

WEST VIRGINIA LEGISLATURE

2023 REGULAR SESSION

Introduced

House Bill 3155

By Delegates Walker and E. Pritt

[Introduced January 30, 2023; Referred to the
Committee on Education then Finance]

1 A BILL to amend and reenact §18B-4-9 of the Code of West Virginia, 1931, as amended; and to
 2 amend and reenact §18C-9-5, all relating to encouraging veterans of the Armed Forces of
 3 the United States to attend institutions of higher education using the WV Invests Grant; and
 4 clarifying the residency requirement for eligibility.

Be it enacted by the Legislature of West Virginia:

CHAPTER 18B. HIGHER EDUCATION

ARTICLE 4. GENERAL ADMINISTRATION.

§18B-4-9. Development of services and facilities for student veterans.

1 (a) *Legislative findings.* -- The Legislature finds that veterans of the Armed Forces of the
 2 United States that attend institutions of higher education in this state have many unique needs,
 3 issues and concerns that most traditional students do not have. Many of these veterans have had
 4 or will be subject to multiple deployments to active duty, including overseas deployment, resulting
 5 in challenges to their pursuit of higher education.

6 (b) *Legislative intent.* -- It is the intent of the Legislature that state institutions of higher
 7 education provide adequate services and facilities for student veterans in order to better serve
 8 their unique needs and to make West Virginia's state institutions of higher education veteran-
 9 friendly.

10 (c) The commission, council and each state institution of higher education shall establish
 11 and implement measures to assure that veterans enrolled in the institutions receive services and
 12 are provided facilities appropriate for their needs, that student veterans complete programs of
 13 study and earn degrees, and that the institutions become veteran-friendly by actively and
 14 effectively providing academic and social support and assistance to student veterans. The
 15 measures shall include, but are not limited to, the following:

16 (1) Establishing veteran-friendly community and technical college degree programs which
 17 recognize and award academic credit toward degrees for various types of technical and vocational

18 military training and experience;

19 (2) Developing policies for each state institution of higher education to grant academic
20 credit for Armed Forces experiences;

21 (3) Developing programs to encourage student veterans to share their specialized
22 experience and knowledge gained through military service by making presentations in class,
23 public school programs and local community organizations;

24 (4) Establishing and sponsoring an organization for student veterans on campus and
25 encouraging other veteran-friendly organizations;

26 (5) Appointing and training specific faculty within each degree program or major as liaisons
27 and contacts for student veterans;

28 (6) Providing information about programs that grant credit for prior learning to student
29 veterans and potential student veterans;

30 (7) Coordinating existing disability services on campus with veteran disability services
31 available from the United States Department of Veterans Affairs, other federal and state agencies,
32 and private resources;

33 (8) Designating individuals to provide financial and psychological counseling services on
34 each campus who are trained to effectively respond to the needs of veterans and to provide
35 services or referrals to services to fulfill these needs for student veterans, and to the extent
36 practicable, providing those services and programs in one location;

37 (9) Developing training materials on responding to student veteran needs to be available
38 for continued professional development of counselors to student veterans;

39 (10) Facilitating regular statewide meetings for all personnel at state institutions of higher
40 education who regularly provide specific services to student veterans to discuss and develop best
41 practices, exchange ideas and experiences, and hear presentations by individuals with generally
42 accepted expertise in areas of the various needs of student veterans;

43 (11) Gathering data on the status of student veterans, including their graduation rates,

44 comparing that rate with the graduation rate of other students in the institution, and reporting those
45 results to appropriate state and federal agencies, including the West Virginia Legislature;

46 (12) Establishing a program to create a collaborative relationship between student
47 veterans and alumni of the institution, and with prospective employers to facilitate and provide
48 employment as well as social opportunities to graduating student veterans;

49 (13) Developing and facilitating communications between state institutions of higher
50 education and various veteran organizations in the state to advance veteran causes that benefit
51 student veterans; and

52 (14) Coordinating among all relevant departments within each state institution of higher
53 education including but not limited to admissions, the registrar, the bursar, the veterans advocate
54 and financial aid to ensure that relevant deadlines or time-lines are met for certifying veterans'
55 enrollment as early as practicable to ensure that assistance is received from the U.S. Department
56 of Veterans Affairs (DVA) in a timely fashion. Measures to achieve greater coordination shall
57 include but are not limited to:

58 (A) Identifying applicants who are veterans as early as possible;

59 (B) Taking affirmative steps to reach out to veteran applicants to inform them of relevant
60 policies, time-lines or deadlines for receiving veterans assistance;

61 (C) Developing a communications plan between departments, applicants and students to
62 ensure that deadlines or time-lines are being met;

63 (D) Developing plans to assist students when U.S. Department of Veterans Affairs benefits
64 are not received in a timely fashion. Such plans could include forbearance of payment deadlines,
65 short-term loans, grants, or a revolving fund; and

66 (E) Making every effort to provide sufficient class sections to meet the needs of students for
67 classes which are required for graduation, including where appropriate, giving student veterans
68 priority registration.

