

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 1215 of the Regular Session

1 State of Arkansas
2 87th General Assembly
3 Regular Session, 2009
4

As Engrossed: S3/16/09

A Bill

SENATE BILL 853

5 By: Senators Broadway, Salmon, Bookout
6 By: Representatives J. Roebuck, Abernathy, M. Burris
7
8

For An Act To Be Entitled

10 AN ACT TO CONSOLIDATE THE TEACHER EDUCATION
11 RECRUITMENT PROGRAMS BY REPEALING THE MINORITY
12 TEACHERS SCHOLARS PROGRAM, MINORITY MASTERS
13 FELLOWS PROGRAM, AND THE STATE TEACHER ASSISTANCE
14 RESOURCE PROGRAM; TO CREATE THE STATE TEACHER
15 EDUCATION PROGRAM; AND FOR OTHER PURPOSES.
16

Subtitle

17
18 TO CONSOLIDATE THE TEACHER EDUCATION
19 RECRUITMENT PROGRAMS AND CREATE THE
20 STATE TEACHER EDUCATION PROGRAM.
21
22

23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
24

25 SECTION 1. Arkansas Code § 6-81-131(a) concerning administration of
26 student loan programs is amended to read as follows:

27 (a) The Arkansas Higher Education Coordinating Board ~~is authorized to~~
28 may continue the administration of the Southern Regional Education Board
29 Doctoral Scholars Program ~~following financial assistance programs of grants~~
30 ~~and forgivable loans which were created by its predecessor, the State Board~~
31 ~~of Higher Education,~~ under authority granted to it by Section 8 of Act 1259
32 of 1993+.

- 33 ~~(1) Freshman/Sophomore Minority Grant Program;~~
34 ~~(2) Minority Teacher Scholars Program;~~
35 ~~(3) Minority Masters Fellows Program;~~ and



~~(4) — Southern Regional Education Board Doctoral Scholars Program.~~

SECTION 2. Arkansas Code Title 6, Chapter 81, Subchapter 15 is repealed.

~~6-81-1501. Title.~~

~~This subchapter shall be known and may be cited as the “State Teacher Assistance Resource Program”.~~

~~6-81-1502. 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 is designed for completion in five (5) years with an award of a master’s degree in education;~~

~~(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 is designed for completion in four (4) years with an award of a baccalaureate degree in education;~~

~~(3) — (A) — “Master of Arts in Teaching program” means a program within a regionally accredited institution of higher education in Arkansas that will allow graduate students to teach in a middle school or secondary school while obtaining licensure.~~

~~(B) — “Master of Arts in Teaching” shall include persons who are licensed in Arkansas through a program of nontraditional licensure; and~~

~~(4) — “Two-year teacher education program” means a program within a regionally accredited institution of higher education in Arkansas that will introduce students to the profession of teaching.~~

~~6-81-1503. 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 also to provide leadership for tomorrow’s schools.~~

~~6-81-1504. Administration of and authority of the Department of Higher~~

1 ~~Education.~~

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

4 ~~(b) The department shall adopt standards for awarding the forgivable loans~~
5 ~~to ensure that students in their sophomore, junior, or senior year who are~~
6 ~~actively pursuing a degree in teaching, are admitted to a teacher education~~
7 ~~program, or are enrolled in a Master of Arts in Teaching program with the~~
8 ~~best potential for success receive a forgivable loan.~~

9 ~~(c) The department shall administer the State Teacher Assistance Resource~~
10 ~~Program in cooperation with teacher training institutions selected by the~~
11 ~~department.~~

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

14 ~~(2) The department may use funds appropriated for the Emergency~~
15 ~~Secondary Education Loan Program, § 6-81-501 et seq. [repealed], and other~~
16 ~~available funds to fund the State Teacher Assistance Resource Program.~~

17 ~~(e) The department may determine the necessary procedures for the awarding~~
18 ~~of forgivable loans should the number of eligible applicants and recipients~~
19 ~~exceed the funds available, but priority consideration shall be given based~~
20 ~~on a combination of factors, including, but not limited to:~~

