20 enforce its own admission requirements, standards and policies; and

21 (6) If a Katherine Johnson College Award recipient terminates enrollment for any reason
22 during the academic year, the unused portion of the award shall be returned by the institution to
23 the commission in accordance with the commission's policy for issuing refunds. The commission
24 shall transfer the funds to the Katherine Johnson College Award for West Virginia Regional Higher
25 Education Fund.

§18C-10-6. Eligibility requirements; agreement.

1 (a) To be eligible for a Katherine Johnson College Award an individual must satisfy the
2 following requirements:

3 (1) Be a citizen or legal resident of the United States and have been a resident of West
4 Virginia for at least one year immediately preceding the date of application for an award;

5 (2) Have completed a secondary education program in a public, private, or home school
6 or have proof of high school equivalency;

- 7 (3) Have not been previously awarded a baccalaureate degree;
- 8 (4) Be at least 18 years of age: *Provided*, That individuals younger than 18 years of age
9 may qualify for the award upon completion of a secondary education program in a public, private,
10 or home school or upon providing proof of high school equivalency;
- 11 (5) Meet the admission requirements of, and be admitted into, an eligible institution;
- 12 (6) Satisfactorily meet any additional qualifications of enrollment, academic promise, or
13 achievement as established by the commission through rule;
- 14 (7) Have filed a completed free application for federal student aid for the academic year in
15 which the award is sought;
- 16 (8) Be enrolled in an eligible post-secondary program;
- 17 (9) Be enrolled in at least twelve credit hours in a spring or fall semester or at least 3 credit
18 hours in a summer semester;
- 19 (10) Have completed a Katherine Johnson College Award application as provided by the
20 commission in accordance with a schedule established by the commission; and
- 21 (11) Have, prior to the start of each semester, satisfactorily passed a drug test
22 administered by the eligible institution: *Provided*, That the applicant shall be responsible for the
23 actual cost of the drug test.
- 24 (b) Each program award may be renewed until the first 30 semester hours during the first
25 three consecutive semesters of the course of study is completed as long as the following
26 qualifications are satisfied, as determined by the chancellor:
- 27 (1) Maintaining satisfactory academic standing, including a cumulative grade point
28 average of at least 2.0;
- 29 (2) Making adequate progress toward completion of the eligible post-secondary program;
- 30 (3) Satisfactory participation in a community service program authorized by the
31 commission. The commission shall include in the legislative rules, required by §18C-8-8 of this
32 code, provisions for the administration of community service requirements, including, but not

33 limited to, requiring completion of at least six hours of unpaid community service each semester
 34 in which the student is receiving an award. Community service may include, but is not limited to,
 35 participating with nonprofit, governmental, institutional, or community-based organizations
 36 designed to improve the quality of life for community residents, meet the needs of community
 37 residents, or foster civic responsibility;

38 (4) Continued satisfaction of eligibility requirements provided by subsection (a) of this
 39 section; and

40 (5) Satisfaction of any additional eligibility criteria established by the commission through
 41 legislative rule.

§18C-10-7. Katherine Johnson College Award for West Virginia Regional Higher Education

Fund established.

1 (a) The Katherine Johnson College Award for West Virginia Regional Higher Education
 2 Fund is hereby created in the State Treasury as a special revenue account to support the
 3 Katherine Johnson College Award Program. The fund shall be administered by the chancellor
 4 and may consist of:

5 (1) All appropriations by the Legislature for the Katherine Johnson College Award for West
 6 Virginia Regional Higher Education Fund;

7 (2) Any gifts, grants, or contributions received for the Katherine Johnson College Award
 8 for West Virginia Regional Higher Education Fund; and

9 (3) All interest or other income earned from investment of the Katherine Johnson College
 10 Award for West Virginia Regional Higher Education Fund.

11 (b) The Katherine Johnson College Award for West Virginia Regional Higher Education
 12 Fund shall be expended for the purpose of administering the Katherine Johnson College Award
 13 Program, including granting awards authorized by this article. Any funds remaining in the fund at
 14 the close of the fiscal year shall be carried forward for use in the next fiscal year.

15 (c) Nothing in this section requires any specific level of funding by the Legislature nor

16 guarantees or entitles any individual to any benefit or award of funds.

17 (d) The Chancellor may expend moneys in the fund to implement the provisions of this
18 article.

§18C-10-8. Annual report; rules.

1 (a) On or before January 1 annually, the commission shall provide to the Legislature and
2 the Governor a report on the Katherine Johnson College Award Program and the Katherine
3 Johnson College Award for West Virginia Regional Higher Education Fund, which shall include,
4 but not be limited to, research and data concerning student success and award retention.

5 (b) The commission shall propose rules for legislative approval pursuant to §29A-3A-1 et
6 seq. of this code to implement the provisions of this article, which shall provide for:

7 (1) Application requirements and deadlines fully implementing requirements of this article;

8 (2) Appeal procedures for the denial or revocation of the award; and

9 (3) Any other provisions necessary to effectuate the purposes of this article.

10 (c) The commission may promulgate emergency rules, under the procedures of §29A-3A-
11 1 et seq. of this code, to implement the provisions of this article.

NOTE: The purpose of this bill is to create the Katherine Johnson College Award Program and establish a supporting fund, the Katherine Johnson College Award for West Virginia Regional Higher Education Fund, to provide last-dollar-in tuition assistance for eligible persons for the first 30 semester hours of their higher education pursuing a baccalaureate degree at eligible state colleges and universities.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.