

WEST VIRGINIA LEGISLATURE

2020 REGULAR SESSION

ENROLLED

House Bill 4737

BY DELEGATES ROWAN, TONEY, SYPOLT, LINVILLE,

GRAVES, ZUKOFF, BARTLETT, PETHTEL, MAYNARD,

QUEEN AND WILLIAMS

[Passed March 7, 2020; in effect from passage.]

1 AN ACT to amend and reenact §18C-1-1 of the Code of West Virginia, 1931, as amended, relating
2 to the qualifications for state financial aid.

Be it enacted by the Legislature of West Virginia:

ARTICLE 1. FINANCIAL ASSISTANCE GENERALLY.

§18C-1-1. Legislative findings; purpose; administration generally; reporting.

1 (a) The Legislature makes the following findings:

2 (1) Although enrollments in institutions of higher education in this state and throughout the
3 nation continue to increase at a rapid pace, West Virginia has not developed sufficiently the state's
4 human talent and resources because many able, but needy, students are not able to finance a
5 higher education program;

6 (2) The state can achieve its full economic and social potential only when the following
7 elements are in place:

8 (A) Every individual has the opportunity to contribute to the full extent of his or her
9 capability; and

10 (B) The state assists in removing financial barriers to the individual's education goals that
11 remain after he or she has used all resources and work opportunities available;

12 (b) The ultimate state goal in providing student financial aid is to create a culture that
13 values education, to improve the quality of the workforce, and to enhance the quality of life for the
14 citizens of West Virginia.

15 (c) The vice chancellor for administration has a ministerial duty to administer, oversee,
16 and monitor all state and federal student financial aid programs administered at the state level in
17 accordance with established rules under the direction of the commission and council and in
18 consultation with the Higher Education Student Financial Aid Advisory Board.

19 (d) These programs include, but are not limited to, the following programs:

20 (1) The Guaranteed Student Loan Program, which may be administered by a private
21 nonprofit agency;

- 22 (2) The Medical Student Loan Program;
- 23 (3) The Underwood-Smith Teacher Scholarship Program;
- 24 (4) The Engineering, Science and Technology Scholarship Program;
- 25 (5) The West Virginia Higher Education Grant Program;
- 26 (6) The Higher Education Adult Part-Time Student Grant Program;
- 27 (7) The West Virginia Providing Real Opportunities for Maximizing In-State Student
28 Excellence (PROMISE) Scholarship Program;
- 29 (8) The Higher Education Student Assistance Loan Program established pursuant to §18-
30 22D-1 *et seq.* of this code;
- 31 (9) The West Virginia College Prepaid Tuition and Savings Program established pursuant
32 to §18-30-1 *et seq.* of this code, which is administered by the State Treasurer;
- 33 (10) The state aid programs for students of optometry, pursuant to §18C-3-1 *et seq.* of this
34 code;
- 35 (11) The state aid programs for students of veterinary medicine pursuant to §18-11-6a of
36 this code;
- 37 (12) Any reciprocal program and contract program for student aid established pursuant to
38 §18B-4-3 and §18B-4-4 of this code;
- 39 (13) Any other state-level student aid programs in this code; and
- 40 (14) Any federal grant or contract student assistance or support programs administered at
41 the state level.
- 42 (e) Notwithstanding any provision of this code to the contrary, the qualifications for state
43 financial aid are separate and apart from the requirements for federal financial aid, and the inability
44 of a student to complete the Free Application for Federal Student Aid (FAFSA) because of
45 extenuating family circumstances, as determined by the vice chancellor for administration in
46 consultation with the student's high school, shall not affect the student's eligibility for state

47 financial aid. This provision in no way determines the student's compliance with federal rules or
48 eligibility relating to federal student financial aid programs.

49 (f) The vice chancellor for administration shall publish comprehensive data to the official
50 websites of the commission and council regarding the implementation of the financial aid
51 programs identified in subsection (d) of this section which are administered under his or her
52 supervision, including data regarding how many students had to avail themselves of the
53 provisions of subsection (e) above. A concise summary report shall be provided to the
54 commission and the council and shall be presented to the Legislative Oversight Commission on
55 Education Accountability no later than January 1 annually. The report shall address all financial
56 aid issues for which reports are required in this code, as well as any findings and
57 recommendations.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

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Chairman, House Committee

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Chairman, Senate Committee

Originating in the House.

In effect from passage.

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Clerk of the House of Delegates

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Clerk of the Senate

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Speaker of the House of Delegates

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President of the Senate

The within this the.....
day of, 2020.

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Governor