

State of Arkansas
83rd General Assembly
Regular Session, 2001

A Bill

SENATE BILL 605

By: Senator Mahony

For An Act To Be Entitled

AN ACT TO COMBINE THE MINORITY TEACHER EDUCATION LOAN PROGRAM WITH THE FRESHMAN/SOPHOMORE MINORITY PROSPECTIVE LOAN PROGRAM; TO INCREASE THE NUMBER OF RECIPIENTS AND THE AMOUNT OF THE LOAN FOR RECIPIENTS IN THEIR JUNIOR AND SENIOR YEAR; TO AMEND THE GRADE POINT AVERAGE FOR PARTICIPATION AND RENEWAL; TO PROHIBIT ANY NEW SCHOLARSHIP AWARDS UNDER THE FRESHMAN/SOPHOMORE MINORITY PROSPECTIVE LOAN PROGRAM; AND FOR OTHER PURPOSES.

Subtitle

AN ACT TO COMBINE THE MINORITY TEACHER EDUCATION LOAN PROGRAM WITH THE FRESHMAN/SOPHOMORE MINORITY PROSPECTIVE LOAN PROGRAM.

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

SECTION 1. Arkansas Code 6-81-802 is amended to read as follows:
6-81-802. Purpose.

Arkansas has experienced decreasing numbers of ~~black~~ minority students pursuing certification as public school teachers and decreasing proportions of ~~black~~ minority high school graduates entering college with the result that inadequate numbers of ~~black~~ minority Arkansans are completing teacher certification programs and ~~black~~ minority students in the public schools of Arkansas are not exposed to sufficient numbers of teachers who are examples of college-educated ~~black~~ minority Arkansans. The purpose of this subchapter

1 is to provide loans to assist and encourage black and other minority
 2 Arkansans to enter and complete programs leading to certification as public
 3 school teachers. The program will provide loans to students ~~admitted to, and~~
 4 ~~within two (2) years of completing,~~ enrolled in an approved teacher
 5 certification ~~programs~~ program.

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 7 SECTION 2. Arkansas Code 6-81-803 is amended to read as follows:

8 6-81-803. Student eligibility - Initial awards.

9 (a) The term "minority" when used in this subchapter shall refer to
 10 Black Americans, Hispanic Americans, Asian Americans, and Native Americans,
 11 which group includes all persons having origins in any of the original
 12 peoples of North America and who maintain cultural identification through
 13 tribal affiliation or community recognition.

14 (b) The Department of Higher Education may make initial awards to
 15 minority students who meet the following conditions:

16 (1) Are residents of the State of Arkansas, as defined by the
 17 Department of Higher Education, and citizens of the United States or
 18 permanent resident aliens;

19 ~~(2) Are within two (2) years of completing initial certification~~
 20 ~~as classroom teachers; and~~

21 ~~(3)(A)(2)(A)~~ Are admitted to enrolled in an approved teacher
 22 education program resulting that will result in teacher certification, or
 23 ~~plan to transfer to an institution with an approved teacher certification~~
 24 ~~program;~~

25 (B)(i) Have a 2.5 grade point average or higher on a 4.0
 26 system, or its equivalent, if receiving their first scholarship award in the
 27 Minority Teacher Education Loan Program prior to March 1, 2001; or

28 (ii) Having a 2.75 grade point average or higher on
 29 a 4.0 scale, or its equivalent, if receiving their first award in the
 30 Minority Teacher Education Loan Program on or after March 1, 2001; and

31 (C) Are able to be admitted to the program within the
 32 first semester at the new institution.

33
 34 SECTION 3. Arkansas Code 6-81-804 is amended to read as follows:

35 6-81-804. Student eligibility - Loan renewal.

36 The Department of Higher Education may renew awards to students who

meet the following conditions:

(1) Remain residents of the State of Arkansas, as defined by the department, and are citizens of the United States or permanent resident aliens;

(2)(A) Maintain a 2.5 grade point average or higher on a 4.0 system, or its equivalent, if receiving their first award in the Minority Teacher Education Loan Program before March 1, 2001; or

(B) Maintain a 2.75 grade point average or higher on a 4.0 system, or its equivalent, if receiving their first award in the Minority Teacher Education Loan Program on or after March 1, 2001; and

(3)(A) Complete at least twenty-four (24) semester-credit hours, or its equivalent, applicable toward teacher certification during ~~the first~~ each academic year of the loan, if receiving the first award in the Minority Teacher Education Loan Program before March 1, 2001; or

(B) Complete at least thirty (30) semester credit hours or its equivalent, applicable toward teacher certification during each academic year of the loan, if receiving their first award in the Minority Teacher Education Loan Program on or after March 1, 2001.

