

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Education to which was referred Senate Bill No. 191
3 entitled “An act relating to New American educational grant opportunities”
4 respectfully reports that it has considered the same and recommends that the
5 House propose to the Senate that the bill be amended by striking out all after
6 the enacting clause and inserting in lieu thereof the following:

7 * * * Vermont Student Assistance Corporation * * *

8 Sec. 1. 16 V.S.A. § 2846 is amended to read:

9 § 2846. ADVANCEMENT GRANTS

10 (a) The Corporation may establish an advancement grant program for
11 residents pursuing nondegree education and training opportunities who do not
12 meet the definition of student in subdivision 2822(3) of this title; and who may
13 not meet the requirements of this subchapter.

14 (b) Advancement grants may be used at institutions that are not approved
15 postsecondary education institutions.

16 (c) The Corporation may adopt rules or establish policies, procedures,
17 standards, and forms for advancement grants, including the requirements for
18 applying for and using the grants and the eligibility requirements for the
19 institutions where the grants may be used. Such rules shall be consistent with
20 subsection (d) of this section.

1 (d) Notwithstanding subsection (a) of this section, applicants shall not be
2 ineligible for the advancement grant solely on account of the applicant's
3 residency status under subdivision 2822(7) of this title if that applicant:

4 (1) qualifies as a refugee pursuant to 8 U.S.C. § 1101(a)(42) (definition
5 of refugee);

6 (2) is granted parole to enter the United States pursuant to 8 U.S.C.
7 § 1182(d)(5) (temporary admission of nonimmigrants for urgent humanitarian
8 reasons); or

9 (3) is issued a special immigrant visa pursuant to the Afghan Allies
10 Protection Act of 2009, Pub. L. No. 111-8 (8 U.S.C. § 1101 note), as amended.

11 Sec. 2. INCENTIVE GRANT ELIGIBILITY; RESIDENCY

12 (a) Notwithstanding any provision of law to the contrary, a person who
13 qualifies for in-state tuition to the Community College of Vermont pursuant to
14 16 V.S.A. § 2185(c) shall not be ineligible for the Vermont incentive grant
15 program under 16 V.S.A. §§ 2841–2844 solely on account of that person's
16 residency status.

17 (b) This section shall be repealed on July 1, 2027.

18 Sec. 3. 16 V.S.A. § 2828 is added to read:

19 § 2828. FINANCIAL AID ELIGIBILITY FOR CERTAIN STUDENTS

20 (a) Notwithstanding any provision of law to the contrary, a resident who is
21 otherwise eligible for a State-funded financial aid program administered by the

1 Corporation shall not be ineligible solely on the basis of such resident’s
2 immigration status under federal law.

3 (b) The Corporation shall establish procedures and forms that enable
4 residents ~~eligible~~ ~~who meet the requirements of~~ subsection (a) of this
5 section to apply for, and participate in, all State-funded student financial aid
6 programs administered by the Corporation for which such residents are eligible
7 to the full extent permitted by federal law. The Corporation may collect such
8 information as is necessary to confirm eligibility for participation in programs
9 administered by the Corporation.

10 (c) The Corporation shall adopt rules pursuant to 3 V.S.A. chapter 25 ~~if as~~
11 necessary to carry out the provisions of this section.

12 (d) The Corporation shall include information regarding the impact of this
13 section and the number of students who receive financial aid pursuant to this
14 section in its biannual report to the General Assembly pursuant to subsection
15 2835(c) of this title.

16 * * * Vermont State Colleges Corporation * * *

17 Sec. 4. 16 V.S.A. § 2185 is amended to read:

18 § 2185. DETERMINATION OF RESIDENCY FOR TUITION PURPOSES

19 (a) The Board of Trustees shall adopt policies related to residency for
20 tuition purposes, consistent with State and federal requirements. Any policies
21 adopted by the Board shall not discriminate against or exclude a person based

Commented [TL1]: Subsection (a) is more definitional than a “requirement,” and I think this tweak here would reflect that better.

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Commented [TL2]: VSAC has successfully established and administered all of its grant, scholarship, forgivable loan and other financial aid programs without formal rulemaking. Either this subsection is not needed for that reason, or “if” should be substituted for “as.” I note that there is no rulemaking subsection for Vermont State University or the University of Vermont, in sections 4 and 5, below.

1 solely on the person’s immigration status, or lack thereof, if such person would
2 otherwise qualify for and meet requirements for Vermont residency for tuition
3 purposes as set forth by the Board and as permitted under federal law.

4 (b) Any member of the U.S. Armed Forces on active duty who is
5 transferred to Vermont for duty other than for the purpose of education shall,
6 upon transfer and for the period of active duty served in Vermont, be
7 considered a resident for in-state tuition purposes at the start of the next
8 semester or academic period.

9 (c) For determination of residency for tuition to the Community College of
10 Vermont, a person who resides in Vermont shall be considered a resident for
11 in-state tuition purposes, beginning at the start of the next semester or
12 academic period after arrival in Vermont, if that person:

13 (1) qualifies as a refugee pursuant to 8 U.S.C. § 1101(a)(42)

14 (Immigration and Nationality Act definition of refugee);

15 (2) is granted parole to enter the United States pursuant to 8 U.S.C.
16 § 1182(d)(5) (temporary admission of nonimmigrants for urgent humanitarian
17 reasons); or

18 (3) is issued a special immigrant visa pursuant to the Afghan Allies
19 Protection Act of 2009, Pub. L. No. 111-8 (8 U.S.C. § 1101 note), as amended.

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(Committee vote: _____)

Representative _____

FOR THE COMMITTEE