

By: Bernal

H.B. No. 74

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the establishment of the Texas Teacher Recruitment
3 Scholarship Program and the Texas Teacher Retention Incentive
4 Program.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Chapter 61, Education Code, is amended by adding
7 Subchapter QQ to read as follows:

8 SUBCHAPTER QQ. TEXAS TEACHER RECRUITMENT SCHOLARSHIP PROGRAM

9 Sec. 61.9970. SCHOLARSHIP PROGRAM; SCHOLARSHIP AMOUNT. (a)
10 The board shall establish and administer, in accordance with this
11 subchapter and board rules, the Texas Teacher Recruitment
12 Scholarship Program under which the board provides an annual
13 conditional scholarship to a student who meets the eligibility
14 criteria prescribed by Section 61.9972 and is nominated to receive
15 a scholarship.

16 (b) The amount of a scholarship under this subchapter is the
17 lesser of:

18 (1) \$40,000 to be disbursed at a rate of \$10,000 per
19 academic year for four academic years; or

20 (2) the amount equivalent to tuition and fees for an
21 academic year for four academic years.

22 (c) If a student nominated to receive a scholarship under
23 this subchapter is awarded a baccalaureate degree prior to
24 receiving the scholarship in its entirety, any remaining

1 scholarship shall be used to repay any outstanding student loans.

2 Sec. 61.9971. REPAYMENT ASSISTANCE AUTHORIZED. The board
3 shall provide in accordance with this subchapter and board rules,
4 assistance in the repayment of student loans for certified teachers
5 who are entitled to assistance under Section 61.9970(c).

6 Sec. 61.9972. ELIGIBILITY; NOMINATION AND SELECTION. (a)
7 To receive an initial scholarship under this subchapter, a student
8 must:

9 (1) be enrolled in a public or private institution of
10 higher education in this state;

11 (2) enroll in a university sponsored teacher
12 preparation program;

13 (3) be nominated to receive a scholarship by the
14 university in which the student is enrolled; and

15 (4) enter into an agreement with the board under
16 Section 61.9973.

17 (b) In each year, the number of new students awarded a
18 scholarship shall not exceed 2 percent of the current teacher
19 workforce as reported by the Texas Education Agency.

20 (c) For a student to continue to receive a scholarship
21 awarded under this subchapter, the student must maintain
22 satisfactory academic progress as determined by the institution in
23 which the student is enrolled.

24 Sec. 61.9973. AGREEMENT REQUIREMENTS. (a) To receive a
25 scholarship under this subchapter, a student must enter into an
26 agreement with the board as provided by this section. The agreement
27 must require the student to:

1 (1) complete a university sponsored teacher
2 preparation program;

3 (2) satisfactorily complete the requirements
4 necessary to obtain a teacher certification;

5 (3) graduate not later than five years after the date
6 the student first enrolls in a public or private institution of
7 higher education in this state;

8 (4) after graduation, enter into a contract with a
9 school district or open-enrollment charter school to serve as a
10 teacher for four years; and

11 (5) agree to repay the scholarship if the student:

12 (A) fails to maintain satisfactory academic
13 progress;

14 (B) withdraws from the scholarship program; or

15 (C) fails to fulfill a commitment described by
16 Subdivision (4).

17 (b) The board shall adopt rules to exempt a student from the
18 repayment of a scholarship under an agreement entered into under
19 this section if the student is unable to meet the obligations of the
20 agreement as a result of extraordinary circumstances.

21 Sec. 61.9974. RULES. (a) The board shall adopt rules as
22 necessary for the administration of this subchapter, including
23 rules regarding the eligibility criteria and the selection of
24 scholarship recipients.

25 Sec. 61.9975. LIMITATION ON SCHOLARSHIP. A person may not
26 receive a scholarship under this subchapter after earning a
27 cumulative total of 150 credit hours or after being awarded a

1 baccalaureate degree, whichever occurs first.

2 Sec. 61.9976. FUNDING. The board shall administer this
3 subchapter using available appropriations and gifts, grants, and
4 donations made for the purposes of this subchapter.