21 ~~(1) Full time enrollment;~~

22 ~~(2) Cumulative grade point average;~~

23 ~~(3) Grade point average in courses required for the major;~~

24 ~~(4) Subject area of intended teaching licensure;~~

25 ~~(5) Geographical area in which the applicant or recipient~~
26 ~~intends to teach;~~

27 ~~(6) (A) Prior loan awards.~~

28 ~~(B) Prior recipients who remain qualified shall receive~~
29 ~~priority for future awards;~~

30 ~~(7) Students enrolled in two year teacher education programs;~~
31 ~~and~~

32 ~~(8) Students enrolled in Master of Arts in Teaching programs.~~

33

34 ~~6-81-1505. Eligibility.~~

35 ~~A student entering his or her sophomore, junior, or senior year and actively~~
36 ~~pursuing or admitted to a teacher education program shall be eligible to~~

1 ~~receive a forgivable loan under the State Teacher Assistance Resource Program~~
2 ~~if:~~

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

5 ~~(2) The recipient has completed at least one (1) year of full-~~
6 ~~time postsecondary course work; and~~

7 ~~(3) The recipient meets any other continuing eligibility~~
8 ~~criteria established by the Department of Higher Education.~~

9
10 ~~6-81-1506. Duration—Amount—Repayment.~~

11 ~~(a) (1) The State Teacher Assistance Resource Program shall be used to~~
12 ~~provide:~~

13 ~~(A) A forgivable loan in the amount of three thousand~~
14 ~~dollars (\$3,000) per year for a sophomore, junior, or senior actively~~
15 ~~pursuing a degree in teaching, admitted to a teacher education program, or~~
16 ~~enrolled in a Master of Arts in Teaching program who commits to teach in a~~
17 ~~public school located in a geographical area of the state designated as~~
18 ~~having a critical shortage of teachers or in a subject matter area designated~~
19 ~~as having a critical shortage of teachers;~~

20 ~~(B) A two-year forgivable loan if the recipient is in a~~
21 ~~four-year teacher education program or a three-year forgivable loan if the~~
22 ~~recipient is in a five-year teacher education program in the amount of six~~
23 ~~thousand dollars (\$6,000) per year for a junior or senior admitted to a~~
24 ~~teacher education program who commits to teach in a public school located in~~
25 ~~a geographical area of the state designated as having a critical shortage of~~
26 ~~teachers and in a subject matter area designated as having a critical~~
27 ~~shortage of teachers;~~

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

33 ~~(D) A loan repayment for federal student loans in the~~
34 ~~amount of six thousand dollars (\$6,000) per year for each year a certified~~
35 ~~teacher who graduated from a teacher education program after April 2004~~
36 ~~teaches in a public school located in a geographical area of the state~~

1 ~~designated as having a critical shortage of teachers and in a subject matter~~
2 ~~designated as having a critical shortage of teachers.~~

3 ~~(2) The Department of Education shall set the term of the loan~~
4 ~~with the goal of assisting the recipient to complete the recipient's teacher~~
5 ~~education program.~~

6 ~~(3) No person receiving a forgivable loan under subdivision~~
7 ~~(a)(1)(A) or (B) of this section shall be eligible to receive a loan~~
8 ~~repayment under subdivision (a)(1)(C) or (D) of this section.~~

9 ~~(b) (1) A student may receive a State Teacher Assistance Resource Program~~
10 ~~and Arkansas Academic Challenge Scholarship or Arkansas Governor's~~
11 ~~Distinguished Scholarships to the extent the receipt of both awards does not~~
12 ~~violate the provisions of § 6-80-105.~~

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

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

17 ~~(c) Loan recipients shall execute a note made payable to the~~
18 ~~Department of Higher Education that shall bear interest at the rate to be~~
19 ~~determined by the department at the time of the award to begin accruing on~~
20 ~~September 1 after completion of the program or immediately after termination~~
21 ~~of the forgivable loan, whichever is earlier.~~

22 ~~(d) The forgivable loan may be terminated if:~~

23 ~~(1) The recipient withdraws from school;~~

24 ~~(2) The recipient does not meet the standards set by the~~
25 ~~department; or~~

