

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.

1 State of Arkansas
2 84th General Assembly
3 Regular Session, 2003
4

As Engrossed: H4/10/03

A Bill

Act 1804 of 2003
HOUSE BILL 2352

5 By: Representatives *Cleveland, Mahony, C. Johnson, Dickinson, Stovall, White*
6 By: Senators *Hill, Baker, J. Bookout, Broadway, Steele, Laverty*
7

For An Act To Be Entitled

8
9
10 AN ACT TO REPEAL THE EMERGENCY SECONDARY
11 EDUCATION LOAN PROGRAM; TO CREATE THE STATE
12 TEACHER ASSISTANCE RESOURCE PROGRAM; AND FOR
13 OTHER PURPOSES.
14

Subtitle

15
16 AN ACT TO REPEAL THE EMERGENCY SECONDARY
17 EDUCATION LOAN PROGRAM; TO CREATE THE
18 STATE TEACHER ASSISTANCE RESOURCE
19 PROGRAM.
20
21

22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
23

24 SECTION 1. Arkansas Code Title 6, Chapter 81, Subchapter 5 is
25 repealed.

26 ~~6-81-501. Legislative purpose.~~

27 ~~There are serious shortages of fully qualified secondary school~~
28 ~~teachers of mathematics and the sciences in Arkansas. It is the purpose of~~
29 ~~this subchapter to improve secondary level instruction in mathematics and the~~
30 ~~sciences by providing loans to those students in Arkansas colleges and~~
31 ~~universities preparing for teacher certification in the fields of~~
32 ~~mathematics, chemistry, physics, biology, physical science, or general~~
33 ~~science and who plan to teach these subjects in secondary schools in~~
34 ~~Arkansas.~~

35
36 ~~6-81-502. Establishment.~~



1 ~~There is established a program to be known as the "Emergency Secondary~~
2 ~~Education Loan Program".~~

3
4 ~~6-81-503. Program termination.~~

5 ~~The program established by this subchapter shall be continued until~~
6 ~~such time as the Director of General Education of the Department of Education~~
7 ~~shall certify to the Governor and General Assembly that there is no longer an~~
8 ~~emergency need for secondary school teachers of mathematics and the sciences~~
9 ~~in Arkansas.~~

10
11 ~~6-81-504. Administration— Authority of department.~~

12 ~~This program shall be administered by the Department of Higher~~
13 ~~Education, which shall have the authority, in consultation with the Emergency~~
14 ~~Secondary Education Loan Program Advisory Committee as provided for in this~~
15 ~~subchapter, to establish necessary rules, regulations, procedures, and~~
16 ~~selection criteria for the administration of the program and to designate~~
17 ~~necessary forms and loan repayment schedules.~~

18
19 ~~6-81-505. Advisory committee.~~

20 ~~(a) The Department of Higher Education shall establish and consult~~
21 ~~with the Emergency Secondary Education Loan Program Advisory Committee, which~~
22 ~~shall consist of three (3) members appointed annually on July 1 by the~~
23 ~~Director of the Department of Higher Education and three (3) members~~
24 ~~appointed by the Director of General Education of the Department of~~
25 ~~Education.~~

26 ~~(b) The committee shall advise in the establishment of program rules,~~
27 ~~regulations, procedures, and selection criteria and shall recommend~~
28 ~~individuals to be awarded loans.~~

29
30 ~~6-81-506. Eligibility.~~

31 ~~From funds appropriated for the student assistance grant program, as~~
32 ~~authorized by §§ 6-82-201—6-82-213, the Department of Higher Education may~~
33 ~~make loans to students under the following conditions:~~

34 ~~(1) Loan recipients shall be bona fide residents of the State of~~
35 ~~Arkansas, as defined by the Department of Higher Education, and be citizens~~
36 ~~of the United States or permanent resident aliens;~~

1 ~~(2) Loan recipients shall be enrolled full time in a regionally~~
2 ~~accredited public or independent college or university in Arkansas with a~~
3 ~~teacher education program which has been approved by the Department of~~
4 ~~Education or in a regionally accredited two year institution in Arkansas~~
5 ~~where those courses taken are directly creditable toward such program;~~

6 ~~(3) A loan recipient shall be enrolled as a major in a program~~
7 ~~of study leading to secondary teacher certification in Arkansas in~~
8 ~~mathematics, chemistry, physics, biology, physical science, or general~~
9 ~~science, or shall have completed a program of study as a major in such field~~
10 ~~culminating in a baccalaureate degree, and shall be enrolled in a program~~
11 ~~leading to secondary teacher certification in Arkansas;~~

