

STATE COUNCIL OF HIGHER EDUCATION FOR VIRGINIA

The following highlights proposed changes to the Tuition Assistance Grant regulations. The sections included are those with proposed changes and do not represent the entirety of the regulations.

CHAPTER 71 VIRGINIA TUITION ASSISTANCE GRANT PROGRAM REGULATIONS

8VAC40-71-10. Definitions.

"Domiciliary resident" means a student who is determined by the enrolling institution to be a domiciliary resident of Virginia under § 23.1-502 of the Code of Virginia and augmented by the Domicile Guidelines or provided the equivalent educational benefits of the same under §§ 23.1-505 or 23.1-505.1 of the Code of Virginia.. In cases where there are disputes between students and the enrolling institutions, the council shall make the final determinations (see 8VAC40-71-40 E).

8VAC40-71-20. Institutional participation in the program: application procedures.

3. Certifications from the institution's chief executive officer that the institution:
 - g. Are in compliance with the SCHEV Financial Aid Award Letters Policies and Guidance by providing a sample of a new student undergraduate award notification for SCHEV review.

8VAC40-71-70. Administration of awards for students enrolled into online education or distance learning programs

A. Definitions: For purposes of this section only, the following definitions apply:

Distance learning program: A program of study with degree completion requirements that are unique to students intending to receive instruction primarily or solely through distance learning. This definition acknowledges that distance learning programs occasionally require an on-campus or other in-person course. If an institution does not differentiate between the two modes of degree requirements, the phrase refers to any term in which the student is enrolled entirely in distance learning courses. (See "Online education or distance learning.")

Distance learning student: Includes any student placed into a distance learning program. Students enrolling into a course that is required by their distance learning program of study to be on-campus or in-person are still be considered a distance learning student. (See "Online education or distance learning.")

Enrolled exclusively: Refers to the student's participation in a distance learning program by declaring the intent to complete a degree through this mode of delivery. A place-based student taking online courses as a supplement to their education is not "enrolled exclusively" in a distance learning or on-line education program.

Maintain(s) enrollment: The student enrolls into at least one course in any term per fiscal year (fall/winter/spring, if applicable) at a VTAG-eligible institution, whether as a continuing student or as a transfer student. Such term does not require that the student maintain enrollment in a summer term.

New incoming student (enrolled exclusively in an online education or distance learning program): For purposes of this restriction, any student who was not enrolled as a distance learning student into a VTAG-eligible institution in the 2019-20 academic year, which includes incoming first-year students beginning as of fall 2020, students previously enrolled at the institution and transfer students that were not enrolled at a VTAG-eligible institution in 2019-20 in a distance learning program, regardless of class level.

Online education or distance learning (distance learning): An option for earning course credit at off-campus locations via cable television, internet, (telecommunication) satellite classes, videotapes, correspondence courses, or other means. Such phrase includes online education (“internet”). All instruction that is not otherwise covered under the definition of “place-based instruction” is considered to be distance learning.

Place-based instruction: Often referred to as “residential learning,” instruction that the institution has determined to be delivered at a specific physical location under the control of the institution. Such phrase includes instruction that takes place in a standard in-class setting though remote participation may be available. The phrase includes on-campus residential learning, satellite locations specified by the institution, internships and residencies.

Place-based student: A student pursuing a degree predominantly by place-based instruction. Such definition includes students whose course selections in a given term include, though not exclusively, distance learning courses.

VTAG-eligible: Such student is eligible to receive a VTAG award as long as all VTAG criteria are met, subject to VTAG application deadlines and available funding.

B. Exempt distance learning students.

1. “Exempt distance learning students” are returning students who were enrolled as a distance learning student in 2019-20 at a VTAG-eligible institution. These students are exempt from the requirement that VTAG awards for distance program be limited to up to \$2,000.
2. Exempt students may receive a VTAG award of up to the 2019-20 award amounts as long as the student is VTAG-eligible.
 - a. Exempt undergraduate students may receive a VTAG award at the 2019-20 maximum annual award amount for undergraduate students, which was \$3,400, split into \$1,700 awards each for fall and spring terms.
 - b. Exempt graduate students may receive a VTAG award at the 2019-20 maximum annual award amount for graduate students, which was \$1,700, split into \$850 awards each for fall and spring terms.

