WEST VIRGINIA CODE: §18-31-7

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

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

(1) Ongoing services provided by a public school district pursuant to §18-31-8(f) of this code, including without limitation, individual classes and extracurricular activities and programs: *Provided*, That notwithstanding the provisions of §18-5G-3 of this code, a public charter school may invoice a Hope Scholarship student's account for said services;

(2) Tuition and fees at a participating school;

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

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

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

(6) Tuition and fees for nonpublic online learning programs including, but not limited to, online curriculum courses and tutorial programs;

(7) Tuition and fees for alternative education programs;

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

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

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

(11) Instruments or equipment required as part of a music education course or curriculum;

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

(13) Any other qualifying expenses as approved by the board established pursuant to §18-31-3 of this code: *Provided*, That the board may adopt rules and procedures for Hope

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Scholarship students who want to continue to receive services provided by a public school or district.

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

(c) Hope Scholarship funds may not be refunded, rebated, or shared with a parent or student in any manner: *Provided*, That the Hope Scholarship Board shall promulgate legislative rules to ensure that an education service provider with 15 or more students can provide compensation to employees of the provider in the provider's regular course of business, notwithstanding the fact that an employee's child receives services from the education service provider.

(d) The board may adopt procedures for establishing a reimbursement process for any qualifying expenses not available for purchase by a Hope Scholarship parent through the existing online Hope Scholarship Program portal. Any refund or rebate for goods or services purchased with Hope Scholarship funds shall be credited directly to a student's Hope Scholarship account.

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

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