26 ~~(3) For other reasons as designated by the department.~~

27 ~~(e) (1) Within nine (9) months after completion of the teacher~~
28 ~~education program, the recipient of a forgivable loan under the State Teacher~~
29 ~~Assistance Resource Program shall begin to teach in a public school in the~~
30 ~~state in accordance with the student's initial commitment or shall begin to~~
31 ~~repay the loan in accordance with the terms of a note executed under~~
32 ~~subsection (c) of this section.~~

33 ~~(2) The department shall forgive one (1) year of the loan for~~
34 ~~each consecutive year the recipient teaches full time in a shortage area in~~
35 ~~accordance with the terms of the recipient's initial commitment beginning~~
36 ~~nine (9) months from the date of graduation.~~

1 ~~(3) The department may grant loan repayment deferrals to~~
2 ~~students who enrolled in masters or doctoral programs after completion of a~~
3 ~~four-year or five-year teacher education program or for other just cause as~~
4 ~~determined by the department.~~

5 ~~(4) The department may also forgive the loan if it finds that it~~
6 ~~is impossible for the recipient to teach in an Arkansas public school as~~
7 ~~required because of the death or permanent disability of the recipient.~~

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

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

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

19 ~~(h) (1) The department, as administrator for the State Teacher~~
20 ~~Assistance Resource Program, may use up to fifty thousand dollars (\$50,000)~~
21 ~~annually from the fund balance for costs associated with administration of~~
22 ~~the State Teacher Assistance Resource Program.~~

23 ~~(2) These funds are in addition to funds required for collection~~
24 ~~costs related to loan repayments.~~

25 ~~(i) Any recipient of an emergency secondary education loan, § 6-81-501~~
26 ~~et seq. [repealed], may qualify for a forgivable loan under the State Teacher~~
27 ~~Assistance Resource Program and shall continue to fulfill any existing~~
28 ~~obligation under the terms of any loans received under the Emergency~~
29 ~~Secondary Education Loan Program, § 6-81-501 et seq. [repealed].~~

30 ~~(j) The department shall promulgate regulations necessary for the~~
31 ~~implementation of the State Teacher Assistance Resource Program.~~

32
33 ~~6-81-1507. State Teacher Assistance Resource Commission.~~

34 ~~(a) There is established a commission to be known as the State Teacher~~
35 ~~Assistance Resource Commission.~~

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

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

2 ~~(2) The chair of the State Board of Education, or his or her~~
3 ~~designee;~~

4 ~~(3) Three (3) persons appointed by the Governor;~~

5 ~~(4) Three (3) persons appointed by the President Pro Tempore of~~
6 ~~the Senate; and~~

7 ~~(5) Three (3) persons appointed by the Speaker of the House of~~
8 ~~Representatives.~~

9 ~~(c) The appointed commission members shall be:~~

10 ~~(1) Individuals who have demonstrated a commitment to education;~~
11 ~~and~~

12 ~~(2) Residents of the State of Arkansas at the time of~~
13 ~~appointment and throughout their terms.~~

14 ~~(d) Appointments are for a term of four (4) years.~~

15 ~~(e) (1) If, for any reason, a vacancy occurs in an appointed~~
16 ~~position, the vacancy shall be filled by appointment by the official that~~
17 ~~made the appointment.~~

18 ~~(2) The new appointee shall serve for the remainder of the~~
19 ~~unexpired term.~~

20 ~~(f) The Lieutenant Governor or his or her designee shall serve as~~
21 ~~chair.~~

22 ~~(g) (1) The commission shall meet at times and places the chair deems~~
23 ~~necessary, but no meetings shall be held outside of the State of Arkansas.~~

24 ~~(2) A majority of the members of the commission shall constitute~~
25 ~~a quorum for the purpose of transacting business.~~

26 ~~(3) All action of the commission shall be by a majority vote of~~
27 ~~the full membership of the commission.~~

28 ~~(h) The commission shall:~~

29 ~~(1) Promote the State Teacher Assistance Resource Program and~~
30 ~~encourage participation by high school students; and~~

