

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 83rd General Assembly
3 Regular Session, 2001
4

As Engrossed: H3/2/01

A Bill

HOUSE BILL 1936

5 By: Representatives Cook, C. Johnson, Broadway, Ledbetter, W. Walker, *Bond, Bookout, Cleveland,*
6 *Dees, Fite, Green, Jacobs, G. Jeffress, Oglesby, Seawel, Salmon, Thomas, Weaver, White*
7 By: Senators D. Malone, Mahony, Brown, Argue, Riggs, *J. Jeffress*
8
9

For An Act To Be Entitled

11 AN ACT TO AMEND THE EMERGENCY SECONDARY EDUCATION
12 LOAN PROGRAM TO CHANGE THE NAME TO THE ARKANSAS
13 TEACHER EDUCATION FORGIVABLE LOAN PROGRAM; TO
14 CHANGE THE ELIGIBILITY REQUIREMENTS; TO CHANGE THE
15 LOAN REPAYMENT REQUIREMENTS; TO CHANGE THE AMOUNT
16 OF THE AWARD; TO DECLARE AN EMERGENCY; AND FOR
17 OTHER PURPOSES.

Subtitle

19 AN ACT TO AMEND THE EMERGENCY SECONDARY
20 EDUCATION LOAN PROGRAM.
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24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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26 SECTION 1. Arkansas Code 6-81-501 is amended to read as follows:

27 6-81-501. Legislative purpose.

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

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SECTION 2. Arkansas Code 6-81-502 is amended to read as follows:

6-81-502. Establishment.

There is established a program to be known as the "Emergency Secondary Education Loan Program" which shall become known as the "Arkansas Teacher Education Forgivable Loan Program" on March 1, 2001.

SECTION 3. Arkansas Code 6-81-503 is amended to read as follows:

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

~~The program established by this subchapter shall be continued until such time as the Director of General Education of the Department of Education shall certify to the Governor and General Assembly that there is no longer an emergency need for secondary school teachers of mathematics and the sciences in Arkansas.~~ 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 licensure and 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 licensure and designed for completion in four (4) years with an award of a baccalaureate degree in education.

SECTION 4. Arkansas Code 6-81-504 is amended to read as follows:

6-81-504. Administration - Authority of department.

(a) This program shall be administered by the Department of Higher Education, which shall have the authority, in consultation with the ~~Emergency Secondary Education Loan Program Advisory Committee~~ Arkansas Teacher Education Forgivable Loan Program Advisory Committee as provided for in this subchapter, to establish necessary rules, regulations, procedures, and selection criteria for the administration of the program and to designate necessary forms and loan repayment schedules.

(b) The requirements of this act are contingent on funding being available for the Arkansas Teacher Education Forgivable Loan Program.

(c) The Department of Higher Education is authorized to determine the necessary procedures for the awarding of forgivable loans should the number of

1 eligible applicants or recipients exceed the funds available.

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3 SECTION 5. Arkansas Code 6-81-505 is amended to read as follows:
4 6-81-505. Advisory committee.

5 (a) The Department of Higher Education shall establish and consult with
6 the ~~Emergency Secondary Education Loan Program Advisory Committee~~ Arkansas
7 Teacher Education Forgivable Loan Program Advisory Committee, which shall
8 consist of three (3) members appointed annually on July 1 by the Director of
9 the Department of Higher Education and three (3) members appointed by the
10 Director of ~~General Education~~ of the Department of Education.

11 (b) The committee shall advise in the establishment of program rules,
12 regulations, procedures, and selection criteria and shall recommend
13 individuals to be awarded loans.

14
15 SECTION 6. Arkansas Code 6-81-506 is amended to read as follows:
16 6-81-506. Eligibility.

17 From funds appropriated ~~for the student assistance grant program, as~~
18 ~~authorized by §§ 6-82-201—6-82-213~~ to the Higher Education Grants Fund
19 Account, the Department of Higher Education may make loans to students under
20 the following conditions:

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

24 (2)(A) Loan recipients who received their first award under the
25 program formerly known as the Emergency Secondary Education Loan Program
26 before March 1, 2001, shall be enrolled full-time in a regionally accredited
27 public or independent college or university in Arkansas with a teacher
28 education program which has been approved by the Department of Education or in
29 a regionally accredited two-year institution in Arkansas where those courses
30 taken are directly creditable toward such program;.

