

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

Act 1214 of the Regular Session

1 State of Arkansas
2 87th General Assembly
3 Regular Session, 2009

As Engrossed: S3/18/09

A Bill

SENATE BILL 852

4
5 By: Senators Broadway, Salmon, Bookout
6 By: Representatives J. Roebuck, Abernathy, M. Burris

7
8
9 **For An Act To Be Entitled**

10 AN ACT TO AMEND THE TEACHER OPPORTUNITY PROGRAM;
11 TO PROVIDE SCHOLARSHIPS TO TEACHERS RETURNING TO
12 COLLEGE TO RECEIVE AN ADDITIONAL CERTIFICATION;
13 AND FOR OTHER PURPOSES.

14
15 **Subtitle**

16 TO AMEND THE TEACHER OPPORTUNITY PROGRAM
17 AND TO PROVIDE SCHOLARSHIPS TO TEACHERS
18 RETURNING TO COLLEGE TO RECEIVE AN
19 ADDITIONAL CERTIFICATION.

20
21
22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

23
24 SECTION 1. Arkansas Code § 6-81-605 is amended to read as follows:
25 6-81-605. Grants – Priority.

26 (a)(1) The first priority for the award of funds under the Teacher
27 Opportunity Program is the award of ~~scholarships~~ reimbursements under the
28 Dual ~~Certification~~ Licensure Incentive Program, §§ 6-81-607 – ~~6-81-610~~ 6-81-
29 609.

30 (2) If funds are available after all awards are made under the
31 Dual ~~Certification~~ Licensure Incentive Program, then additional ~~grants~~
32 reimbursements may be made in accordance with the following:

33 (A) Students may receive ~~grants~~ reimbursements up to but
34 not in excess of the cost of student fees, books, and instructional supplies
35 at the public institution of higher education in this state assessing the



1 highest rate of student fees; ~~and~~

2 (B) The ~~grant or grants~~ reimbursements made to one (1)
3 individual within one (1) fiscal year may not exceed the costs associated
4 with six (6) semester credit hours or the equivalent of six (6) semester
5 credit hours; and

6 (C) All other requirements established by the Department
7 of Higher Education are met.

8 (b)(1) The Department of Higher Education shall determine priorities
9 for awarding ~~grants~~ reimbursements ~~in the event that~~ if there are more
10 applicants than funds available.

11 (2) Priorities shall be determined in coordination with the
12 Department of Education and shall be based on the needs of the state.

13
14 SECTION 2. Arkansas Code § 6-81-607 is amended to read as follows:
15 6-81-607. Definitions.

16 ~~For purposes of~~ As used in this subchapter:

17 (1) "Classroom teacher" means an individual who is required to
18 hold a teaching license from the Department of Education and who is:

19 (A) Engaged directly in instruction with students in a
20 classroom setting for more than seventy percent (70%) of the individual's
21 contracted time;

22 (B) A media specialist or librarian; ~~or~~

23 (C) A guidance counselor; or

24 (D) An administrator;

25 (2) "~~Dual certification licensure~~" means ~~certification licensure~~
26 ~~to teach in more than one (1) subject matter area;~~ and

27 (3) "~~Dual certification incentive bonus~~" means ~~a bonus that is~~
28 ~~given one (1) time every school year following the year of obtaining dual~~
29 ~~certification under the Dual Certification Incentive Program~~ "Student" means
30 a classroom teacher who is attending an institution of higher education as
31 part of the Dual ~~Certification Licensure~~ Incentive Program, §§ 6-81-607-6-81-
32 609.

33
34 SECTION 3. Arkansas Code § 6-81-608 is amended to read as follows:
35 6-81-608. Dual ~~Certification Licensure~~ Incentive Program.

36 (a) ~~There is created the Dual Certification Licensure Incentive~~

1 Program to encourage classroom teachers currently employed by school
 2 districts in the state to return to college to obtain ~~certification~~ licensure
 3 in one (1) or more additional subject areas.

4 (b) The program shall be administered by the Department of Higher
 5 Education.

6 (c)(1) A classroom teacher returning to college as a student may
 7 receive a reimbursement not to exceed the cost of student fees, books, and
 8 instructional supplies.

9 (2) The student fee reimbursement amount shall be based on the
 10 student fees of the state-supported institution of higher education that
 11 assesses the highest rate of student fees in this state.

