

1 COMMITTEE SUBSTITUTE

2 FOR

3 **Senate Bill No. 408**

4 (By Senators Cole (Mr. President) and Kessler,

5 By Request of the Executive)

6 \_\_\_\_\_  
7 [Originating in the Committee on Education;

8 reported February 28, 2015.]  
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**FISCAL  
NOTE**

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12 A BILL to amend and reenact §18C-4A-1, §18C-4A-2 and §18C-4A-3 of the Code of West Virginia,  
13 1931, as amended, all relating to education; expanding class of teachers who are eligible to  
14 receive assistance from Underwood-Smith Teacher Loan Assistance Program; and increasing  
15 annual amount of assistance available from Underwood-Smith Teacher Loan Assistance  
16 Program.

17 *Be it enacted by the Legislature of West Virginia:*

18 That §18C-4A-1, §18C-4A-2 and §18C-4A-3 of the Code of West Virginia, 1931, as  
19 amended, be amended and reenacted, all to read as follows:

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

21 **ARTICLE 4A. UNDERWOOD-SMITH TEACHER LOAN ASSISTANCE PROGRAM.**

22 **§18C-4A-1. Selection criteria and procedures for loan assistance.**

1 (a) The Governor shall designate the Higher Education Student Financial Aid Advisory  
2 Board created by section five, article one of this chapter to select recipients to receive  
3 Underwood-Smith Teacher Loan Assistance Awards.

4 (b) ~~The advisory board shall make decisions regarding loan assistance pursuant to section~~  
5 ~~one, article four of this chapter and the following criteria:~~

6 (A) ~~Eligibility for an award is limited to a teacher who has earned a teaching degree and is~~  
7 ~~certified to teach a subject area of critical need in the public schools of West Virginia. A certified~~  
8 ~~teacher in a subject area of critical need who is enrolled in an advanced in-field degree course or who~~  
9 ~~has earned an advanced in-field degree may apply for an award to be paid toward current education~~  
10 ~~student loans;~~

11 (B) ~~To be eligible for a loan award, a teacher shall agree to teach, or shall currently be~~  
12 ~~teaching, a subject area of critical need or in a state school or geographic area of the state identified~~  
13 ~~as an area of critical need pursuant to section one, article four of this chapter. The advisory board~~  
14 ~~shall make decisions regarding loan assistance pursuant to section one, article four of this chapter.~~

15 (c) In accordance with the rule promulgated pursuant to section one, article four of this  
16 chapter, the vice chancellor for administration shall develop additional eligibility criteria and  
17 procedures for the administration of the loan program.

18 (d) The vice chancellor for administration shall make available program application forms  
19 to public and private schools in the state via the commission and the State Department of  
20 Education's websites and in other locations convenient to potential applicants.

21 **§18C-4A-2. Loan assistance agreement.**

22 (a) Before receiving an award, each eligible teacher shall enter into an agreement with the

1 vice chancellor for administration and shall meet the following criteria:

2 (1) Provide the commission with evidence of compliance with subsection (b), section four,  
3 article four of this chapter;

4 (2) Teach in a subject area of critical need or in a school or geographic area of critical need  
5 full time under contract with a county board for a period of two school years for each year for which  
6 loan assistance is received pursuant to this article. The vice chancellor for administration may grant  
7 a partial award to an eligible recipient whose contract term is for less than a full school year pursuant  
8 to criteria established by commission rule.

9 (3) Acknowledge that an award is to be paid to the recipient's ~~educational~~ student loan  
10 institution, not directly to the recipient, only after the commission determines that the recipient has  
11 complied with all terms of the agreement; and

12 (4) Repay all or part of an award received pursuant to this article if the award is not paid to  
13 the ~~educational~~ student loan institution or if the recipient does not comply with the other terms of  
14 the agreement.

15 (b) Each loan agreement shall disclose fully the terms and conditions under which an award  
16 may be granted pursuant to this article and under which repayment may be required. The agreement  
17 also is subject to and shall include the terms and conditions established by section five, article four  
18 of this chapter.

19 **§18C-4A-3. Amount and duration of loan assistance; limits.**

20 (a) Each award recipient is eligible to receive loan assistance of up to ~~\$2,000~~ \$3,000 annually  
21 subject to limits set forth in subsection (b) of this section:

22 (1) If the recipient has taught ~~math or science~~ for a full school year under contract with a

1 county board in a subject area of critical need or in a school or geographic area of critical need; and

2 (2) If the recipient otherwise has complied with the terms of the agreement and with  
3 applicable provisions of this article and article four of this chapter, and any rules promulgated  
4 pursuant thereto.

5 (b) The recipient is eligible for renewal of loan assistance only during the periods when the  
6 recipient is under contract with a county board to teach in a subject area of critical need or in a  
7 school or geographic area of critical need, and complies with other criteria and conditions established  
8 by rule, except that a teacher who is teaching under a contract in a position that no longer meets the  
9 definition of critical need under rules established in accordance with section one, article four of this  
10 chapter is eligible for renewal of loan assistance until the teacher leaves his or her current position.

11 (c) No recipient may receive loan assistance pursuant to this article which accumulates in  
12 excess of \$15,000.

NOTE: The bill expands the availability of the Underwood-Smith Teacher Loan Assistance Program, and increases the annual amount of assistance available from \$2,000 to \$3,000.

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