**Section 2772.450 Waiver and Deferral of Repayment**

a) Any scholarship recipient who within two years of completion of the program of study has not accepted employment with an Illinois school to teach in an area of teacher shortage shall refund all scholarship monies received to the State Board of Education, except that:

1) Such refunding shall be waived for recipients who previously held a teaching certificate or for recipients with a bachelor's degree and a minimum of ten years in a field other than teaching under one of the following circumstances:

A) Due to financial conditions, no positions to teach (in an area of teacher shortage for which the recipient is qualified) in a school in Illinois within 60 miles of the recipient's residence were available within the two-year period following the recipient's completion of the program; or

B) The recipient applied for each opening in an area of teacher shortage for which the teacher was qualified in such schools within two years of completion of the program but did not obtain any of these positions.

2) Such refunding shall be waived for recipients preparing for a teaching career other than those referred to in subsection (1) if the recipient demonstrates that:

A) Due to financial conditions within districts, no such positions were available during the two-year time period; or

B) The recipient applied for all vacancies in Illinois schools for which he or she was qualified but failed to secure any such position.

b) A scholarship recipient may apply for a deferral of repayment of scholarship monies by submitting a written request for deferral to the State Board of Education. The request shall be accompanied by a sworn statement of recipient's assets and liabilities. A deferral request shall be granted if the request and supporting documentation show that deferral is necessary to prevent financial hardship to the recipient. For this purpose, financial hardship shall mean the inability to meet vital financial obligations that cannot be deferred, including food bills, rent or mortgage payments, utility bills, medical bills not covered by insurance, and other debts incurred for essential living expenses. Deferrals shall not exceed two years.

c) A teacher who is employed in an area of shortage and whose position is terminated within three years shall repay the scholarship monies awarded. Deferral of such repayment shall be granted when the discharged teacher presents evidence of seeking employment in the area of shortage for which the teacher was prepared. Deferrals shall not exceed two years. If the teacher obtains new employment in the area of shortage, repayment shall be waived.

(Source: Amended at 15 Ill. Reg. 17059, effective November 13, 1991)