WEST VIRGINIA CODE: §18C-4-1

§18C-4-1. Underwood-Smith Teaching Scholars Program Fund created; purposes; funding; effective date.

(a) It is the purpose of this article and §18C-4A-1 et seq. of this code to improve the quality of education in the public schools of West Virginia by encouraging and enabling individuals who have demonstrated outstanding academic abilities to pursue teaching careers in critical shortage fields at the elementary, middle or secondary levels in the public schools of this state. Particular efforts shall be made in the scholarship selection criteria and procedures to reflect the state's present and projected critical teacher shortage fields.

(b) In consultation with the State Board of Education and the State Superintendent of Schools, the commission shall propose legislative rules in accordance with the provisions of §29A-3A-1 et seq. of this code. The rules shall provide for the administration of the Underwood-Smith Teaching Scholars Program and the Teacher Education Loan Repayment Program by the Vice Chancellor for Administration in furtherance of the purposes of this article, and §18C-4A-1 et seq. of this code including, but not limited to, the following:

(1) Establishing scholarship selection criteria and procedures;

(2) Establishing criteria and procedures for identifying critical teacher shortage fields;

(3) Establishing and updating as necessary a list of critical teacher shortage fields in the public schools for which scholarships are available;

(4) Requiring scholarship recipients to teach in a public school in this state at the elementary, middle or secondary level in a critical teacher shortage field pursuant to the provisions of §18C-4-3 of this code;

(5) Awarding loan repayment assistance, including establishing conditions under which partial awards may be granted for less than a full year of teaching in a critical teacher shortage field;

(6) Determining eligibility for loan repayment assistance renewal;

(7) Establishing procedures ensuring that loan repayment assistance funds are paid directly to the proper lending entity;

(8) Establishing criteria for determining participant compliance or noncompliance with terms of the agreement and establishing procedures to address noncompliance including, but not limited to, repayment, deferral and excusal; and

(9) Developing model agreements.

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(c) The commission and State Board of Education jointly shall ensure that Underwood-Smith Teaching Scholars award recipients receive additional academic support and training from mentors in their academic field beginning with the freshman year and continuing through degree completion and the teaching obligation.

(d) The Underwood-Smith Teacher Scholarship and Loan Assistance Fund is continued in the State Treasury as a special revolving fund and is hereafter to be known as the Underwood-Smith Teaching Scholars Program Fund. The fund shall be administered by the Vice Chancellor for Administration solely for granting scholarships and loan repayment assistance to teachers and prospective teachers in accordance with this article and §18C-4A-1 et seq. of this code. Any moneys which may be appropriated by the Legislature, or received by the Vice Chancellor for Administration from other sources, for the purposes of this article and §18C-4A-1 et seq. of this code shall be deposited in the fund. Any moneys remaining in the fund at the close of a fiscal year shall be carried forward for use in the next fiscal year. Any moneys repaid to the Vice Chancellor for Administration by reason of default of a scholarship or loan repayment assistance agreement under this article or §18C-4A-1 et seq. of this code also shall be deposited in the fund. Fund balances shall be invested with the state's consolidated investment fund, and any and all interest earnings on these investments shall be used solely for the purposes for which moneys invested were appropriated or otherwise received.

(e) The Vice Chancellor for Administration may accept and expend any gift, grant, contribution, bequest, endowment, or other money for the purposes of this article and §18C-4A-1 et seq. of this code and shall make a reasonable effort to encourage external support for the scholarship and loan repayment assistance programs.

(f) For the purpose of encouraging support for the scholarship and loan repayment assistance programs from private sources, the Vice Chancellor for Administration may set aside no more than half of the funds appropriated by the Legislature for Underwood-Smith Teaching Scholars Program and loan repayment assistance awards to be used to match two state dollars to each private dollar from a nonstate source contributed on behalf of a specific institution of higher education in this state.

(g) In recognition of the high academic achievement necessary to receive an award under this article, each recipient shall be distinguished as an "Underwood-Smith Teaching Scholar" in a manner befitting the distinction as determined by the commission.

(h) Notwithstanding the provisions of subsection (d) of this section, and §18C-4A-3 of this code:

(1) Moneys in the Underwood-Smith Teaching Scholars Program Fund may be used to satisfy loan repayment assistance agreements pursuant to §18C-4A-1 et seq. of this code and any renewals for which a recipient would be eligible pursuant to the prior enactment of §18C-4A-1 et seq. of this code for any student who is receiving such loan repayment assistance or fulfilling the requirements of an agreement on the effective date of this section;

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(2) Moneys in the Underwood-Smith Teaching Scholars Program Fund may be used to fund Underwood-Smith teacher scholarships, and any renewals for which a recipient would be eligible pursuant to the prior enactment of this article, for those students receiving such scholarship on the effective date of this section; and

(3) The terms, conditions, requirements, and agreements applicable to an Underwood-Smith teacher scholarship or loan repayment recipient prior to the effective date of this section shall continue in effect and are not altered by the reenactment of this section during the 2019 First Extraordinary Session of the Legislature.

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

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