12 ~~(4) Loan recipients shall declare an intention to teach the~~
13 ~~subjects specified in this subchapter in a secondary school in Arkansas; and~~

14 ~~(5) Loan recipients shall maintain a cumulative grade point~~
15 ~~average in their college work of no less than 2.5 on a 4.0 scholastic grading~~
16 ~~scale or appropriate equivalent as determined by the Department of Higher~~
17 ~~Education.~~

18
19 ~~6-81-507. Selection of loan recipients.~~

20 ~~(a) The final responsibility for selecting loan recipients shall rest~~
21 ~~jointly with the Director of the Department of Higher Education and the~~
22 ~~Director of General Education of the Department of Education.~~

23 ~~(b)(1) Priority in the awarding of loans shall be given to those~~
24 ~~applicants who have demonstrated the greatest academic ability.~~

25 ~~(2) In cases where two (2) or more applicants receive the same~~
26 ~~priority rating, the advantage shall be given to the student who can become~~
27 ~~certified in the shortest period of time.~~

28
29 ~~6-81-508. Maximum amount of loans.~~

30 ~~(a) Students may receive loans up to, but not in excess of, one half~~
31 ~~(1/2) of the cost of student fees, room and board, and books and~~
32 ~~instructional supplies at the institution to be attended.~~

33 ~~(b) No student shall receive a loan that, when totaled with all other~~
34 ~~sources of student financial assistance, exceeds the total cost of education~~
35 ~~at the institution to be attended.~~

36

1 ~~6-81-509. Duration of loans.~~

2 ~~Students may receive loans for a maximum of four (4) academic years or~~
3 ~~until such time as they have completed certification to teach in Arkansas,~~
4 ~~whichever shall come first.~~

5
6 ~~6-81-510. Cancellation or repayment of loans—Failure to repay.~~

7 ~~(a) Loan recipients who teach full time in a secondary school in~~
8 ~~Arkansas following certification in a subject field as specified in this~~
9 ~~subchapter shall, upon annual certification by an appropriate school~~
10 ~~official, have one fifth (1/5) of the total loan, and related interest,~~
11 ~~forgiven for each year employed in such capacity to a maximum of five (5)~~
12 ~~years when the total loan and accumulated interest will be forgiven.~~

13 ~~(b) Loan recipients who do not teach full time in a secondary school~~
14 ~~in Arkansas in a herein specified field upon completing their program of~~
15 ~~study, who discontinue their teaching at any time within five (5) years~~
16 ~~following completion of the program of study, or who discontinue their~~
17 ~~studies prior to completing their program of study shall, within a maximum of~~
18 ~~five (5) years, repay the full remaining loan balance plus accrued interest~~
19 ~~according to an interest and repayment schedule developed by the Department~~
20 ~~of Higher Education.~~

21 ~~(c) Loan recipients required to repay loans as provided in subsection~~
22 ~~(b) of this section who fail to meet their repayment obligations may have~~
23 ~~added to their total obligation any costs for collection of the debt and~~
24 ~~shall have their teaching certification in Arkansas revoked.~~

25
26 ~~6-81-511. Expansion of program.~~

27 ~~Upon certification by the State Board of Education that a shortage of~~
28 ~~teachers exists in Arkansas in one (1) or more teaching fields other than~~
29 ~~mathematics and the sciences, students may receive loans under the conditions~~
30 ~~stated in this subchapter for study in such shortage fields.~~

31
32 ~~SECTION 2. Arkansas Code Title 6, Chapter 81, is amended to add an~~
33 ~~additional subchapter to read as follows:~~

34 ~~6-81-1401. Title.~~

35 ~~This subchapter shall be known and may be cited as the "State Teacher~~
36 ~~Assistance Resource Program".~~

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6-81-1402. Definitions.

For purposes of this subchapter:

(1) "Five-year teacher education program" means a program within a regionally accredited institution of higher education in Arkansas that will lead to obtaining a teacher certification and designed for completion in five (5) years with an award of a master's degree in education; and

(2) "Four-year teacher education program" means a program within a regionally accredited institution of higher education in Arkansas that will lead to obtaining a teacher certification and designed for completion in four (4) years with an award of a baccalaureate degree in education.

