

WEST VIRGINIA LEGISLATURE

2023 REGULAR SESSION

Introduced

House Bill 2797

By Delegates Statler, Foster, Espinosa, Kimble,

Crouse and Ridenour

[Introduced January 18, 2023; Referred to the

Committee on Education]

1 A BILL to amend and reenact §18-31-7 of the Code of West Virginia, 1931, as amended, relating to
 2 the Hope Scholarship Program; and providing that microschoo tuition and fees are
 3 qualifying expenses for Hope Scholarship accounts.

Be it enacted by the Legislature of West Virginia:

ARTICLE 31. HOPE SCHOLARSHIP PROGRAM

§18-31-7. Qualifying expenses for Hope Scholarship accounts.

1 (a) Parents of a Hope Scholarship student shall agree to use the funds deposited in their
 2 student’s Hope Scholarship account only for the following qualifying expenses to educate the
 3 student:

4 (1) Ongoing services provided by a public school district pursuant to §18-31-8(f) of this
 5 code, including without limitation, individual classes and extracurricular activities and programs;

6 (2) Tuition and fees at a participating school;

7 (3) Tutoring services provided by an individual or a tutoring facility: *Provided*, That such
 8 tutoring services are not provided by a member of the Hope Scholarship student’s immediate
 9 family;

10 (4) Fees for nationally standardized assessments, advanced placement examinations, any
 11 examinations related to college or university admission, and tuition and/or fees for preparatory
 12 courses for the aforementioned exams;

13 (5) Tuition and fees for programs of study or the curriculum of courses that lead to an
 14 industry-recognized credential that satisfies a workforce need;

15 (6) Tuition and fees for nonpublic online learning programs;

16 (7) Tuition and fees for alternative education programs;

17 (8) Fees for after-school or summer education programs;

18 (9) Educational services and therapies, including, but not limited to, occupational,
 19 behavioral, physical, speech-language, and audiology therapies;

20 (10) Curriculum as defined in §18-31-2 of this code;

21 (11) Fees for transportation paid to a fee-for-service transportation provider for the student
22 to travel to and from an education service provider; and

23 (12) Tuition and fees at a microschool as defined in §18-8-1(n)(1)(B) of this code; and

24 ~~(12)~~ (13) Any other qualified expenses as approved by the board established pursuant to
25 §18-31-3 of this code.

26 (b) Hope Scholarship funds may only be used for educational purposes in accordance with
27 subsection (a) of this section. Nothing in this section requires that a Hope Scholarship student be
28 enrolled, full- or part-time, in either a private school or nonpublic online school.

29 (c) Hope Scholarship funds may not be refunded, rebated, or shared with a parent or
30 student in any manner. Any refund or rebate for goods or services purchased with Hope
31 Scholarship funds shall be credited directly to a student's Hope Scholarship account.

32 (d) Nothing in this section prohibits the parents of a Hope Scholarship student from making
33 payments for the costs of educational goods and services not covered by the funds in their
34 student's Hope Scholarship account. However, personal deposits into a Hope Scholarship
35 account are not permitted.

NOTE: The purpose of this bill is to provide that microschool tuition and fees are qualifying expenses for Hope Scholarship accounts.

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