

**WEST VIRGINIA LEGISLATURE**  
**2019 FIRST EXTRAORDINARY SESSION**

**Introduced**

**House Bill 197**

BY DELEGATE C. THOMPSON

[Introduced June 17, 2019; Referred  
to the Select Committee on Education Reform D]

1 A BILL to amend and reenact §18C-4A-1, §18C-4A-2, and §18C-4A-3 of the Code of West  
 2 Virginia, 1931, as amended, all relating to the Teacher Education Loan Repayment  
 3 Program; reforming the Underwood-Smith Teacher Loan Assistance Program into a new  
 4 program; requiring that applicants be currently employed within the state school system;  
 5 specifying the school years to which the amendments will apply; and establishing a  
 6 minimum annual level of award.

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

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

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

1 (a) The ~~Governor shall designate the~~ Higher Education Student Financial Aid Advisory  
 2 Board created by §18C-1-5 of this code ~~to~~ shall select recipients to receive ~~Underwood-Smith~~  
 3 ~~Teacher Loan Assistance~~ Teacher Education Loan Repayment Program awards. The advisory  
 4 board shall make decisions regarding loan repayment awards pursuant to §18C-4-1 of this code  
 5 and rules of the commission.

6 (b) To be eligible for a loan repayment award, a ~~teacher shall agree to teach shall agree~~  
 7 ~~to teach, or an applicant shall currently be teaching a subject area of critical need or~~ employed in  
 8 a public school in this state as a teacher in a school or geographic area of the state identified as  
 9 an area of critical need for such field. ~~at the preschool elementary, middle or secondary levels.~~  
 10 ~~The advisory board shall make decisions regarding loan assistance pursuant to section one,~~  
 11 ~~article four of this chapter~~

12 (c) In accordance with the rule promulgated pursuant to §18C-4-1 of this code, the Vice  
 13 Chancellor for Administration shall develop additional eligibility criteria and procedures for the  
 14 administration of the loan repayment program.

15 (d) The Vice Chancellor for Administration shall make available program application forms

16 to public and private schools in the state via the website of the commission and the State  
 17 Department of Education and in other locations convenient to potential applicants.

18 (e) The amendments to this article during the 2019 First Extraordinary Session of the  
 19 Legislature shall be effective for school years beginning on or after July 1, 2020, and the  
 20 provisions of this article existing immediately prior to the 2019 First Extraordinary Session of the  
 21 Legislature remain in effect for school years beginning prior to July 1, 2020.

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

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

3 (1) Provide the commission with evidence of compliance with ~~subsection (b), section four,~~  
 4 ~~article four of this chapter~~ §18C-4-4 of this code;

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

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

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

18 (b) Each loan repayment agreement shall disclose fully the terms and conditions under  
 19 which an award may be granted pursuant to this article and under which repayment may be

20 required. The agreement also is subject to and shall include the terms and conditions established  
 21 by §18C-4-5 of this code.

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

1 (a) Each award recipient is eligible to receive loan assistance ~~of up to~~ in an amount  
 2 determined annually by the commission based upon available funds, but not less than \$3,000  
 3 annually in an amount determined annually by the commission based upon available funds, and  
 4 subject to limits set forth in subsection (b) of this section, if the recipient:

5 (1) ~~If the recipient has taught~~ Has been employed for a full school year under contract with  
 6 a county board of education ~~in a subject area of critical need or~~ as a teacher in a school or  
 7 geographic area of critical need; and

8 (2) ~~If the recipient otherwise~~ Otherwise has complied with the terms of the agreement and  
 9 with applicable provisions of this article and §18C-4-1 *et seq.* of this code, and any rules  
 10 promulgated pursuant thereto.

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

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

NOTE: The purpose of this bill is to establish the Teacher Education Loan Repayment Program to provide financial relief for teachers.

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