69 (15) Developing plans to assist student veterans who are eligible for a West Virginia

70 Invests Grant in accordance with §18C-9-1, et seq. of this code.

71 (d) *Veterans Advocates.* -- Each state institution of higher education shall appoint or
72 designate and train a person, preferably a veteran, to serve as a veterans advocate on its campus.
73 The commission and council shall also provide training for veterans advocates at each of the
74 institutions under their respective jurisdictions. The veterans advocate shall serve as the primary
75 point of contact and campus advocate for current and prospective students who are veterans of
76 the Armed Forces of the United States or are current members of the Armed Forces of the United
77 States, including reserve components of the National Guard of this state or any other state. The
78 duties and responsibilities of the veterans advocate include, but are not limited to the following:

79 (1) Assist and facilitate student veterans in utilizing services, resources and facilities
80 available at the institution; and

81 (2) To the extent resources are available for such purposes, provide services, programs
82 and assistance to current and prospective student veterans designed to encourage, promote and
83 facilitate the recruitment, retention and academic success of such students.

84 (e) The commission and council jointly shall submit a report to the Legislature on
85 September 1, annually, on the progress toward implementing this section.

CHAPTER 18C. STUDENT LOANS; SCHOLARSHIPS AND STATE AID.

ARTICLE 9. WEST VIRGINIA INVESTS GRANT PROGRAM.

§18C-9-5. Eligibility requirements; agreements.

1 (a) To be eligible for a WV Invests Grant, an individual must satisfy the following
2 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 a grant;

5 (2) Have completed a secondary education program in a public, private, or home school;

6 (3) Have not been previously awarded a post-secondary degree;

7 (4) Be at least 18 years of age: *Provided*, That individuals younger than 18 years of age
8 may qualify for the grant upon completion of a secondary education program in a public, private, or
9 home school;

10 (5) Meet the admission requirements of, and be admitted into, an eligible institution;

11 (6) Satisfactorily meet any additional qualifications of enrollment, academic promise, or
12 achievement as established by the council through rule;

13 (7) Have filed a completed free application for federal student aid for the academic year in
14 which the grant award is sought;

15 (8) Be enrolled in an eligible post-secondary program;

16 (9) Be enrolled in at least six credit hours per semester;

17 (10) Have completed a WV Invests Grant application as provided by the council in
18 accordance with a schedule established by the council; and

19 (11) Have, prior to the start of each academic year or prior to the initial academic period for
20 which the student is enrolled if that period for which the student is enrolled is not the beginning of
21 the academic year, taken a drug test administered by the eligible institution. If the individual tests
22 positive, he or she shall take another drug test prior to the beginning of the next academic period.
23 If the results of the second test are positive, the individual shall complete a drug rehabilitation
24 program as prescribed by the Vice Chancellor for Administration as a condition of continued
25 eligibility for a WV Invests Grant. The applicant shall be responsible for the actual cost of any drug
26 tests required by this subdivision.

27 (b) Each grant may be renewed until the course of study is completed as long as the
28 following qualifications, as determined by the vice chancellor for administration and the council,
29 are satisfied:

30 (1) Maintaining satisfactory academic standing, including a cumulative grade point
31 average of at least 2.0;

32 (2) Making adequate progress toward completion of the eligible post-secondary program;

33 (3) Satisfactory participation in a community service program authorized by the council.
34 The council shall include in the legislative rules, required by §18C-9-4 of this code, provisions for
35 the administration of community service requirements, including, but not limited to, requiring
36 completion of at least eight hours of unpaid community service during the time of study, which may
37 include, but is not limited to, participating with nonprofit, governmental, institutional, or community-
38 based organizations designed to improve the quality of life for community residents, meet the
39 needs of community residents, or foster civic responsibility;

40 (4) Continued satisfaction of eligibility requirements provided by §18C-9-5(a) of this code;
41 and

42 (5) Satisfaction of any additional eligibility criteria established by the council through
43 legislative rule.

44 (c) Each recipient of a WV Invests Grant shall enter into an agreement with the vice
45 chancellor for administration, which shall require repayment of an amount of the grant or grants
46 awarded to the recipient, in whole or in part, if a recipient chooses to reside outside the state within
47 two years following obtainment of the degree or certificate for which the grant or grants were
48 awarded. The council may not require a recipient to repay grants, in whole or in part, unless the
49 prospective recipient has been informed of this requirement in writing before initial acceptance of
50 the grant award: Provided, That each student veteran recipient of the WV Invests Grant shall be
51 subject to a requirement that they remain inside the state for five years following obtainment of the
52 degree or certificate for which the grant or grants was awarded. Each WV Invests Grant
53 agreement shall include the following:

54 (1) Disclosure of the full terms and conditions under which assistance under this article is
55 provided and under which repayment may be required; and

56 (2) A description of the appeals procedure required to be established under this article.

57 (d) WV Invests Grant recipients found to be in noncompliance with the agreement entered
58 into under §18C-9-5(c) of this code shall be required to repay the amount of the grant awards

59 received, plus interest, and, where applicable, reasonable collection fees, on a schedule and at a
60 rate of interest prescribed in rules promulgated by the council. The council shall also provide for
61 proration of the amount to be repaid by a recipient who maintains employment in the state for a
62 period of time within the time period required under §18C-9-5(c) of this code.

63 (e) A recipient is not in violation of an agreement entered into pursuant to §18C-9-5(c) of
64 this code during any period in which the recipient is meeting any of the following conditions:

65 (1) Pursuing a half-time course of study at an accredited institution of higher education;

66 (2) Serving as a member of the armed services of the United States;

67 (3) Failing to comply with the terms of the agreement due to death or permanent or
68 temporary disability as established by sworn affidavit of a qualified physician; or

69 (4) Satisfying the provisions of any additional repayment exemptions prescribed by the
70 council through rule.

NOTE: The purpose of this bill is to encourage veterans of the Armed Forces of the United States to attend institutions of higher education using the WV Invests Grant and to clarify the residency requirement for eligibility.

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