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**ENROLLED**

**H. B. 2645**

(By Mr. Speaker, (Mr. Armstead) and Delegate Miley)

[By Request of the Executive]

[Passed March 9, 2015; in effect ninety days from passage.]

AN ACT to amend and reenact §18C-4A-1, §18C-4A-2, and §18C-4A-3 of the Code of West Virginia, 1931, as amended, all relating to modifying the Underwood-Smith Teacher Loan Assistance Program; increasing annual award from program; and expanding teacher eligibility for program awards.

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

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

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

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

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

(b) To be eligible for a loan award, a teacher shall agree to teach, or shall currently be

1 teaching, a subject area of critical need or in a school or geographic area of the state identified as an  
2 area of critical need. The advisory board shall make decisions regarding loan assistance pursuant  
3 to section one, article four of this chapter.

4 (c) In accordance with the rule promulgated pursuant to section one, article four of this  
5 chapter, the Vice Chancellor for Administration shall develop additional eligibility criteria and  
6 procedures for the administration of the loan program.

7 (d) The Vice Chancellor for Administration shall make available program application forms  
8 to public and private schools in the state via the website of the commission and the State Department  
9 of Education and in other locations convenient to potential applicants.

10 **§18C-4A-2. Loan assistance agreement.**

11 (a) Before receiving an award, each eligible teacher shall enter into an agreement with the  
12 Vice Chancellor for Administration and shall meet the following criteria:

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

15 (2) Teach in a subject area of critical need or in a school or geographic area of critical need  
16 full time under contract with a county board for a period of two school years for each year for which  
17 loan assistance is received pursuant to this article. The Vice Chancellor for Administration may  
18 grant a partial award to an eligible recipient whose contract term is for less than a full school year  
19 pursuant to criteria established by commission rule.

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

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

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

7 **§18C-4A-3. Amount and duration of loan assistance; limits.**

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

10           (1) If the recipient has taught for a full school year under contract with a county board in a  
11 subject area of critical need or in a school or geographic area of critical need; and

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

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

21           (c) A recipient may not receive loan assistance pursuant to this article which accumulates in  
22 excess of \$15,000.