31 (B)(i) Loan recipients who received their first award under
32 the Arkansas Teacher Education Forgivable Loan Program on or after March 1,
33 2001 shall be enrolled full-time in a regionally accredited public or
34 independent college or university in Arkansas with a teacher education program
35 which has been approved by the Department of Education; and

36 (ii) Loan recipients must be enrolled in an education

1 program and working toward obtaining a middle or secondary teacher license in
 2 Arkansas in a subject matter or geographical shortage area; or shall have
 3 completed a program of study as a major in the shortage area field culminating
 4 in a baccalaureate degree, and shall be enrolled in a teacher education
 5 program that will lead to obtaining a middle or secondary teacher
 6 certification in Arkansas;

7 (3) A loan recipient shall be enrolled as a major in a program of
 8 study leading to middle or secondary teacher certification in Arkansas in
 9 mathematics, chemistry, physics, biology, physical science, or general science
 10 a subject matter shortage area, or shall have completed a program of study as
 11 a major in such area field a subject matter in which there is designated by
 12 the Department of Education a shortage culminating in a baccalaureate degree,
 13 and shall be enrolled in a program leading to middle or secondary teacher
 14 certification in Arkansas; or

15 (4) Loan recipients shall declare an intention to teach ~~the~~
 16 subjects specified in this subchapter in an area of the state that has been
 17 designated by the Department of Education as having a critical shortage of
 18 teachers and to teach in a middle or a secondary school in Arkansas; and

19 (5)(A) Loan recipients who received their first award under the
 20 Emergency Secondary Education Loan Program before March 1, 2001 shall maintain
 21 a cumulative grade point average in their college work of no less than 2.5 on
 22 a 4.0 scholastic grading scale or appropriate equivalent as determined by the
 23 Department of Higher Education.

24 (B) Loan recipients who received their first award under
 25 the Arkansas Teacher Education Forgivable Loan Program on or after March 1,
 26 2001 shall maintain a cumulative grade point average in their college work of
 27 no less than 2.75 on a 4.0 scholastic grading scale or appropriate equivalent
 28 as determined by the Department of Higher Education.

29
 30 SECTION 7. Arkansas Code 6-81-507 is amended to read as follows:
 31 6-81-507. Selection of loan recipients.

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

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

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

4
5 SECTION 8. Arkansas Code 6-81-508 is amended to read as follows:

6 6-81-508. Maximum amount of loans.

7 (a) Students who received their first award under the Emergency
8 Secondary Education Loan Program before March 1, 2001, may receive loans up
9 to, but not in excess of, one-half (1/2) of the cost of student fees, room and
10 board, and books and instructional supplies at the institution to be attended.

11 (b) Students who received their first award under the Arkansas Teacher
12 Education Forgivable Loan Program on or after March 1, 2001, may receive loans
13 in the amount of five thousand dollars (\$5,000) per year.

14 ~~(b)(c) No student shall receive a loan that, when totaled with all~~
15 ~~other sources of student financial assistance, exceeds the total cost of~~
16 ~~education at the institution to be attended.~~ No student shall receive a loan
17 that, when totaled with all other sources of student financial assistance,
18 exceeds the cost of attendance at the institution to be attended.

19 (d) No student shall be allowed to participate in more than one (1)
20 forgivable loan program supported with state money.

21 (e) Loan recipients shall execute a note made payable to the Department
22 of Higher Education that shall bear interest at the rate of ten percent (10%)
23 per year beginning September 1 after completion of the program, or immediately
24 after termination of the scholarship loan, whichever is earlier.

25 (f) The scholarship loan may be terminated by the recipient withdrawing
26 from school, by the recipient not meeting the standards set by the Department
27 of Higher Education, or other reasons as designated by the Department of
28 Higher Education.

29
30 SECTION 9. Arkansas Code 6-81-509 is amended to read as follows:

31 6-81-509. Duration of loans.

32 (a) Students who received their first award under the Arkansas Teacher
33 Education Forgivable Loan Program, formerly known as the Emergency Secondary
34 Education Program, before March 1, 2001, may receive loans for a maximum of
35 four (4) academic years or until such time as they have completed
36 certification to teach in Arkansas, whichever shall come first.

1 (b) Students who received their first award under the Arkansas Teacher
 2 Education Forgivable Loan Program, formerly known as the Emergency Secondary
 3 Education Program, on or after March 1, 2001, may receive loans for a maximum
 4 of two (2) academic years if enrolled in a four-year teacher education
 5 program, or three (3) academic years if enrolled in a five-year teacher
 6 education program, or until such time as they have completed certification to
 7 teach in Arkansas, whichever shall come first.

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 9 SECTION 10. Arkansas Code 6-81-510 is amended to read as follows:

10 6-81-510. Cancellation or repayment of loans - Failure to repay.

11 (a)(1) This subsection (a) shall apply to loan recipients who received
 12 their first award before March 1, 2001.

13 ~~(a)(2)~~ Loan recipients who teach full-time in a secondary school
 14 in Arkansas following certification in a subject field as specified in this
 15 subchapter shall, upon annual certification by an appropriate school official,
 16 have one-fifth (1/5) of the total loan, and related interest, forgiven for
 17 each year employed in such capacity to a maximum of five (5) years when the
 18 total loan and accumulated interest will be forgiven.

19 ~~(b)(3)~~ Loan recipients who do not teach full-time in a secondary
 20 school in Arkansas in a herein specified field upon completing their program
 21 of study, who discontinue their teaching at any time within five (5) years
 22 following completion of the program of study, or who discontinue their studies
 23 prior to completing their program of study shall, within a maximum of five (5)
 24 years, repay the full remaining loan balance plus accrued interest according
 25 to an interest and repayment schedule developed by the Department of Higher
 26 Education.

