

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 2196 of the Regular Session**

*As Engrossed: H4/5/05 S4/11/05*

**A Bill**

1 State of Arkansas  
2 85th General Assembly  
3 Regular Session, 2005

HOUSE BILL 1982

4  
5 By: Representative Mahony  
6  
7

**For An Act To Be Entitled**

8  
9 *AN ACT TO CREATE THE TEACHER OPPORTUNITY PROGRAM*  
10 *AND THE DUAL CERTIFICATION INCENTIVE PROGRAM TO*  
11 *PROVIDE SCHOLARSHIPS TO TEACHERS RETURNING TO*  
12 *COLLEGE TO RECEIVE AN ADDITIONAL CERTIFICATION;*  
13 *AND FOR OTHER PURPOSES.*

**Subtitle**

14  
15 *AN ACT TO CREATE THE TEACHER OPPORTUNITY*  
16 *PROGRAM AND THE DUAL CERTIFICATION*  
17 *INCENTIVE PROGRAM TO PROVIDE*  
18 *SCHOLARSHIPS TO TEACHERS RETURNING TO*  
19 *COLLEGE.*  
20  
21

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

24 *SECTION 1. Arkansas Code § 6-81-601 is amended to read as follows:*  
25 *6-81-601. Purpose.*

26 *There is an existing need in the state to enhance the academic*  
27 *expertise of employed teachers ~~and administrators~~ in Arkansas by providing*  
28 *opportunities for them to pursue additional college instruction related to*  
29 *their employment.*  
30

31 *SECTION 2. Arkansas Code § 6-81-602 is amended to read as follows:*  
32 *6-81-602. Establishment.*

33 *There is established a program to be known as the Teacher ~~and~~*  
34 *~~Administrator Enhancement and Retraining Grant~~ Opportunity Program.*  
35



1 SECTION 3. Arkansas Code § 6-81-603(a) is amended to read as follows:

2 (a) ~~This Teacher and Administrator Enhancement and Retraining Grant~~  
3 Opportunity Program shall be administered by the Department of Higher  
4 Education, which shall have the authority to establish necessary rules,  
5 regulations, procedures, and selection criteria for the administration of the  
6 program and to designate necessary forms and schedules.

7  
8 SECTION 4. Arkansas Code § 6-81-604(1), pertaining to qualifications  
9 for teacher opportunity grants, is amended to read as follows:

10 (1) Grant recipients shall be bona fide residents of the State  
11 of Arkansas, as defined by the Department of Higher Education, ~~and be~~  
12 ~~citizens of the United States or permanent resident aliens;~~

13  
14 SECTION 5. Arkansas Code § 6-81-605 is amended to read as follows:

15 6-81-605. Grants - Priority.

16 (a) The first priority for the award of funds under the Teacher  
17 Opportunity Program is the award of scholarships under the Dual Certification  
18 Incentive Program, §§ 6-81-607 through 6-81-610. If funds are available  
19 after all awards are made under the Dual Certification Incentive Program,  
20 then additional grants may be made in accordance with the following:

21 ~~(a)~~ (1) Students may receive grants up to but not in excess of  
22 the cost of student fees, books, and instructional supplies at the public  
23 institution of higher education in this state assessing the highest rate of  
24 student fees; and

25 ~~(b)~~ (2) The grant or grants made to one (1) individual within  
26 one (1) fiscal year may not exceed the costs associated with six (6) semester  
27 credit hours or the equivalent of six (6) semester credit hours.

28 (b) The Department of Higher Education shall determine priorities for  
29 awarding grants in the event there are more applicants than funds available.  
30 Priorities shall be determined in coordination with the Department of  
31 Education and shall be based on the needs of the state.