SECTION 4. Arkansas Code 6-81-805 is amended to read as follows:

6-81-805. Loan conditions.

(a) Recipients must indicate an intention to teach in the public schools of Arkansas and be enrolled as full-time students pursuing initial certification.

(b) Students may receive the loan for a maximum of ~~four (4) semesters~~ two (2) years if the student is in a four-year program, or its equivalent, for a maximum of three (3) years if the student is in a five-year program, and may utilize the loan upon transfer to any eligible institution.

SECTION 5. Arkansas Code 6-81-806 is amended to read as follows:

6-81-806. Number and amount of loan.

(a) The number of initial loan awards in each year shall not exceed ~~one hundred (100)~~ one hundred and fifty (150).

~~(b)(1) The~~ Except as provided in subsection (c) of this section, the amount for each student's loan shall be three thousand dollars (\$3,000) per year, if receiving their first award in the Minority Teacher Education Loan

1 Program before March 1, 2001.

2 (2) Except as provided in subsection (c) of this section, the
 3 amount for each student's loan shall be five thousand dollars (\$5,000) per
 4 year, if receiving their first award in the Minority Teacher Education Loan
 5 Program on or after March 1, 2001.

6 (c) No student shall receive a loan that, when totaled with all other
 7 sources of student financial assistance, exceeds the cost of attendance at
 8 the institution to be attended.

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

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

16 (f) The scholarship loan may be terminated by the recipient
 17 withdrawing from school, by the recipient not meeting the standards set by
 18 the Department of Higher Education, or other reasons as designated by the
 19 Department of Higher Education.

20
 21 SECTION 6. Arkansas Code 6-81-809 is amended to read as follows:

22 6-81-809. Cancellation of repayment of loans - Failure to repay.

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

25 ~~(a)(2)~~ Loan recipients who teach full-time in a public school in
 26 Arkansas following teacher certification shall, upon annual certification by
 27 an appropriate school official, have forgiven one-fifth (1/5) of the total
 28 loan, and related interest, for each year employed in such capacity to a
 29 maximum of five (5) years, when the total loan and accumulated interest will
 30 be forgiven.

31 ~~(b)(3)~~ Loan recipients, who do not teach full-time in a public
 32 school in Arkansas upon completing their program of study shall repay, within
 33 a maximum of five (5) years, the full remaining balance plus accrued interest
 34 according to an interest and repayment schedule developed by the Department
 35 of Higher Education.

36 ~~(c)(4)~~ Loan recipients required to repay as provided in

1 subsection ~~(b)~~(3) of this section who fail to meet their repayment
2 obligations may have added to their total obligation any costs for collection
3 of the debt and shall have their teachers' certifications in Arkansas
4 revoked.

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

8 (2) The Department of Higher Education shall forgive the loan if
9 within five (5) years after graduation, the recipient teaches full-time for
10 two (2) years at an Arkansas public school. Upon annual certification by an
11 appropriate school official, the loan shall be forgiven at a rate of one-half
12 (1/2) and related interest, for each year the recipient is employed as a
13 full-time teacher to a maximum of two (2) years, when the total loan and
14 accumulated interest will be forgiven.

15 (3) The Department of Higher Education shall forgive the loan if
16 within five (5) years after graduation, the recipient teaches full-time for
17 one (1) year at an Arkansas public school that has been designated by the
18 Department of Education as being in academic distress or as having a
19 geographically critical shortage of teachers. Upon certification by an
20 appropriate school official that the recipient was employed as a full-time
21 teacher for one (1) year, and that the school was designated by the
22 Department of Education as being in academic distress or as having a
23 geographically critical shortage of teachers, the total loan and accumulated
24 interest shall be forgiven.

