WEST VIRGINIA CODE CHAPTER 18C ARTICLE 6

WV Legislature

§18C-6-1. Scholarship fund created; purposes; funding; limit on number of new scholarships per year.

(a) The purpose of this article is to attract talented students to West Virginia colleges and universities to major in science, technology, engineering, and mathematics (STEM). The Legislature recognizes that a larger pool of STEM talent in West Virginia will build the state's economy and businesses. In addition, long-term population increases for West Virginia will develop a strong economic base. The new economy requires that West Virginia retain its education infrastructure in order to maintain economic growth.

(b) The Higher Education Policy Commission shall propose a legislative rule in accordance with the provisions of §29A-3A-1, *et seq*. of this code, to implement the provisions of this article. The rule shall provide for the administration of the West Virginia STEM scholarship program by the vice chancellor for administration in furtherance of the purposes of this article, including, but not limited to, an expression of legislative intent that academic ability be the primary criteria for selecting scholarship recipients, scholarship selection criteria and procedures, renewal, compliance, noncompliance, repayment, deferral, and excusal. The rule also shall provide for appeal procedures under which a recipient may appeal any determination of noncompliance. The rule shall establish appropriate guidelines for program operation.

(c) There is hereby created in the State Treasury a special revolving fund known as the "West Virginia Science, Technology, Engineering, and Mathematics (STEM) Scholarship Fund" to be administered by the commission solely for granting scholarships to prospective scientists, technologists, engineers, and mathematicians in accordance with this article. Any moneys which may be appropriated by the Legislature, or received by the commission from other sources, for the purposes of this article shall be deposited in the fund. Any moneys remaining in the fund at the close of the fiscal year shall be carried forward for use in the next fiscal year. Any moneys repaid to the commission by reason of default of a scholarship agreement under this article 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.

(d) The commission may accept and expend any gift, grant, contribution, bequest, endowment, or other money for the purposes of this article and shall make a reasonable effort to encourage external support for the scholarship program.

(e) For the purpose of encouraging support for the scholarship program from private sources, the commission may set aside no more than half of the funds appropriated by the Legislature for West Virginia STEM scholarships 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.

(f) Nothing in this article requires any specific level of funding by the Legislature.

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§18C-6-2. Definitions.

When used in this article the following terms have the following meanings, unless the context clearly indicates a different meaning:

"Eligible institution of higher education" means a state institution of higher education as defined in §18B-1-2 of this code; and Appalachian Bible College, Bethany College, Davis and Elkins College, the University of Charleston, West Virginia Wesleyan College, and Wheeling University, all in West Virginia, and any other institution of higher education in this state, public or private, approved by the commission: *Provided*, That if any institution listed in this paragraph is not accredited by an accreditor approved by the United States Department of Education, it shall not be included as an eligible institution.

"Industry-based certification" means any special certification required, necessary or deemed preferred for employment in the field.

" "STEM" or STEM-related field" means a major in biological sciences, chemistry, computer science, physics, engineering, physical sciences, or mathematics at an eligible institution of higher education or any other academic program identified as a "STEM field" by the federal Department of Homeland Security or other appropriate federal agency.

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§18C-6-3. Selection criteria and procedures.

(a) The vice chancellor for administration shall select the recipients of West Virginia STEM scholarships from among those applicants who meet eligibility criteria set forth in subsection (b) of this section.

(b) To be eligible to receive a scholarship under the provisions of this article, applicants must meet the following conditions:

(1) Be a United States citizen or person who meets the definition of an "eligible noncitizen" under federal Title IV requirements;

(2) Have a cumulative grade point average of 3.0 on a 4.0 grading scale upon graduation from high school or the equivalent or have a cumulative grade point average of at least 3.0 on a 4.0 grading scale after completing one semester of course work at an eligible institution of higher education; and

(3) Be enrolled or accepted for enrollment in an accredited STEM or STEM-related program leading to a certificate, associate or baccalaureate degree at an eligible institution of higher education.

(c) In accordance with the intent of this article, in the rule authorized by §18C-6-1 of this code, the commission shall develop criteria and procedures for the selection of scholarship recipients that reflect the purposes of this article and the areas in which the commission shall make particular efforts in the selection of recipients as set forth in section one of this article and which may include, but not be limited to:

(1) The grade point average of the applicant;

(2) Involvement in extracurricular activities;

(3) Financial need;

(4) Current academic standing; and

(5) An expression of interest in a career in a STEM or STEM-related field as demonstrated in an essay written by the applicant.