- c. If funding levels are insufficient to provide full awards for all priority VTAG-eligible students, these award levels may be reduced at the same rate of reduction used for all other priority VTAG awards for the same term.
3. Exempt distance learning students remain eligible for the 2019-20 award levels under the following conditions:
- a. “as long as the student maintains enrollment in each successive fiscal year, unless granted an exception for cause by SCHEV,”
 - (1) Maintains enrollment, as defined, each fiscal year.
 - i) Students maintaining enrollment retain current and future eligibility at the 2019-20 award levels as long as the student is VTAG-eligible.
 - ii) Non-enrollment in a summer term does not disqualify the student.
 - (2) Students failing to maintain continuous enrollment due to circumstances beyond their control may appeal to SCHEV. SCHEV authorizes the institutions to grant exceptions for breaks in enrollment specifically due to a military-related move or a verified health-related circumstance.
 - b. “until current degree completion”
 - (1) Eligibility at the 2019-20 award levels continues until completion of the degree level at which the student was last enrolled in 2019-20.
 - i) If the student’s 2019-20 enrollment included multiple degree levels, eligibility tracks with the last degree level officially recognized in 2019-20.
 - ii) Eligibility at the 2019-20 award levels is not impacted by a change in major as long as the student remains enrolled within the same degree level.
 - (2) Eligibility at the 2019-20 award levels does not extend to a subsequent second degree at the same level, even if continuous enrollment is maintained.
 - (3) Eligibility at the 2019-20 award levels does not extend to an advanced degree, even if continuous enrollment is maintained.
 - c. “Or current degree program eligibility limits have otherwise expired,”
 - (1) Students pursuing an Associate degree in 2019-20 may receive a maximum lifetime total of two years of VTAG towards an associate degree, regardless of whether the degree program has been completed after two years.
 - (2) Students pursuing a Baccalaureate degree in 2019-20 may receive a maximum lifetime total of four years of VTAG towards an undergraduate degree (associate and baccalaureate combined), regardless of whether the degree program has been completed after four years.
 - (3) Students pursuing a graduate degree in health professions in 2019-20 may receive a maximum lifetime total of four years of VTAG towards a graduate or professional level degree, regardless of whether the degree program has been completed after four years.
 - (4) Such usage restrictions are lifetime cumulative receipt of VTAG regardless of mode of learning or award differentials.
 - d. “whichever comes first.”: Students are disqualified from retaining future eligibility at the 2019-20 award levels once any one or more of the above disqualifiers occurs.
 - e. Such students enrolled in 2019-20 retain eligibility for the 2019-20 award amounts regardless of whether VTAG was actually received. As long as the student meets the above requirements, the student does not lose future eligibility at the 2019-20 award level if VTAG is removed:
 - (1) Due to less than full-time enrollment or
 - (2) To avoid a financial aid over award.

4. Exempt distance learning students transitioning to a place-based (or residential) degree program.
 - a. Nothing in the restriction prohibits such student from receiving VTAG at the prevailing rate for place-based students upon transitioning to place-based instruction.
 - b. Exempt students moving from distance learning to place-based instruction and then back to distance learning retain eligibility at the 2019-20 award rate as long as the above eligibility requirements continue to be met.
 5. Exempt distance learning students failing the above eligibility criteria,
 - a. If moving to place-based instruction, are eligible at the prevailing place-based award amount.
 - b. If remain enrolled in distance learning, are eligible at the reduced distance learning award amount.
- C. Distance learning students (non-exempt).
1. New students enrolled into a distance-learning program of study are eligible for VTAG at the reduced distance learning award amount as long as the student is VTAG-eligible.
 2. This term includes:
 - a. Students that were previously place-based who subsequently enroll into a distance learning program of study but were not in a distance learning program in 2019-20.
 - b. Place-based students whose enrollment within a single term consists entirely of distance learning courses. Exceptions may be applicable if the institution differentiates between a place-based (residential) degree program and a distance learning program and the student is charged the place-based tuition rate.
 - c. Former distance learning students who were not enrolled in 2019-20 into a VTAG participating institution who then return to distance learning instruction.
 - d. All new incoming students (see definition) enrolled into a distance learning program.
 - e. All distance learning students will fall under either exempt or non-exempt categories of distance learning students.
- D. Place-based students
1. Place-based students are eligible for VTAG at the prevailing award amount as long as the student is VTAG-eligible.
 2. This term includes:
 - a. Place-based students partially enrolled into distance learning courses. Partial enrollment into distance learning courses does not disqualify the student and these courses may count towards the full-time enrollment requirement.
 - b. Former distance learning students who subsequently enroll into place-based instruction.
 - c. Place-based students whose enrollment within a single term consists entirely of distance learning courses are eligible at the reduced distance learning award amount. Exceptions may be made for special circumstances, including medical, if the student continues to be enrolled into a place-based program and charged at the place-based tuition rates.
- E. Special rules during a declared pandemic:

1. The below special rules are effective for any term in which the institution opts to provide only distance learning education for fall 2020 or thereafter as long as a pandemic is declared.
2. New students and returning students enrolled into place-based instruction retain VTAG eligibility at the prevailing award amount if the student is enrolled entirely in distance learning courses as required by the institution due to on-going COVID-19 related concerns or for validated individual student COVID-19 health concerns. Eligibility shall continue for such students provided that the student returns to place-based instruction as soon as it is available.
3. New incoming students enrolled into a distance learning program shall be eligible for the reduced distance learning award amount regardless of whether distance learning is the only option available due to on-going COVID-19 related concerns.