5 SECTION 2. Chapter 21, Education Code, is amended by adding
6 Subchapter R to read as follows:

7 SUBCHAPTER R. TEXAS TEACHER RETENTION INCENTIVE PROGRAM

8 Sec. 21.901. INITIAL ELIGIBILITY. A person is eligible for
9 this program if they are currently:

10 (1) a certified teacher employed by a school district
11 or open-enrollment charter school; and

12 (2) not eligible for designation under Section 48.112.

13 Sec. 21.902. CONTINUING ELIGIBILITY. After initially
14 qualifying for the incentive program under Section 21.901, a person
15 may continue to receive the award in subsequent years if:

16 (1) the individual is employed by the same school
17 district or open-enrollment charter school in which they were
18 nominated initially to receive the incentive;

19 (2) the individual continues to hold a teacher
20 certification in good standing with the Texas Education Agency; and

21 (3) the individual is not eligible for designation
22 under Section 48.112.

23 Sec. 21.903. AWARD. An eligible person is entitled to
24 receive an annual retention incentive of \$10,000 for a period of
25 four years.

26 Sec. 21.904. NOMINATION. (a) A school district or
27 open-enrollment charter school shall determine which individuals

1 are eligible for nomination.

2 (b) an individual may not be nominated if:

3 (1) they have already been nominated at their current
4 or prior school district or open-enrollment charter school and the
5 current school district or open-enrollment charter school has
6 eligible individuals, under Section 21.901, who have not been
7 nominated; or

8 (2) they have received a scholarship under Chapter 61,
9 Subchapter QQ, and their current school district or open-enrollment
10 charter school has eligible individuals, under Section 21.901, who
11 have not been nominated.

12 (c) A school district or open-enrollment charter school
13 must nominate annually a number of teachers to receive the award
14 equal to 8 percent of the teacher workforce as reported by the Texas
15 Education Agency.

16 Sec. 21.905. AGREEMENT REQUIREMENTS. (a) To receive an
17 incentive under this subchapter, a teacher must enter into an
18 agreement with the agency as provided by this section. The
19 agreement must require the teacher to:

20 (1) be continuously employed by the same school
21 district or open-enrollment charter school for four years;

22 (2) hold a teacher certification in good standing with
23 the Texas Education Agency; and

24 (3) not receive a designation under Section 48.112;

25 (4) agree to repay the incentive if the teacher:

26 (A) withdraws from the scholarship program; or

27 (B) fails to fulfill a commitment described by

1 Subdivisions (1) and (2).

2 (b) The agency shall adopt rules to exempt a teacher from
3 the repayment of an incentive under an agreement entered into under
4 this section if the teacher is unable to meet the obligations of the
5 agreement as a result of extraordinary circumstances.

6 Sec. 21.906. FUNDING. The agency shall administer this
7 subchapter using available appropriations and gifts, grants, and
8 donations made for the purposes of this subchapter.

9 SECTION 3. The Texas Higher Education Coordinating Board
10 shall award scholarships under Subchapter QQ, Chapter 61, Education
11 Code, as added by this Act, beginning with the 2023-2024 academic
12 year. The coordinating board shall adopt the rules required by that
13 subchapter as soon as practicable after this Act takes effect.

14 SECTION 4. The Texas Education Agency shall award
15 incentives under Subchapter R, Chapter 21, Education Code, as added
16 by this Act, beginning with the 2023-2024 academic year. The agency
17 shall adopt the rules required by that subchapter as soon as
18 practicable after this Act takes effect.

19 SECTION 5. This Act does not make an appropriation. A
20 provision in this Act that creates a new governmental program,
21 creates a new entitlement, or imposes a new duty on a governmental
22 entity is not mandatory during a fiscal period for which the
23 legislature has not made a specific appropriation to implement the
24 provision.

25 SECTION 6. This Act takes effect immediately if it receives
26 a vote of two-thirds of all the members elected to each house, as
27 provided by Section 39, Article III, Texas Constitution. If this

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1 Act does not receive the vote necessary for immediate effect, this

2 Act takes effect September 1, 2023.