

# Virginia Administrative Code

## State Council of Higher Education for Virginia

### Chapter 180

#### VIRGINIA FOSTER CARE TUITION GRANT REGULATIONS

##### **8VAC40-180-10. Definitions.**

The following words and terms when used in this chapter shall have the following meanings unless the context clearly indicates otherwise:

"Award" means a grant from state or institutional funds authorized for the Virginia Foster Care Tuition Grant.

"Baccalaureate public institution of higher education" means Christopher Newport University, George Mason University, James Madison University, Longwood University, the University of Mary Washington, Norfolk State University, Old Dominion University, Radford University, the University of Virginia, the University of Virginia's College at Wise as a division of the University of Virginia, Virginia Commonwealth University, Virginia Military Institute, Virginia Polytechnic Institute and State University, Virginia State University, and The College of William and Mary in Virginia.

"Comprehensive community college" or "community college" means an associate-degree-granting public institution of higher education in Virginia governed by the State Board of Community Colleges.

"Cost of attendance" means the sum of tuition, required fees, room, board, books and supplies, and other education-related expenses as determined by a participating institution for purposes of awarding federal Title IV student financial assistance.

"Eligible program" means a degree or certificate program of at least one academic year in length or a noncredit workforce credential program in a comprehensive community college. As used in this section, "academic year" means the enrollment period which normally extends from late August to May or early June that is normally comprised of two semesters (fall and spring) or three quarters (fall, winter, and spring).

"Expected family contribution" or "EFC" means a measure of a student's family's financial strength and is calculated according to federal aid methodology and used to determine eligibility for need-based federal Title IV aid. The institution may exercise professional judgment to adjust the student's EFC, as permitted under federal law, based on factors that affect the family's ability to pay. For students eligible for a state award but the federal processor has not calculated the student's EFC, the institution shall calculate the student's EFC using the appropriate federal EFC worksheet.

"Financial need" means any positive difference between a student's cost of attendance and the student's expected family contribution.

"Free Application for Federal Student Aid" or "FAFSA" means the needs analysis form submitted to the United States Department of Education, which is completed annually by students applying for federal Title IV student financial assistance and need-based financial aid programs sponsored by the Commonwealth of Virginia and that result in the calculation of the expected family contribution.

"Full-time student for more than five years" means that the recipient must not have completed in excess of 120 semester hours or its equivalent.

"Gift aid" means grants, scholarships, tuition waivers, or other forms of aid that do not need to be repaid and excludes loans or work-study.

"Half-time enrollment" means enrolling into a minimum of six credit hours for semester-based terms or its equivalent.

"Participating institution" means any comprehensive community college, any other associate-degree-granting public institution of higher education, or baccalaureate public institution of higher education.

"Program" means the Virginia Foster Care Tuition Grant program.

"Satisfactory academic progress" means acceptable progress towards completion of an approved course of study, as defined by the institution for the purposes of eligibility under § 668 of the Federal Compilation of Student Financial Aid Regulations. For purposes of this definition, "approved course of study" means a curriculum of courses at the undergraduate level leading to a first bachelor's degree. "Approved course of study" does not include religious training or theological education in programs in the 39.xxxx series, as classified in the National Center for Education Statistics' Classification of Instructional Programs (CIP).

"Semester" means a division of an academic year approximately 15 to 16 weeks in length from the first day of classes through the last day of exams for the fall and spring enrollment periods.

"Term" means the fall semester or quarter, winter quarter, spring semester or quarter, or summer session.

"Tuition and mandatory fees" means the tuition and mandatory education and general (E&G) fees and mandatory non-E&G fees charged by the institution.

#### **8VAC40-180-20. Application procedures and eligibility criteria for an initial award.**

A. In order to apply for the program, the student must:

1. Submit the Free Application for Federal Student Aid by the participating institution's priority filing date or deadline and complete the verification process, if applicable;
2. Be accepted into an associate-degree-granting public institution of higher education or baccalaureate public institution of higher education; and
3. Ensure that a document on official Department of Social Services letterhead providing dates in foster care, and if applicable, an adoption assistance agreement verifying special needs adoption, is sent to the institution's financial aid office.

B. To be eligible for an award, the student must:

1. Be a foster child as supported by documentation from the Department of Social Services that includes either (i) dates in foster care or (ii) assistance received for a special needs adoption. For the purposes of this chapter, "foster child" means one who was in

foster care at the time they received their high school diploma or general education diploma (GED); in the custody of a social service agency or a special needs adoption at the time they received their high school diploma or GED; or was formerly in foster care when turning age 18 years and subsequently received a high school diploma or GED;

2. Have at least half-time enrollment in an eligible program;
3. Be a domiciliary resident of Virginia. For the purposes of this chapter, "domiciliary resident of Virginia" means a student who is determined by a participating institution to meet the eligibility requirements specified by § 23.1-502 et seq. of the Code of Virginia;
4. Maintain satisfactory academic progress;
5. Have not been previously enrolled as a full-time student for more than five years;
6. Not hold a bachelor's degree; and
7. Demonstrate financial need.

**8VAC40-180-30. Amount of awards and award restrictions.**

A. Community colleges must provide awards, when combined with other gift aid, sufficient to cover, at a minimum, tuition and mandatory fees.

B. Richard Bland College and baccalaureate public institutions of higher education may provide awards, when combined with other gift aid, sufficient to cover at a minimum tuition and mandatory fees.

C. Awards are subject to the following restrictions:

1. The award when combined with other gift aid may not exceed the student's cost of attendance.
2. The award when combined with other tuition-only awards may not exceed the student's tuition and mandatory fees. For the purposes of this chapter, "tuition-only awards" means any grants, scholarships, tuition waivers, or any other form of aid that does not need to be repaid that are designated by the source of the aid to be applied only to tuition and mandatory fees.
3. If an award recipient's enrollment is below half time as of the institution's census date, eligibility for the grant is lost and must be refunded to the institution.

D. A student who receives an award and who during a term withdraws from the institution that made the award must surrender the balance of the award. In determining the earned portion of the award that the student may retain, the institution shall apply the percentage of earned aid resulting from the federal return to Title IV formula to the student's award amount.

E. A student who has a change in enrollment, such as adding or dropping one or more courses, must have his award reevaluated by the institution to ensure that the award conforms with the restrictions under subsection C of this section.

**8VAC40-180-40. Use of funds.**

Funding for this program may be designated from either institutional appropriations of the Virginia Student Financial Assistance Program or institutional funds.

**8VAC40-180-50. Renewability of awards.**

Community colleges must provide for renewal awards. Richard Bland College and baccalaureate public institutions of higher education may provide for renewal awards. To be eligible for a renewal award, the student must:

1. Meet satisfactory academic progress standards;
2. Complete the FAFSA or FAFSA renewal form as appropriate;
3. Have at least half-time enrollment in an eligible program;
4. Have not been previously enrolled as a full-time student for more than five years;
5. Not have a prior bachelor's degree;
6. Demonstrate financial need; and
7. Meet additional criteria as determined by the participating institution. Such requirements may include a minimum grade point average, continuous enrollment, or full-time enrollment.