12 (d) The reimbursement made to a classroom teacher returning to college
 13 as a student in one (1) fiscal year may not exceed the cost associated with
 14 six (6) semester credit hours or the equivalent of six (6) semester credit
 15 hours.

16
 17 SECTION 4. Arkansas Code § 6-81-609 is amended to read as follows:

18 6-81-609. Dual ~~certification~~ licensure funding.

19 (a)(1)(A) A classroom teacher employed by a school district in the
 20 state may receive a ~~scholarship~~ reimbursement from the Dual ~~Certification~~
 21 Licensure Incentive Program if ~~he or she~~ the classroom teacher;

22 ~~(i) Is recommended for a scholarship by the local~~
 23 ~~board of directors of the school district in which he or she is employed~~
 24 ~~based on the recommendation of the teacher's building level principal and~~
 25 ~~superintendent;~~

26 ~~(ii) Agrees to return~~ returns to an approved
 27 institution of higher education to obtain ~~certification~~ licensure in an
 28 additional subject area;

29 ~~(a)(i) An additional subject matter declared~~
 30 Declared to be a shortage area by the Department of Education;

31 ~~(b)(ii) An additional subject matter that he~~
 32 ~~or she~~ That the classroom teacher is currently teaching but for which he or
 33 she does not have a ~~certification~~ licensure; or

34 ~~(c)(iii) An additional subject matter and~~
 35 ~~grade~~ And grade level in which the school district has requested a waiver
 36 under § 6-17-309; ~~and.~~

1 ~~(iii) Agrees to maintain a minimum number of~~
2 ~~semester credit hours commensurate with the amount of the scholarship as~~
3 ~~determined by the Department of Higher Education.~~

4 (B)(i)~~(a)~~ A scholarship reimbursement from the Dual
5 ~~Certification~~ Licensure Incentive Program shall include funding for the cost
6 of tuition, books, and fees not to exceed three thousand dollars (\$3,000)
7 each college year.

8 ~~(b) The amount of the scholarship shall be~~
9 ~~commensurate with maintaining a minimum number of semester credit hours as~~
10 ~~determined by the Department of Higher Education.~~

11 ~~(ii) Each scholarship awarded under the program~~
12 ~~shall be funded with a two to one match with the local school districts~~
13 ~~whereby the Department of Higher Education shall provide two dollars (\$2.00)~~
14 ~~for each dollar a local school district provides for scholarships.~~

15 ~~(iii)~~(ii) The amount of the scholarship
16 reimbursement and the number of scholarship reimbursement recipients selected
17 by the Department of Higher Education shall be is contingent on the
18 appropriation and availability of funding for such a purpose.

19 ~~(C)(i) Local school districts may use moneys appropriated~~
20 ~~from the public school funds or any other source to fund the school~~
21 ~~district's local match requirements for no more than four (4) scholarships~~
22 ~~under the program for classroom teachers currently employed by the school~~
23 ~~district who have no less than three (3) years of experience as licensed~~
24 ~~classroom teachers in a public school located in the State of Arkansas.~~

25 ~~(ii) (a) Any school district that requests a waiver~~
26 ~~of teacher certification requirements under § 6-17-309 because the school~~
27 ~~district is not able to hire a qualified certified teacher to fill the~~
28 ~~position shall offer and fund a program scholarship to any qualified~~
29 ~~applicant willing to obtain dual certification in the grade level and subject~~
30 ~~matter for which the waiver was requested.~~

31 ~~(b) Program scholarships provided under this~~
32 ~~subdivision (a)(1)(C)(ii) shall be funded in addition to the four (4)~~
33 ~~scholarships under subdivision (a)(1)(C)(i) of this section with the two to~~
34 ~~one match funding described in subdivision (a)(1)(B)(ii) of this section.~~

35 (2) To be eligible for a scholarship reimbursement under the
36 program, the person shall be:

1 (A) Employed as a classroom teacher ~~by the same school~~
 2 ~~district~~ for no less than three (3) years of teaching immediately preceding
 3 the application; and

4 (B) Accepted for enrollment in a classroom teacher
 5 education program that will lead to a ~~certification~~ licensure to teach in a
 6 subject area that:

7 (i) Is different from the classroom teacher's
 8 current area of ~~certification~~ licensure; and

9 (ii) Either:

10 (a) Has been identified as a subject area with
 11 a shortage of classroom teachers as declared by the Department of Education;
 12 or

13 (b) Is in the grade level and subject matter
 14 area for which the school district has requested a waiver under § 6-17-309.