31 ~~(2) Select the recipients of the State Teacher Assistance Resource~~
32 ~~forgivable loans.~~

33 ~~(i) (1) The Department of Higher Education shall provide staff and~~
34 ~~office space to the commission.~~

35 ~~(2) (A) Members of the commission shall serve without pay.~~

36 ~~(B) Members of the commission may receive expense~~

1 ~~reimbursement in accordance with § 25-16-902, to be paid by the department to~~
2 ~~the extent money is available.~~

3
4 SECTION 3. Arkansas Code Title 6, Chapter 81, is amended to add an
5 additional subchapter to read as follows:

6 SUBCHAPTER 16 - STATE TEACHER EDUCATION PROGRAM

7
8 6-81-1601. Title.

9 This subchapter shall be known as the "State Teacher Education
10 Program".

11
12 6-81-1602. Definitions.

13 As used in this subchapter:

14 (1) "Approved institution" means state-supported institution of
15 higher education, a nursing school, or a private nonprofit institution of
16 higher education that:

17 (A) Maintains its primary headquarters in the state;

18 (B) Is eligible to receive Title IV federal student aid
19 program funds;

20 (C) Is approved by the Department of Higher Education as
21 eligible to participate in the State Teacher Education Program.

22 (2) "Eligible student" means a student who:

23 (A) Meets the criteria set out in this subchapter; and

24 (B) Is found to be eligible by rules promulgated by the
25 Department of Higher Education; and

26 (3) "Teacher education program" means a program administered by
27 the Department of Higher Education that provides loan repayments to a
28 licensed teacher who teaches in a subject area or a geographic area with
29 teacher shortage as determined by the Department of Higher Education in
30 consultation with the Department of Education.

31
32 6-81-1603. Purpose.

33 The purpose of the State Teacher Education Program is to improve the
34 educational system in the state by encouraging students to teach in subject
35 areas and geographic areas with teacher shortages.

36

1 6-81-1604. Administration of the program.

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

4 (b) The department shall adopt standards for awarding the loan
5 repayments to a public school teacher with an Arkansas teacher's license
6 teaching in a:

7 (1) Subject area with a teacher shortage; or

8 (2) Geographic area with teacher shortage.

9 (c) The requirements of this subchapter are contingent on the funding
10 available for the program.

11 (d) The department may determine the necessary procedures for awarding
12 the loan repayments if the number of eligible applicants and recipients
13 exceeds available funding.

14
15 6-81-1605. Eligibility.

16 To be eligible for the State Teacher Education Program an applicant
17 shall:

18 (1) Teach full-time at a public school district in a subject
19 area or geographic area with a teacher shortage, as identified by the
20 Department of Higher Education in consultation with the Department of
21 Education.

22 (2) Hold a valid Arkansas teacher's license; and

23 (3) Meet additional continuing eligibility criteria established
24 by the Department of Higher Education.

25
26 6-81-1606. Duration -- Amount.

27 (a) The State Teacher Education Program shall be used to provide a loan
28 repayment for federal student loans in the amount of:

29 (1) Three thousand dollars (\$3,000) per year for a maximum of
30 three (3) years for a licensed teacher who graduated from a teacher education
31 program after April 2004 and teaches in a public school in this state:

32 (A) In a subject area designated by the Department of
33 Higher Education in consultation with the Department of Education as having a
34 critical shortage of teachers; or

35 (B) Located in a geographical area of the state designated
36 by the Department of Higher Education in consultation with the Department of

1 Education as having a critical shortage of teachers; and

2 (2) And additional one thousand dollars (\$1,000) per year for a
3 maximum of three (3) years for a licensed teacher who is a minority and who
4 graduated from a teacher education program after April 2004 and teaches in a
5 public school in this state.

6 (b) The Department of Higher Education may spend no more than fifty
7 thousand dollars (\$50,000) annually for costs associated with the
8 administration of the program.

9 (c) The Department of Higher Education shall promulgate rules
10 necessary for the implementation of this subchapter.

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13
14 /s/ Broadway

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16 APPROVED: 4/7/2009
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