6-81-1403. Creation - Purpose.

(a) There is created the State Teacher Assistance Resource Program.

(b) While in college, the State Teacher Assistance Resource should be exposed to a range of extracurricular activities geared toward instilling a strong motivation not only to remain in teaching but to provide leadership for tomorrow's schools.

6-81-1404. Administration of and authority of the Department of Higher Education.

(a) The State Teacher Assistance Resource Program shall be administered by the Department of Higher Education.

(b) The department shall adopt standards for awarding the forgivable loans to ensure that only students in their junior and senior year who are admitted to a teacher education program with the best potential for success receive a forgivable loan.

(c) The department shall administer the program in cooperation with teacher training institutions selected by the department.

(d)(1) The requirements of this subchapter are contingent on the funding available for the State Teacher Assistance Resource Program.

(2) The Department of Higher Education may use funds appropriated for the Emergency Secondary Education Loan programs and other available funds to fund the State Teacher Assistance Resource Program.

(e) The department may determine the necessary procedures for the awarding of forgivable loans should the number of eligible applicants and

1 recipients exceed the funds available, but priority consideration shall be
2 given based on.

3
4 6-81-1405. Eligibility.

5 A students enter his or her junior or senior year and are admitted to a
6 teacher education program shall be eligible to receive a forgivable loan
7 under the State Teacher Assistance Resource Program, if:

8 (1) The recipient earns a cumulative grade point average of 2.75 or
9 above on a 4.0 scale at an approved institution;

10 (2) The recipient has completed a total of at least twenty-seven (27)
11 hours during the first full academic year and a total of at least thirty (30)
12 hours per academic year thereafter;

13 (3) If the student is entering the junior year, the student has taken
14 the standardized rising junior test provided for in § 6-61-114; and

15 (4) The recipient meets any other continuing eligibility criteria
16 established by the department.

17
18 6-81-1406. Duration - Amount - Repayment.

19 (a)(1) The State Teacher Assistance Resource Program shall be used to
20 provide:

21 (A) A two-year forgivable loan if the recipient is in a
22 four-year teacher education program, or a three-year forgivable loan if the
23 recipient is in a five-year teacher education program, in the amount of three
24 thousand dollars (\$3,000) per year for a junior or senior admitted to a
25 teacher education program who commits to teach in a public school located in
26 a geographical area of the state designated as having a critical shortage of
27 teachers or in a subject matter area designated as having a critical shortage
28 of teachers;

29 (B) A two-year forgivable loan if the recipient is in a
30 four-year teacher education program, or a three-year forgivable loan if the
31 recipient is in a five-year teacher education program, in the amount of six
32 thousand dollars (\$6,000) per year for a junior or senior admitted to a
33 teacher education program who commits to teach in a public school located in
34 a geographical area of the state designated as having a shortage of critical
35 teachers and in a subject matter area designated as having a critical
36 shortage of teachers;

1 (C) A loan repayment for federal students loans in the
2 amount of three thousand dollars (\$3,000) per year for each year a certified
3 teacher, who graduated from a teacher education program after April 2004,
4 teaches in a public school located in a geographical area of the state
5 designated as having a critical shortage of teachers; or

6 (D) A loan repayment for federal students loans in the
7 amount of six thousand dollars (\$6,000) per year for each year a certified
8 teacher, who graduated from a teacher education program after April 2004,
9 teaches in a public school located in a geographical area of the state
10 designated as having a critical shortage of teachers and in a subject matter
11 designated as having a critical shortage of teachers.

12 (2) No person receiving a forgivable-loan under subdivisions
13 (a)(1)(A) or (a)(1)(B) of this section shall be eligible to receive a loan
14 repayment under subdivisions (a)(1)(C) of (a)(1)(D) of this section.

15 (b)(1) A student may receive a State Teacher Assistance Resource
16 Program and Academic Challenge Scholarship or Governor's Distinguished
17 Scholarships, to the extent the receipt of both awards would not violated the
18 provisions of § 6-80-105.

19 (2) For purpose of compliance with § 6-80-105, the forgivable
20 loans under this program shall be considered public funds.

21 (3) No student may participate in more than one (1) forgivable
22 loan program supported with state money.

23 (c) Loan recipients shall execute a note made payable to the
24 Department of Higher Education that shall bear interest at the rate to be
25 determined by the Department of Higher Education at the time of the award to
26 begin accruing on September 1 after completion of the program, or immediately
27 after termination of the forgivable loan, whichever is earlier.

