

Unified Regulatory Plan of the State Council of Higher Education for Virginia for State Fiscal Year 2023

Prepared on September 30, 2022

Description of Agency or Boards

The State Council of Higher Education for Virginia is the coordinating agency for state-supported institutions of higher education. It is authorized to adopt regulations to implement its powers in that capacity and is also vested with regulatory authority with respect to some matters not directly relating to, nor restricted to, state-supported institutions. The council is designated as the administering agency for and is authorized to adopt regulations governing the student aid programs in Title 23.1 of the Code of Virginia and has issued policies and guidelines applicable primarily to publicly supported institutions of higher education for new degree programs, budget guidelines, domiciliary residence, and certain other student aid funds administered by state institutions of higher education. The council operates under the supervision of the Secretary of Education. Regulations and regulatory changes adopted by the agency go through an approval process through its 13-member gubernatorial appointed board.

Title of Proposed Regulatory Action or Guidance Document Revision of Regulations Pertaining to the New Economy Workforce Credential Grant	
Brief Overview SCHEV is required to administer the grant program pursuant to Virginia Code §23.1-627.3 and is authorized to promulgate regulations for the administration of the program “as it deems necessary and appropriate”. The regulations are found at 8 VAC 40-160. SCHEV is proposing legislation in the 2023 General Assembly session that would increase the maximum reimbursement to institutions on the Workforce Credential Grant Program to address historic and potential future inflationary increases and improve how the program meets current workforce needs. If the legislation is successful, the regulations will require revision to reflect the new amount.	
Regulatory Stage (check one box)	<input type="checkbox"/> NOIRA <input type="checkbox"/> Proposed Rule <input checked="" type="checkbox"/> Final Rule <input type="checkbox"/> Emergency Rule <input type="checkbox"/> Fast-Track Rule

Additional Description	<input type="checkbox"/> Expedited Rule <input type="checkbox"/> Guidance Document <input checked="" type="checkbox"/> Exempt Rule
Legal Authority	<input type="checkbox"/> Action required by federal statute <input type="checkbox"/> Discretionary action <input checked="" type="checkbox"/> Action required by state statute
Deregulatory Component	SCHEV has not identified any portion of the regulations that can be repealed or reduced.
Expected Date	July 2023

<p>Title of Proposed Regulatory Action or Guidance Document</p> <p>Revisions to Regulations Pertaining to the Virginia Tuition Assistance Grant</p>
<p>Brief Overview</p> <p>The Virginia Tuition Assistance Grant Program is designed to make private higher education in Virginia more affordable and a valid option for Virginia residents. The grant is not need-based or merit-based, but based on the student’s residency. The award is based on full-time enrollment. The regulatory changes would provide clarification of the text and unaddressed administrative issues, in addition to updating the bonus award for seniors pursuing a career in teaching.</p>

Regulatory Stage (check one box)	<input type="checkbox"/> NOIRA <input type="checkbox"/> Proposed Rule <input checked="" type="checkbox"/> Final Rule <input type="checkbox"/> Emergency Rule <input type="checkbox"/> Fast-Track Rule
Additional Description	<input type="checkbox"/> Expedited Rule <input checked="" type="checkbox"/> Exempt Rule <input type="checkbox"/> Guidance Document
Legal Authority	<input type="checkbox"/> Action required by federal statute <input checked="" type="checkbox"/> Discretionary action <input checked="" type="checkbox"/> Action required by state statute
Deregulatory Component	A portion of current regulations pertains to the brief elimination of TAG for on-line students. Since TAG has been restored to online learning, that portion of the regs dedicated to the restriction can be eliminated.
Expected Date	July 2023

Title of Proposed Regulatory Action or Guidance Document Revisions to Regulations Pertaining to the Virginia Two-Year College Transfer Grant
Brief Overview The Two Year College Transfer Grant is intended to provide a financial incentive for low and middle-income students to consider completing their first two years of college at a community college before then transferring to a Virginia four-year college or university.

The award requires a grade point average of 3.0, full-time enrollment and an Expected Family Contribution (EFC as calculated using the federal FAFSA form) of no more than 12,000 (this correlates roughly with income of just under \$100,000 for a family of four). The proposed regulatory changes would conform the program to the new federal Student Aid Index to replace the current EFC nomenclature and provide guidance for issues currently not addressed.

Regulatory Stage (check one box)	<input type="checkbox"/> NOIRA <input type="checkbox"/> Emergency Rule <input type="checkbox"/> Proposed Rule <input type="checkbox"/> Fast-Track Rule <input checked="" type="checkbox"/> Final Rule
Additional Description	<input type="checkbox"/> Expedited Rule <input type="checkbox"/> Guidance Document <input checked="" type="checkbox"/> Exempt Rule
Legal Authority	<input type="checkbox"/> Action required by federal statute <input checked="" type="checkbox"/> Discretionary action <input checked="" type="checkbox"/> Action required by state statute
Deregulatory Component	SCHEV has not identified any portion of the regulations that can be repealed or reduced.
Expected Date	July 2023

Title of Proposed Regulatory Action or Guidance Document

Revisions to Regulations Pertaining to the Virginia Guaranteed Assistance Program

Brief Overview

The Virginia Guaranteed Assistance Program is created to provide financial assistance in the form of grants to eligible students for the costs of attending a public institution of higher education. SCHEV is proposing legislation in the 2023 General Assembly session that would provide consistency between state and federal title IV financial aid programs by conforming state law with the new federal nomenclature replacing the EFC with SAI and with the repeal of the Selective Service requirement. While these provisions are not in the Code sections governing VGAP, VGAP regulations would need to be amended if the legislation is enacted.

Regulatory Stage**(check one box)** NOIRA Emergency Rule Proposed Rule Fast-Track Rule Final Rule**Additional****Description** Expedited Rule Guidance Document Exempt Rule**Legal Authority** Action required by federal statute Discretionary action Action required by state statute**Deregulatory Component****Expected Date**

July 2023