15 ~~(b) The recipients of the program scholarships awarded by a school~~
 16 ~~district shall be selected by that district's local board of directors based~~
 17 ~~on the recommendation of the teacher's building level principal and~~
 18 ~~superintendent or as required by subdivision (a)(1)(C)(ii) of this section.~~

19 ~~(c)(1) Any classroom teacher awarded a scholarship under the program~~
 20 ~~may be allowed administrative leave with pay as provided under the district's~~
 21 ~~certified personnel policies as is necessary for the classroom teacher to:~~

22 ~~(A) Attend college classes necessary to obtain the additional certification;~~

23 ~~- (B) Travel to or from the college; and~~

24 ~~- (C) Take state mandated tests as may be necessary to~~
 25 ~~obtain the additional certification.~~

26 ~~- (2) The cost of a classroom teacher's administrative leave~~
 27 ~~required under this subsection shall be credited toward the local district's~~
 28 ~~funding match obligations under this section.~~

29 ~~(d)(1) A classroom teacher who receives funds from the state or~~
 30 ~~school district for participation in the program shall repay the Department~~
 31 ~~of Education, the Department of Higher Education, or the school district the~~
 32 ~~total amount of the scholarships received under the program if the classroom~~
 33 ~~teacher:~~

34 ~~- (A) Does not receive an additional certification within~~
 35 ~~three (3) calendar years after he or she first received funding under the~~
 36 ~~program; or~~

1 - ~~(B) Becomes certified under the program but does not teach~~
 2 ~~or serve as a classroom teacher in an Arkansas public school district for~~
 3 ~~three (3) continuous years immediately following receipt of the additional~~
 4 ~~certification.~~

5 ~~(2) The State Board of Education may suspend the Arkansas~~
 6 ~~classroom teacher's license of any individual who fails, when required to do~~
 7 ~~so, to repay moneys contributed by the Department of Education, the~~
 8 ~~Department of Higher Education, or a school district for participation in the~~
 9 ~~program.~~

10 - ~~(3) Repayment of moneys contributed by the Department of~~
 11 ~~Education, the Department of Higher Education, or the school district is not~~
 12 ~~required if due to the death or disability of the classroom teacher, or other~~
 13 ~~extenuating circumstances as may be recognized by the State Board of~~
 14 ~~Education, the classroom teacher does not complete the certification process~~
 15 ~~or does not teach in the Arkansas public school system for three (3)~~
 16 ~~continuous school years after completing the certification funded by the~~
 17 ~~program.~~

18 ~~(e)(b)(1)~~ The Arkansas Higher Education Coordinating Board shall
 19 promulgate rules as necessary to implement the program.

20 (2) The number of classroom teacher participants each year shall
 21 be determined by the amount of funding available for the program and the
 22 limitations set under this section.

23
 24 SECTION 5. Arkansas Code § 6-81-610 is repealed.

25 ~~6-81-610. Dual certification bonus.~~

26 ~~(a)(1) Upon attainment of a dual certification under the Dual~~
 27 ~~Certification Incentive Program, the Department of Education shall pay the~~
 28 ~~school district on behalf of the dually certified classroom teacher a bonus~~
 29 ~~of three thousand dollars (\$3,000) each school year that the classroom~~
 30 ~~teacher:~~

31 - ~~(A) Is employed full time as a classroom teacher in an~~
 32 ~~Arkansas public school district; and~~

33 - ~~(B) Is teaching no fewer than two (2) class periods in~~
 34 ~~each of the different subject matter areas for which he or she received~~
 35 ~~certification.~~

36 - ~~(2) The dual certification incentive bonus provided in this~~

1 ~~section shall not be retroactive.~~
2 - ~~(3) No person shall receive a dual certification incentive bonus~~
3 ~~irrespective of the person's past participation in the State Teacher~~
4 ~~Assistance Resource Program if he or she:~~
5 - ~~(A) Leaves the full-time employment of an Arkansas public~~
6 ~~school district;~~
7 - ~~(B) Becomes employed as a district-level central office~~
8 ~~administrator or any other position that does not include teaching students;~~
9 ~~(C) Is employed by an Arkansas institution of higher~~
10 ~~education, the Department of Higher Education, or the Department of~~
11 ~~Education; or~~
12 - ~~(D) Is employed by an education service cooperative and~~
13 ~~does not teach in a classroom with students.~~

/s/ Broadway

APPROVED: 4/7/2009

14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36