

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 86th General Assembly  
3 Regular Session, 2007  
4

# A Bill

SENATE BILL 889

5 By: Senators Argue, Baker  
6 By: Representative Kenney  
7

## For An Act To Be Entitled

8  
9  
10 AN ACT TO AMEND THE TEACHER OPPORTUNITY PROGRAM;  
11 AND FOR OTHER PURPOSES.  
12

### Subtitle

13  
14 TO AMEND THE TEACHER OPPORTUNITY  
15 PROGRAM.  
16  
17

18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
19

20 SECTION 1. Arkansas Code Title 6, Chapter 81, Subchapter 6 is amended  
21 as follows:

22 6-81-601. Purpose.

23 There is an existing need in the state to enhance the academic  
24 expertise of employed teachers in Arkansas by providing opportunities for  
25 them to pursue additional college instruction related to their employment.  
26

27 6-81-602. Establishment.

28 There is established a program to be known as the "Teacher Opportunity  
29 Program".  
30

31 6-81-603. Administration.

32 (a) The Teacher Opportunity Program shall be administered by the  
33 Department of Higher Education, which shall have the authority to establish  
34 necessary rules, regulations, procedures, and selection criteria for the  
35 administration of the program and to designate necessary forms and schedules.

36 (b) The department may utilize an appropriate advisory committee to



1 assist it in its responsibilities in this program.

2  
3 6-81-604. Conditions.

4 The Department of Higher Education may make initial and continuing  
5 grants to students under the following conditions:

6 (1) Grant recipients shall be bona fide residents of the State  
7 of Arkansas, as defined by the Department of Higher Education;

8 (2) Grant recipients shall maintain current certification with  
9 the Department of Education, allowing them to be employed by the public  
10 schools in Arkansas;

11 (3) Grant recipients shall be currently employed as teachers or  
12 administrators in Arkansas and declare an intention to continue that  
13 employment in Arkansas;

14 (4) Grant recipients shall be enrolled in an eligible accredited  
15 college or university in Arkansas;

16 (5) Grant recipients shall be enrolled in college-level courses  
17 directly related to their employment as certified by the Commissioner of  
18 Education; and

19 (6) Grant recipients shall maintain a grade point average in  
20 their college work of no less than 2.5 on a 4.0 scale or maintain an  
21 appropriate equivalent as determined by the Department of Higher Education.

22  
23 6-81-605. Grants - Priority.

24 (a)(1) The first priority for the award of funds under the Teacher  
25 Opportunity Program is the award of scholarships under the Dual Certification  
26 Incentive Program, §§ 6-81-607 - 6-81-610.

27 (2) If funds are available after all awards are made under the  
28 Dual Certification Incentive Program, then additional grants may be made in  
29 accordance with the following:

30 (A) Students may receive grants up to but not in excess of  
31 the cost of student fees, books, and instructional supplies at the public  
32 institution of higher education in this state assessing the highest rate of  
33 student fees; and

34 (B) The grant or grants made to one (1) individual within  
35 one (1) fiscal year may not exceed the costs associated with six (6) semester  
36 credit hours or the equivalent of six (6) semester credit hours.

1 (b)(1) The Department of Higher Education shall determine priorities  
2 for awarding grants in the event that there are more applicants than funds  
3 available.

4 (2) Priorities shall be determined in coordination with the  
5 Department of Education and shall be based on the needs of the state.

6  
7 6-81-606. Discrimination prohibited.

8 This subchapter shall in no way discriminate on the basis of race,  
9 color, national origin, religion, sex, or area of teacher education.

10  
11 6-81-607. Definitions.

12 For purposes of this subchapter:

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

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

18 (B) A media specialist or librarian; or

19 (C) A guidance counselor; and

20 (2) "Dual certification" means certification to teach in more  
21 than one (1) subject matter; ~~and~~

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

25  
26 6-81-608. Dual Certification Incentive Program.

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

31 (b) The program shall be administered by the Department of Higher  
32 Education.

33  
34 6-81-609. Dual certification funding.

35 (a)(1)(A) A classroom teacher employed by a school district in the  
36 state may receive a scholarship from the Dual Certification Incentive Program

1 if he or she:

2 ~~(i) Is recommended for a scholarship by the local~~  
 3 ~~board of directors of the school district in which he or she is employed~~  
 4 ~~based on the recommendation of the teacher's building-level principal and~~  
 5 ~~superintendent;~~

6 ~~(ii)(i)~~ Agrees to return to an approved institution  
 7 of higher education to obtain certification in:

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

10 (b) An additional subject matter that he or  
 11 she is currently teaching but for which he or she does not have a  
 12 certification; or

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

16 ~~(iii)(i)~~ Agrees to maintain a minimum number of  
 17 semester credit hours commensurate with the amount of the scholarship as  
 18 determined by the Department of Higher Education.

19 (B)(i)(a) A scholarship from the Dual Certification  
 20 Incentive Program shall include funding for the cost of tuition, books, and  
 21 fees not to exceed ~~three thousand dollars (\$3,000)~~ two thousand dollars  
 22 (\$2,000) each college year.

23 (b) The amount of the scholarship shall be  
 24 commensurate with maintaining a minimum number of semester credit hours as  
 25 determined by the Department of Higher Education.

26 ~~(ii) Each scholarship awarded under the program~~  
 27 ~~shall be funded with a two to one match with the local school districts~~  
 28 ~~whereby the Department of Higher Education shall provide two dollars (\$2.00)~~  
 29 ~~for each dollar a local school district provides for scholarships.~~

30 ~~(iii)(i)~~ The amount of the scholarship and the  
 31 number of scholarship recipients selected by the Department of Higher  
 32 Education shall be contingent on the appropriation and availability of  
 33 funding for such a purpose.