32 ~~(c) Should the number of the grant requests exceed funding available,~~  
33 ~~priority will be given to those teachers or administrators who did not~~  
34 ~~successfully complete tests of proficiency in basic academic skills or~~  
35 ~~subject area content that teachers and administrators employed in the public~~  
36 ~~schools may be required to take pursuant to state law or regulation of the~~

1 ~~State Board of Education.~~

2 SECTION 6. Arkansas Code Title 6, Chapter 81, Subchapter 6  
3 is amended to the following additional sections:

4 6-81-607. Definitions.

5 For purposes of this subchapter:

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

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

11 (B) A media specialist or librarian; or

12 (C) A guidance counselor;

13 (2) "Dual certification" means certification to teach in more  
14 than one (1) subject matter; and

15 (3) "Dual certification incentive bonus" means a bonus that is  
16 given one (1) time every school year following the year of obtaining dual  
17 certification under the Dual Certification Incentive Program.

18  
19 6-81-608. Dual certification incentive program.

20 (a) There is created the Dual Certification Incentive Program to  
21 encourage classroom teachers currently employed by school districts in the  
22 state to return to college to obtain certification in one (1) or more  
23 additional subject areas.

24 (b) The Dual Certification Incentive Program shall be administered by  
25 the Department of Higher Education.

26  
27 6-81-609. Dual certification funding.

28 (a)(1)(A) A classroom teacher employed by a school district in the  
29 state may receive a scholarship from the Dual Certification Incentive Program  
30 if he or she:

31 (i) Is recommended for a scholarship by the local  
32 board of directors of the school district in which he or she is employed  
33 based on the recommendation of the teacher's building level principal and  
34 superintendent;

35 (ii) Agrees to return to an approved institution of  
36 higher education to obtain certification in:

1 (a) An additional subject matter declared to  
2 be a shortage area by the Department of Education;

3 (b) An additional subject matter that he or  
4 she is currently teaching, but for which he or she does not have a  
5 certification; or

6 (c) An additional subject matter and grade  
7 level in which the school district has requested a waiver under § 6-17-309;  
8 and

9 (iii) Agrees to maintain a minimum number of  
10 semester credit hours commensurate with the amount of the scholarship as  
11 determined by the Department of Higher Education.

12 (B)(i) A scholarship from the Dual Certification Incentive  
13 Program shall include funding for the cost of tuition, books, and fees not to  
14 exceed three thousand dollars (\$3,000) each college year. The amount of the  
15 scholarship shall be commensurate with maintaining a minimum number of  
16 semester credit hours as determined by the Department of Higher Education.

17 (ii) Each scholarship awarded under the Dual Certification  
18 Incentive Program shall be funded with a two-to-one match with the local  
19 school districts, whereby the Department of Higher Education shall provide  
20 two dollars (\$2) for each dollar (\$1) a local school district provides for  
21 scholarships.

22 (iii) The number and the amount of scholarship  
23 recipients selected by the Department of Higher Education shall be contingent  
24 on the appropriation and availability of funding for such purpose.

25 (C)(i) Local school districts may use moneys appropriated  
26 from the public school funds or any other source to fund the school  
27 district's local match requirements for no more than four (4) scholarships  
28 under the Dual Certification Incentive Program for classroom teachers  
29 currently employed by the school district who have no less than three (3)  
30 years of experience as a licensed classroom teacher in a public school  
31 located in the State of Arkansas.

32 (ii)(a) Any school district that requests a waiver  
33 of teacher certification requirements under § 6-17-309 because the school  
34 district is not able to hire a qualified certified teacher to fill the  
35 position shall offer and fund a Dual Certification Incentive Program  
36 scholarship to any qualified applicant willing to obtain dual certification

1 in the grade level and subject matter for which the waiver was requested.

2 (b) Dual Certification Incentive Program  
3 scholarships provided under subdivision (a)(1)(C)(ii) shall be funded in  
4 addition to the four (4) scholarships under subdivision (a)(1)(C)(i) with the  
5 two-to-one match funding described in subdivision (a)(1)(B)(ii).