The criteria and procedures further may require the applicant to furnish letters of recommendation from teachers and others.

(d) In developing the rule regarding selection criteria and procedures for the West Virginia STEM scholarship, the commission shall solicit the views of public and private science, technology, engineering, and mathematics agencies and institutions and other interested parties.

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(e) The commission shall make application forms for West Virginia STEM scholarships available to public and private high schools, charter schools, home schools, learning pods, microschools, and other educational programs authorized by the Legislature that encompass education commonly received in grades 9 through 12, in the state and other locations convenient to applicants, parents, and others and shall make an effort to attract students from low-income backgrounds, ethnic or racial minority students, students with disabilities, and women or minority students who show interest in pursuing careers in STEM or STEM-related fields and who are under-represented in those fields.

(f) In awarding the scholarships, the commission shall give preference to applicants who are West Virginia residents.

(g) The commission shall award scholarships based on established statewide need.

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§18C-6-4. Scholarship agreement.

(a) Each recipient of a West Virginia STEM scholarship shall enter into an agreement with the commission under which the recipient shall:

(1) Provide the commission with evidence of compliance with §18C-6-5(a) of this code;

(2) Agree that within one year following the date the recipient ceases to be a full-time student at an eligible institution in a STEM program for which the scholarship was awarded he or she will:

(A) Begin working full-time in a STEM-related field in this state for a duration of not less than one year for each year the scholarship was received. *Provided*, That recipients who are serving as members of the United States armed forces in a STEM-related field and maintaining legal residency in West Virginia while posted to a different location shall be considered as meeting this employment requirement; or

(B) Begin repayment of all or part of the West Virginia STEM scholarship received under this article plus interest and, if applicable, reasonable collection fees, in accordance with §18C-6-5(b) of this code, except as provided in subsections §18C-6-5(c) and (d) of this code.

(b) A scholarship agreement shall disclose fully the terms and conditions of this article under which the scholarship is provided and under which repayment of the scholarship may be required.

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§18C-6-5. Renewal conditions; noncompliance; deferral; excusal.

(a) The recipient of a West Virginia STEM scholarship is eligible for scholarship renewal if the recipient is:

(1) Enrolled as a full-time student in an eligible institution of higher education;

(2) Pursuing a course of study leading to a certificate, associate or baccalaureate degree in a STEM-related field;

(3) Maintaining satisfactory progress as determined by the eligible institution of higher education the recipient is attending; and

(4) Complying with any other standards established by the rule authorized by §18C-6-1 of this code.

(b) A recipient who violates a scholarship agreement shall repay the amount of any scholarship award received, plus interest, and, where applicable, reasonable collection fees, on a schedule and at a rate of interest prescribed in the rule authorized by §18C-6-1 of this code. The rule shall also provide for a method of prorating repayment amounts against any amount of the work requirement that has been fulfilled by the recipient.

(c) A recipient is not in violation of the agreement entered into under §18C-6-3 of this code during any period in which the recipient is:

(1) Pursuing a full-time course of study in a STEM or STEM-related field at an accredited institution of higher education; or

(2) Satisfying the provisions of additional repayment exemptions that are established by the commission's rule.

(d) The commission may forgive repayment of a West Virginia STEM scholarship received under this article if the recipient dies or becomes permanently and totally disabled as established by submission of a death certificate or sworn affidavit of a physician qualified to make such a determination as set out in the rule authorized by §18C-6-1 of this code.

(e) The commission's rule shall provide that the length of the repayment period may not exceed 10 years: *Provided*, That the rule may include provisions under which the commission may, if extenuating circumstances exist, extend the period for fulfilling the obligation to 15 years.

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§18C-6-6. Amount and duration of scholarship; relation to other assistance.

(a) Subject to subsection (b) of this section, each recipient of a West Virginia STEM scholarship is eligible to receive an award of up to $3,000 for each academic year of higher education. No individual may receive a scholarship award for more than four academic years for the completion of a baccalaureate degree.

(b) No individual may receive a scholarship award under this article which exceeds the cost of attendance at the institution the individual is attending. The cost of attendance shall be based upon the actual cost of tuition and fees. If the amount of the West Virginia STEM scholarship award and the amount of financial assistance which the recipient has received from all other sources exceed the cost of attendance, the institution's financial aid officer, in consultation with the recipient, shall determine which source of financial aid to reduce and shall do so in a manner to the best advantage of the recipient.

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