34 (C)(i) ~~Local school districts may use moneys appropriated~~  
 35 ~~from the public school funds or any other source to fund the school~~  
 36 ~~district's local match requirements for no more than four (4) scholarships~~

~~1 under the program for classroom teachers currently employed by the school  
2 district who have no less than three (3) years of experience as licensed  
3 classroom teachers in a public school located in the State of Arkansas.~~

4 ~~(ii)(a)~~ Any school district that requests a waiver  
5 of teacher certification requirements under § 6-17-309 because the school  
6 district is not able to hire a qualified certified teacher to fill the  
7 position shall offer and fund a program scholarship to any qualified  
8 applicant willing to obtain dual certification in the grade level and subject  
9 matter for which the waiver was requested.

10 ~~(b) Program scholarships provided under this  
11 subdivision (a)(1)(C)(ii) shall be funded in addition to the four (4)  
12 scholarships under subdivision (a)(1)(C)(i) of this section with the two to  
13 one match funding described in subdivision (a)(1)(B)(ii) of this section.~~

14 (2) To be eligible for a scholarship under the program, the  
15 person shall be:

16 (A) Employed as a classroom teacher by the same school  
17 district for no less than ~~three (3) years~~ one (1) year of teaching  
18 immediately preceding the application; and

19 (B) Accepted for enrollment in a classroom teacher  
20 education program that will lead to a certification to teach in a subject  
21 area that:

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

24 (ii) Either:

25 (a) Has been identified as a subject area with  
26 a shortage of classroom teachers as declared by the Department of Education;  
27 or

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

30 ~~(b) The recipients of the program scholarships awarded by a school  
31 district shall be selected by that district's local board of directors based  
32 on the recommendation of the teacher's building level principal and  
33 superintendent or as required by subdivision (a)(1)(C)(ii) of this section.~~

34 ~~(e)(1)(b)(1)~~ Any classroom teacher awarded a scholarship under the  
35 program may be allowed administrative leave with pay as provided under the  
36 district's certified personnel policies as is necessary for the classroom

1 teacher to:

2 (A) Attend college classes necessary to obtain the  
3 additional certification;

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

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

7 (2) The cost of a classroom teacher's administrative leave  
8 required under this subsection shall be credited toward the local district's  
9 funding match obligations under this section if the match obligation was  
10 incurred under prior law and prior to the effective date of this act.

11 ~~(d)(1)(c)(1)~~ A classroom teacher who receives funds from the state ~~or~~  
12 ~~school district~~ for participation in the program shall repay the Department  
13 of Education, or the Department of Higher Education, ~~or the school district~~  
14 the total amount of the scholarships received under the program if the  
15 classroom teacher:

16 (A) Does not receive an additional certification within  
17 three (3) calendar years after he or she first received funding under the  
18 program; or

19 (B) Becomes certified under the program but does not teach  
20 or serve as a classroom teacher in an Arkansas public school district for  
21 three (3) continuous years immediately following receipt of the additional  
22 certification.

23 (2) The State Board of Education may suspend the Arkansas  
24 classroom teacher's license of any individual who fails, when required to do  
25 so, to repay moneys contributed by the Department of Education, or the  
26 Department of Higher Education, ~~or a school district~~ for participation in the  
27 program.

28 (3) Repayment of moneys contributed by the Department of  
29 Education, or the Department of Higher Education, ~~or the school district~~ is  
30 not required if due to the death or disability of the classroom teacher, or  
31 other extenuating circumstances as may be recognized by the State Board of  
32 Education, the classroom teacher does not complete the certification process  
33 or does not teach in the Arkansas public school system for three (3)  
34 continuous school years after completing the certification funded by the  
35 program.

36 (4) A school district that provided matching funds under this

1 subchapter prior to the effective date of this act shall be entitled to the  
 2 remedies under this subsection (c) as provided to the Department of Education  
 3 and the Department of Higher Education.

4 ~~(e)(1)(d)(1)~~ The Arkansas Higher Education Coordinating Board shall  
 5 promulgate rules as necessary to implement the program.

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

9  
 10 ~~6-81-610. Dual certification bonus.~~

11 ~~(a)(1) Upon attainment of a dual certification under the Dual~~  
 12 ~~Certification Incentive Program, the Department of Education shall pay the~~  
 13 ~~school district on behalf of the dually certified classroom teacher a bonus~~  
 14 ~~of three thousand dollars (\$3,000) each school year that the classroom~~  
 15 ~~teacher;~~

16 ~~(A) Is employed full time as a classroom teacher in an~~  
 17 ~~Arkansas public school district; and~~

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

21 ~~(2) The dual certification incentive bonus provided in this~~  
 22 ~~section shall not be retroactive.~~

23 ~~(3) No person shall receive a dual certification incentive bonus~~  
 24 ~~irrespective of the person's past participation in the State Teacher~~  
 25 ~~Assistance Resource Program if he or she;~~

26 ~~(A) Leaves the full-time employment of an Arkansas public~~  
 27 ~~school district;~~

28 ~~(B) Becomes employed as a district level central office~~  
 29 ~~administrator or any other position that does not include teaching students;~~

30 ~~(C) Is employed by an Arkansas institution of higher~~  
 31 ~~education, the Department of Higher Education, or the Department of~~  
 32 ~~Education; or~~

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