28 (d) The forgivable loan may be terminated if:

29 (1) The recipient withdraws from school;

30 (2) The recipient does not meet the standards set by the
31 Department of Higher Education; or

32 (3) For other reasons as designated by the Department of Higher
33 Education.

34 (e) Within nine (9) months after completion of the teacher education
35 program the recipient of a forgivable loan under the State Teacher Assistance
36 Resource program shall begin to teach in a public school in the state in

1 accordance with the student's initial commitment
2 or shall be begin to repaying the loan in accordance with the terms of note
3 executed under subsection (c) of this section.

4 (1) The Department of Higher Education shall forgive one (1)
5 year of the loan for each consecutive year the recipient teaches full-time in
6 a shortage area in accordance with the terms of the recipient's initial
7 commitment beginning nine (9) months from the date of graduation.

8 (2) The Department of Higher Education may grant loan repayment
9 deferrals to students who enrolled in masters or doctoral programs after
10 completion of a four-year or five-year teacher education program or for other
11 just cause as determined by the Department of Higher Education.

12 (3) The Department of Higher Education may also forgive the loan
13 if it finds that it is impossible for the recipient to teach in an Arkansas
14 public school as required, because of the death or permanent disability of
15 the recipient.

16 (f) Loan recipients required to repay loans as provided in subsection
17 (e) of this section who fail to meet their repayment obligations may have
18 added to their total obligation any costs for collection of the debt and
19 shall have their teaching license in Arkansas revoked by the State Board of
20 Education.

21 (g)(1) All funds appropriated to or otherwise received by the State
22 Teacher Assistance Resource Program for forgivable loans, all funds received
23 as repayment of forgivable loans, and all interest earned on these funds,
24 shall be placed in a revolving fund.

25 (2) This revolving fund shall be used for forgivable loans
26 granted under the State Teacher Assistance Resource Program.

27 (h)(1) The Department of Higher Education, as administrator for the
28 State Teacher Assistance Resource Program, may use up to fifty thousand
29 dollars (\$50,000) annually from the fund balance for costs associated with
30 administration of the State Teacher Assistance Resource Program.

31 (2) These funds are in addition to funds required for collection
32 costs related to loan repayments.

33 (i) Any recipient of an Emergency Secondary Education Loan may qualify
34 for a forgivable loan under State Teacher Assistance Resource Program, and
35 shall continue to fulfill any existing obligation under the terms of any
36 loans received under the Emergency Secondary Education Loan program.

1 (j) The Department of Higher Education shall promulgate regulations
2 necessary of for the implementation of the State Teacher Assistance Resource
3 Program.

4
5 6-81-1407. State Teacher Assistance Resource Commission.

6 (a) There is established a commission to be known as "The State
7 Teacher Assistance Resource Commission".

8 (b) The commission shall consist of eleven (11) members as follows:

9 (1) The Lieutenant Governor, or his or her designee;

10 (2) The chairperson of the State Board of Education, or his or
11 her designee;

12 (3) Three (3) persons appointed by the Governor;

13 (4) Three (3) persons appointed by the President Pro Tempore of
14 the Senate; and

15 (5) Three (3) persons appointed by the Speaker of the House of
16 Representatives.

17 (c) The appointed commission members shall be:

18 (1) Individuals who have demonstrated a commitment to education;
19 and

20 (2) Residents of the State of Arkansas at the time of
21 appointment and throughout his or her term.

22 (d)(1) In 2003, three (3) members shall be appointed by the Speaker of
23 the House of Representatives as follows:

24 (A) One (1) for a term to expire June 30, 2005;

25 (B) One (1) for a term to expire June 30, 2006; and

26 (C) One (1) for a term to expire June 30, 2007.

27 (2) In 2003, three (3) members shall be appointed by the
28 President Pro Tempore of the Senate as follows:

29 (A) One (1) for a term to expire June 30, 2005;

30 (B) One (1) for a term to expire June 30, 2006; and

31 (C) One (1) for a term to expire June 30, 2007.

32 (3) In 2003, three (3) members shall be appointed by the
33 Governor as follows:

34 (A) One (1) for a term to expire June 30, 2005;

35 (B) One (1) for a term to expire June 30, 2006; and

36 (C) One (1) for a term to expire June 30, 2007.

