

State of Arkansas

77th General Assembly

Regular Session, 1989

A Bill

HOUSE BILL

1010

By: Representative Flanagin

For An Act To Be Entitled

"AN ACT TO AMEND THE ARKANSAS CODE OF 1987, TITLE 6, CHAPTER 17, TO AUTHORIZE RECRUITMENT OF RETIRED TEACHERS TO TEACH IN CRITICAL SHORTAGE AREAS; TO ESTABLISH A GRANT PROGRAM TO ATTRACT EDUCATION MAJORS TO CRITICAL SHORTAGE AREAS; AND FOR OTHER PURPOSES."

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Title 6, Chapter 17, Arkansas Code of 1987, is hereby amended by adding a new subchapter to read as follows:

"6-17-1701. This subchapter shall be referred to and may be cited as 'The Teacher Shortage Emergency Act of 1989.'

6-17-1702. Definitions. As used in this subchapter, unless the context otherwise requires:

(1) 'Board' means the State Board of Education.

(2) 'Current critical shortage area' means those fields of instruction designated by the Board or required by law under Ark. Code 6-16-103 for which, according to a finding by the Board, there does not exist a sufficient pool of certified classroom teachers to fill available positions in the public schools of this state for the upcoming school term.

(3) 'Department' means the State Department of Education.

(4) 'Future areas of critical shortage' are those fields of instruction designated by the Board or required by law under Ark. Code 6-16-103 for which according to a finding by the Board, there will exist in the future, an insufficient number of qualified candidates for certification as classroom teachers to fill positions which will become available in the public schools of this state.

(5) 'Qualified retiree' means a person retired under the Arkansas Teachers' Retirement System prior to July 1, 1988, who meets all certification

requirements to fill a classroom teaching position in or related to grades 1-12 of the public schools of this state.

6-17-1703. (a) The Board is authorized to determine and designate current critical shortage areas for classroom teachers for the State of Arkansas and to invoke the provisions of this subchapter.

(b) Qualified retirees may be employed by the school district to fill positions in current critical shortage areas.

(c) Qualified retirees shall be paid a salary equal to seventy-five percent (75%) of the salary schedule of the employing district for the position being filled.

(d) The employing district shall remit twenty-five percent (25%) of the scheduled salary for positions filled by qualified retirees to the Department for use by the Department as set forth herein.

(e) No employee or employer contributions shall be made to the Teachers' Retirement System on behalf of qualified retirees employed under the provisions of this subchapter.

(f) A qualified retiree shall continue to receive retirement benefits as though not employed while working for a school district under the provisions of this subchapter and shall be considered exempt from the provisions of the social security retirement test (Ark. Code 24-7-708) during employment under this subchapter.

(g) The Board is authorized to promulgate rules and regulations to implement the provisions of this subchapter.

6-17-1704. (a) There is hereby created on the books of the State Treasurer, State Auditor and Chief Fiscal Officer of the state, a fund to be known as the 'Critical Shortage Teacher Education Revolving Fund.'

(b) Any school district employing a qualified retiree under the provisions of this subchapter, shall remit monthly to the Department as a non-revenue receipt an amount equal to twenty-five percent (25%) of the scheduled salary for the teaching position filled by the qualified retiree for deposit in the 'Critical Shortage Teacher Education Revolving Fund.'

(c) Moneys deposited in this fund shall be administered by the Director of the Department, and shall be used for student loans to applicants enrolled as education majors specializing in future areas of critical shortage.

6-17-1705. (a) There is hereby established a Critical Shortage Teacher Education Grant Program in the Department.

(b) Students enrolled as a junior or senior in a college of education with an approved major in a future area of critical shortage may apply for up to two thousand five hundred dollars (\$2,500) assistance per year under this program.

(c) Academic grades shall be the primary criteria in awarding assistance under this program.

(d) (1) Except as provided in (2) herein, a payment schedule requiring payments of twenty percent (20%) of the total assistance amount plus eight percent (8%) interest shall be entered by the student to provide for repayment of this assistance on the earliest of the following dates: immediately upon graduation, on the date the student is no longer enrolled in a college of education in an institution of higher education in this state or when the student no longer qualifies under the provision of (2) herein.

(2) If the student becomes employed by a school district in this state in a position of classroom teaching within six (6) months after graduation, then the annual amount due under the repayment schedule for assistance provided the student under this subchapter shall be forgiven and considered paid for each consecutive year of employment by a school district in this state.

(e) All payments made to the Department under this section shall be deposited in the 'Critical Shortage Teacher Education Revolving Fund' for use as set forth herein.

(f) Grant moneys shall be distributed under this program to the colleges of education in this state in proportionate amounts that total enrollment in each individual college of education for the previous year bears to the total enrollment in all colleges of education for the previous year.

(g) The Board is authorized to promulgate rules and regulations for implementation of this program.

6-17-1706. Only qualified retirees employed in classroom teaching positions and not administrative positions shall be compensated under the provisions of this subchapter.

6-17-1707. The current critical shortage areas for employment of qualified retirees under this program may vary based on findings by the Board from the future areas of critical shortage for purposes of assistance under the Critical Shortage Teacher Education Grant Program."

SECTION 2. The provisions of this subchapter shall become null and void on and after June 30, 1992.

SECTION 3. All laws and parts of laws in conflict with this act are hereby repealed.