27 ~~(c)(4)~~ Loan recipients required to repay loans as provided in
 28 subsection ~~(b)(3)(B)~~ of this section who fail to meet their repayment
 29 obligations may have added to their total obligation any costs for collection
 30 of the debt and shall have their teaching certification in Arkansas revoked.

31 (b)(1) This subsection (b) shall apply to loan recipients who received
 32 their first award on or after March 1, 2001 and complete a four-year teacher
 33 education program.

34 (2) The Department of Higher Education shall forgive the loan if
 35 within five (5) years after graduation, the recipient teaches full-time for
 36 two (2) years at an Arkansas public school in a designated subject matter

1 shortage area or in a school district in a designated geographical shortage
2 area. Upon annual certification by an appropriate school official, the loan
3 shall be forgiven at a rate of one-half (1/2) and related interest, for each
4 year the recipient is employed as a full-time classroom teacher in a
5 designated shortage area to a maximum of two (2) years, when the total loan
6 and accumulated interest will be forgiven.

7 (3) The Department of Higher Education shall forgive the loan if
8 within five (5) years after graduation, the recipient teaches full-time for
9 one (1) year at an Arkansas public school that has been designated by the
10 Department of Education as being in academic distress and as having a
11 geographically critical shortage of teachers. Upon certification by an
12 appropriate school official that the recipient was employed as a full-time
13 teacher for one (1) year, and that the school was designated by the Department
14 of Education as being in academic distress and as having a geographically
15 critical shortage of teachers, the total loan and accumulated interest shall
16 be forgiven.

17 (4) The Department of Higher Education shall also forgive the
18 loan if it finds that it is impossible for the recipient to teach for four (4)
19 years within seven (7) years after graduation, or for five (5) years within
20 eight (8) years after graduation, at an Arkansas public school, because of the
21 death or permanent disability of the recipient.

22 (c)(1) This subsection (c) shall apply to loan recipients who received
23 their first award on or after March 1, 2001 and complete a five-year teacher
24 education program.

25 (2) The Department of Higher Education shall forgive the loan if
26 within six (6) years after graduation, the recipient teaches full-time for
27 three (3) years at an Arkansas *public school in a designated shortage area.*
28 Upon annual certification by an appropriate school official, the loan shall be
29 forgiven at a rate of one-third (1/3) and related interest, for each year the
30 recipient is employed as a full-time teacher in a designated shortage area to
31 a maximum of three (3) years, when the total loan and accumulated interest
32 will be forgiven.

33 (3) The Department of Higher Education shall forgive the loan if
34 within six (6) years after graduation, the recipient teaches full-time for two
35 (2) years at an Arkansas public school that has been designated by the
36 Department of Education as being in academic distress and as having a

1 geographically critical shortage of teachers. Upon annual certification by an
 2 appropriate school official, the loan shall be forgiven at a rate of one-half
 3 (1/2) and related interest, for each year the recipient is employed as a full-
 4 time classroom teacher school in a school designated by the Department of
 5 Education as being in academic distress and as having a geographically
 6 critical shortage of teachers to a maximum of two (2) years, when the total
 7 loan and accumulated interest will be forgiven.

8 (4) The Department of Higher Education shall also forgive the
 9 loan if it finds that it is impossible for the recipient to teach for two (2)
 10 years, within six (6) years after graduation because of the death or permanent
 11 disability of the recipient.

12 (d) Loan recipients required to repay loans as provided in subsection
 13 (b) and (c) of this section who fail to meet their repayment obligations may
 14 have added to their total obligation any costs for collection of the debt and
 15 shall have their teaching license in Arkansas revoked by the State Board of
 16 Education.

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 18 SECTION 11. Arkansas Code 6-81-511 is amended to read as follows:
 19 6-81-511. ~~Expansion of program.~~ Program termination.

20 ~~Upon certification by the State Board of Education that a shortage of~~
 21 ~~teachers exists in Arkansas in one (1) or more teaching fields other than~~
 22 ~~mathematics and the sciences, students may receive loans under the conditions~~
 23 ~~stated in this subchapter for study in such shortage fields.~~ The program
 24 established by this subchapter shall be continued until such time as the
 25 Director of the Department of Education shall certify to the Governor and
 26 General Assembly that there is no longer a shortage of middle or secondary
 27 level school teachers in a subject matter or geographical area in Arkansas.

28
 29 SECTION 12. EMERGENCY CLAUSE. It is found and determined by the
 30 General Assembly that the state does not have the funds to support the
 31 Arkansas Teacher Education Forgivable Loan Program in its current form; that
 32 applicants graduating after December 31, 2000 will experience uncertainty
 33 regarding eligibility for the Arkansas Teacher Education Forgivable Loan
 34 Program; and that many applicants may be delayed in beginning their post-
 35 secondary education unless changes in the scholarship program become effective
 36 in sufficient time to allow scholarship awards to be made to those students

1 making enrollment decisions for the 2001-2002 academic year. Therefore, an
2 emergency is declared to exist and this act being immediately necessary for
3 the preservation of the public peace, health and safety shall become effective
4 on March 1, 2001.

5 */s/ Cook, et al.*

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