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

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

33 (2) The Department of Higher Education shall forgive the loan if
34 within six (6) years after graduation, the recipient teaches full-time in a
35 classroom for three (3) years at an Arkansas public school. Upon annual
36 certification by an appropriate school official, the loan shall be forgiven

1 at a rate of one-third (1/3) and related interest, for each year the
2 recipient is employed as a full-time teacher in a designated shortage area to
3 a maximum of three (3) years, when the total loan and accumulated interest
4 will be forgiven.

5 (3) The Department of Higher Education shall forgive the loan if
6 within six (6) years after graduation, the recipient teaches full-time for
7 two (2) years at an Arkansas public school that has been designated by the
8 Department of Education as being in academic distress or as having a
9 geographically critical shortage of teachers. Upon annual certification by an
10 appropriate school official, the loan shall be forgiven at a rate of one-half
11 (1/2) and related interest, for each year the recipient is employed as a
12 full-time teacher in a school designated by the Department of Education as
13 being in academic distress or as having a geographically critical shortage of
14 teachers to a maximum of two (2) years, when the total loan and accumulated
15 interest will be forgiven.

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

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

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26 SECTION 7. Arkansas Code 6-81-810 is amended to read as follows:

27 6-81-810. Administration.

28 (a) The Department of Higher Education shall administer the Minority
29 Teacher Education Loan Program and shall have the following authority and
30 responsibility with respect to the program:

31 (1) To adopt rules and regulations for the administration of the
32 program consistent with the provisions of this subchapter, including, but not
33 restricted to, the termination date for acceptance of applications and the
34 procedures for payment of loans to recipients;

35 (2) To establish and consult as necessary with an advisory
36 committee representing public elementary and secondary schools and the public

1 and private institutions eligible for nomination and attendance under this
 2 subchapter in determining rules and regulations, selecting recipients, and
 3 such other matters as are necessary;

4 (3) To prepare application forms or such other forms as the
 5 department shall deem necessary to properly administer and carry out the
 6 purpose of this subchapter; and

7 (4) To designate necessary forms and repayment schedules.

8 (b) The requirements of this subchapter are contingent on the funding
 9 available for the Minority Teacher Education Loan Program.

10 (c) The Department of Higher Education is authorized to determine the
 11 necessary procedures for the awarding of scholarships should the number of
 12 eligible applicants and recipients exceed the funds available.

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 14 SECTION 8. Arkansas Code 6-81-904 is amended to read as follows:

15 6-81-904. Student eligibility - Loan renewal.

16 State and independent institutions of higher education may renew awards
 17 to students who received awards prior to March 1, 2001 and who meet the
 18 following conditions:

19 (1) Remain residents of the State of Arkansas, as defined by the
 20 Department of Higher Education, and are citizens of the United States or
 21 permanent resident aliens;

22 (2) Maintain the intent to pursue a teacher certification
 23 program and teach in the public schools of Arkansas; and

24 (3) Earn a 2.5 grade point average on a 4.0 system, or its
 25 equivalent, which the institution would normally specify for students who
 26 plan to major in a teacher education program.

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 28 SECTION 9. Arkansas Code 6-81-906 is amended to read as follows:

29 6-81-906. Number and amount of loan.

30 (a) The number of initial loan awards in each year shall not exceed
 31 one hundred fifty (150). No new awards shall be made after March 1, 2001.

32 ~~The~~ Except as provided in subsection (c) of this section, the
 33 amount for each student's annual loan shall be two thousand dollars (\$2,000).

34 (c) No student shall receive a loan that, when totaled with all other
 35 sources of student financial assistance, exceeds the cost of attendance at
 36 the institution to be attended.

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2 SECTION 10. EMERGENCY CLAUSE. It is found and determined by the
3 General Assembly that the state does not have the funds to support the
4 Minority Teacher Education Loan Program and the Freshman/Sophomore Minority
5 Prospective Loan Program in their current forms; and that applicants
6 graduating after December 31, 2000, will experience uncertainty regarding
7 eligibility for the Minority Teacher Education Loan Program and the
8 Freshman/Sophomore Minority Prospective Loan Program; and that many
9 applicants may be delayed in beginning their post-secondary education unless
10 changes in the scholarship program become effective in sufficient time to
11 allow scholarship awards to be made to those students making enrollment
12 decisions for the 2001-2002 academic year. Therefore, an emergency is
13 declared to exist and this act being immediately necessary for the
14 preservation of the public peace, health and safety shall become effective on
15 March 1, 2001.
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