WEST VIRGINIA CODE: §18C-9-5

§18C-9-5. Eligibility requirements; agreements.

(a) To be eligible for a WV Invests Grant, an individual must satisfy the following requirements:

(1) Be a citizen or legal resident of the United States and have been a resident of West Virginia for at least one year immediately preceding the date of application for a grant;

(2) Have completed a secondary education program in a public, private, or home school;

(3) Have not been previously awarded a bachelor's degree: *Provided*, That individuals who have previously been awarded a bachelor's degree may qualify for the grant if they are seeking an associate degree or certificate in an eligible post-secondary program for emergency medical services;

(4) Be at least 18 years of age: *Provided*, That individuals younger than 18 years of age may qualify for the grant upon completion of a secondary education program in a public, private, or home school;

(5) Meet the admission requirements of, and be admitted into, an eligible institution;

(6) Satisfactorily meet any additional qualifications of enrollment, academic promise, or achievement as established by the council through rule;

(7) Have filed a completed free application for federal student aid for the academic year in which the grant award is sought;

(8) Be enrolled in an eligible post-secondary program;

(9) Be enrolled in at least six credit hours per semester;

(10) Have completed a WV Invests Grant application as provided by the council in accordance with a schedule established by the council; and

(b) Each grant may be awarded and renewed up to a lifetime total of six full-time equivalent semesters, until the course of study is completed as long as the following qualifications, as determined by the vice chancellor for administration and the council, are satisfied:

(1) Maintaining satisfactory academic standing, including a cumulative grade point average of at least 2.0;

(2) Making adequate progress toward completion of the eligible post-secondary program;

WV Legislature

(3) Satisfactory participation in a community service program authorized by the council. The council shall include in the legislative rules, required by §18C-9-4 of this code, provisions for the administration of community service requirements, including, but not limited to, requiring completion of at least eight hours of unpaid community service during the time of study, which may include, but is not limited to, participating with nonprofit, governmental, institutional, or community-based organizations designed to improve the quality of life for community residents, meet the needs of community residents, or foster civic responsibility;

(4) Continued satisfaction of eligibility requirements provided by §18C-9-5(a) of this code; and

(5) Satisfaction of any additional eligibility criteria established by the council through legislative rule.

(c) Each recipient of a WV Invests Grant shall enter into an agreement with the vice chancellor for administration, which shall require repayment of an amount of the grant or grants awarded to the recipient, in whole or in part, if a recipient chooses to reside outside the state within two years following either obtainment of the degree or certificate for which the grant or grants were awarded or enrollment at an eligible institution ends, whichever occurs later: *Provided*, That while enrolled out-of-state for further post-secondary education, the recipient may request deferment of the two-year residency requirement. The council may not require a recipient to repay grants, in whole or in part, unless the prospective recipient has been informed of this requirement in writing before initial acceptance of the grant award. Each WV Invests Grant agreement shall include the following:

(1) Disclosure of the full terms and conditions under which assistance under this article is provided and under which repayment may be required; and

(2) A description of the appeals procedure required to be established under this article.

(d) WV Invests Grant recipients found to be in noncompliance with the agreement entered into under §18C-9-5(c) of this code shall be required to repay the amount of the grant awards received, plus interest, and, where applicable, reasonable collection fees, on a schedule and at a rate of interest prescribed in rules promulgated by the council. The council shall also provide for proration of the amount to be repaid by a recipient who maintains employment in the state for a period of time within the time period required under §18C-9-5(c) of this code.

(e) A recipient is not in violation of an agreement entered into pursuant to §18C-9-5(c) of this code during any period in which the recipient is meeting any of the following conditions:

(1) Pursuing a half-time course of study at an accredited institution of higher education;

(2) Serving as a member of the armed services of the United States;

(3) Failing to comply with the terms of the agreement due to death or permanent or

WV Legislature

temporary disability as established by sworn affidavit of a qualified physician; or

(4) Satisfying the provisions of any additional repayment exemptions prescribed by the council through rule.

WV Legislature