

**E N G R O S S E D**

**H. B. 2645**

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(BY DELEGATE(S) MR. SPEAKER (MR. ARMSTEAD)  
AND MILEY)

**[BY REQUEST OF THE GOVERNOR'S OFFICE]**

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[Introduced February 6, 2015; referred to  
the Committee on Education; and then to  
the Committee on Finance.]

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A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §18A-3-1d; and to amend and reenact §18A-3-2a of said code; and to amend and reenact §18C-4A-1, §18C-4A-2, and §18C-4A-3 of said code, all relating to education; providing for critical need alternative teaching certificates to teach in subject areas, public schools or geographic areas of the state in which a critical teacher shortage exists, as determined by the State Board of Education; setting forth certificate eligibility requirements; providing for orientation

program for critical need alternative teaching certificate holder; providing for training, support and evaluation of critical need alternative teaching certificate holder; setting forth requirements for renewing critical need alternative teaching certificate; requiring State Board of Education to promulgate legislative rule or rules related to implementation of critical need alternative learning certificates; expanding class of teachers that are eligible to receive assistance from Underwood-Smith Teacher Loan Assistance Program; and increasing annual amount of assistance available from Underwood-Smith Teacher Loan Assistance Program.

*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.**

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

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

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

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

22       (c) In accordance with the rule promulgated pursuant to  
23 section one, article four of this chapter, the Vice Chancellor for

24 Administration shall develop additional eligibility criteria and  
25 procedures for the administration of the loan program.

26 (d) The Vice Chancellor for Administration shall make  
27 available program application forms to public and private  
28 schools in the state via the website of the commission and the  
29 State Department of ~~Education's websites~~ Education and in other  
30 locations convenient to potential applicants.

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

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

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

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

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

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

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

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

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

4 (1) If the recipient has taught ~~math or science~~ for a full  
5 school year under contract with a county board in a subject area

6 of critical need or in a school or geographic area of critical need;

7 and

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

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

22 (c) ~~No~~ A recipient may not receive loan assistance pursuant  
23 to this article which accumulates in excess of \$15,000.

NOTE: The purpose of this bill is to establish critical need alternative teaching certificates, provide for the requirements to obtain such a certificate and provide criteria

for the renewal of such certificates. The bill also 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.