6 (2) To be eligible for a scholarship under the Dual  
7 Certification Incentive Program, the person shall be:

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

11 (B) Accepted for enrollment in a classroom teacher  
12 education program that will lead to a certification to teach in a subject  
13 area that:

14 (i) Is different from the classroom teacher's  
15 current area of certification; and

16 (ii)(a) Has been identified as a subject area with a  
17 shortage of classroom teachers as declared by the Department of Education; or

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

20 (b) The recipients of the Dual Certification Incentive Program  
21 scholarships awarded by a school district shall be selected by that  
22 district's local board of directors based on the recommendation of the  
23 teacher's building level principal and superintendent or as required by  
24 subsection (a)(1)(C)(ii).

25 (c)(1) Any classroom teacher awarded a scholarship under the Dual  
26 Certification Incentive Program may be allowed administrative leave with pay  
27 as provided under the district's certified personnel policies as is necessary  
28 for the classroom teacher to:

29 (A) Attend college classes necessary to obtain the  
30 additional certification;

31 (B) Travel to or from the college; and

32 (C) Take state-mandated tests as may be necessary to  
33 obtain the additional certification.

34 (2) The cost of a classroom teacher's administrative leave  
35 required under this subsection (c) shall be credited toward the local  
36 district's funding match obligations under this section.

1       (d)(1) A classroom teacher who receives funds from the state or school  
2 district for participation in the Dual Certification Incentive Program shall  
3 repay the Department of Education, Department of Higher Education, or the  
4 school district the total amount of the scholarships received under the Dual  
5 Certification Incentive Program if the classroom teacher:

6               (A) Does not receive an additional certification within  
7 three (3) calendar years after he or she first received funding under the  
8 Dual Certification Incentive Program; or

9               (B) Becomes certified under the Dual Certification  
10 Incentive Program but does not teach or serve as a classroom teacher in an  
11 Arkansas public school district for three (3) continuous years immediately  
12 following receipt of the additional certification.

13       (2) The State Board of Education may suspend the Arkansas  
14 classroom teacher's license of any individual who fails, when required to do  
15 so, to repay moneys contributed by the Department of Education, Department of  
16 Higher Education, or a school district for participation in the Dual  
17 Certification Incentive Program.

18       (3) Repayment of moneys contributed by the Department of  
19 Education, or Department of Higher Education or school district is not  
20 required if, due to the death or disability of the classroom teacher or other  
21 extenuating circumstances as may be recognized by the State Board of  
22 Education, the classroom teacher does not complete the certification process  
23 or does not teach in the Arkansas public school system for three (3)  
24 continuous school years after completing the certification funded by the Dual  
25 Certification Incentive Program.

26       (e)(1) The Arkansas Higher Education Coordinating Board, shall  
27 promulgate rules as necessary to implement the Dual Certification Incentive  
28 Program.

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

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33       6-81-610. Dual certification bonus.

34       (a)(1) Upon attainment of a dual certification under the Dual  
35 Certification Incentive Program, the Department of Education shall pay the  
36 school district on behalf of the dually certified classroom teacher a bonus

1 of three thousand dollars (\$3,000) each school year that the classroom  
2 teacher:

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

5 (B) Is teaching no fewer than two (2) class periods in  
6 each of the different subject matter areas for which he or she received  
7 certification.

8 (2) The dual certification incentive bonus provided in this  
9 section shall not be retroactive.

10 (3) No person shall receive a dual certification incentive bonus  
11 irrespective of the person's past participation in the Dual State Teacher  
12 Assistance Resource Program if he or she:

13 (A) Leaves the full-time employment of an Arkansas public  
14 school district;

15 (B) Becomes employed as a district-level central office  
16 administrator or any other position that does not include teaching students;

17 (C) Is employed by an Arkansas institution of higher  
18 education, Department of Higher Education, or the Department of Education; or

19 (D) Is employed by an education service cooperative and  
20 does not teach in a classroom with students.

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22  
23 */s/ Mahony*

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26 *APPROVED: 4/13/2005*

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