

By: Patrick, Dan, et al.

S.B. No. 1488

Substitute the following for S.B. No. 1488:

By: Brown of Brazos

C.S.S.B. No. 1488

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the Texas Teach Corps student loan repayment assistance
3 program for certain classroom teachers who teach academic subjects
4 in public schools in this state that have a shortage of teachers in
5 academic subjects.

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

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

9 SUBCHAPTER FF. TEXAS TEACH CORPS STUDENT LOAN

10 REPAYMENT ASSISTANCE PROGRAM

11 Sec. 61.9831. TEXAS TEACH CORPS PROGRAM; LOAN REPAYMENT
12 ASSISTANCE AUTHORIZED. (a) The board shall establish and
13 administer the Texas Teach Corps student loan repayment assistance
14 program.

15 (b) Under the program, the board may provide, in accordance
16 with this subchapter and board rules, assistance in the repayment
17 of eligible student loans for eligible persons employed as
18 full-time teachers teaching academic subjects in public schools in
19 this state that are determined by the Texas Education Agency to have
20 a shortage of teachers in academic subjects.

21 Sec. 61.9832. ELIGIBILITY. (a) To be eligible to receive
22 loan repayment assistance under this subchapter, a person must:

23 (1) apply for the loan repayment assistance as
24 provided by Section 61.9833 and the rules adopted under this

1 subchapter;

2 (2) have earned a baccalaureate degree through
3 completion of an educator preparation program approved by the State
4 Board for Educator Certification and provided by a public or
5 private institution of higher education in this state;

6 (3) obtain, within the period required by board rule,
7 appropriate certification under Subchapter B, Chapter 21, to teach
8 in a public school in this state;

9 (4) beginning with the first school year that begins
10 after the date the person obtains the appropriate certification
11 described by Subdivision (3), be employed full-time as a teacher in
12 a public school in this state selected by the person from among
13 schools anticipated by the Texas Education Agency to have a
14 shortage of teachers in academic subjects for that first school
15 year for which the person is employed;

16 (5) teach, for not less than four hours each school
17 day, a subject designated as an academic subject by Texas Education
18 Agency rule adopted as provided by Section 61.9834;

19 (6) beginning with the school year described by
20 Subdivision (4), be employed full-time as a teacher for four
21 consecutive school years in one or more public schools in this state
22 selected by the person from among schools anticipated by the Texas
23 Education Agency to have a shortage of teachers in academic
24 subjects for the person's applicable year of employment by the
25 school;

26 (7) beginning with the school year immediately
27 following the last of the four consecutive school years described

1 by Subdivision (6), be employed full-time as a teacher for four
2 additional consecutive school years in any public school in this
3 state; and

4 (8) comply with any other requirement adopted by the
5 board under this subchapter.

6 (b) For purposes of Subsection (a)(6), if a person is
7 employed as a teacher in a public school anticipated to have a
8 shortage of teachers in academic subjects in the first year of
9 employment, each subsequent year of continuous employment as a
10 teacher in that school is considered to be employment in a school
11 anticipated to have such a shortage of teachers in that subsequent
12 year, regardless of whether the Texas Education Agency anticipated
13 that the school would have a shortage of teachers in that year.

14 Sec. 61.9833. AMOUNT OF ASSISTANCE; APPLICATION. (a) For
15 the first school year of employment and each following consecutive
16 school year of employment as described by Section 61.9832, not to
17 exceed a total of eight years, the board may provide assistance for
18 the repayment of a portion of an eligible person's eligible loans.
19 The board may not provide assistance for any year in which the
20 person is not employed as authorized by Section 61.9835.

21 (b) Subject to the availability of funding under Section
22 61.9838 and except as otherwise provided by this subsection, if the
23 board provides loan repayment assistance under this subchapter, the
24 amount of an assistance payment provided under this subchapter in
25 any year to an eligible person is \$5,000. The board shall increase
26 that amount as necessary to adjust for inflation or, as determined
27 necessary by the board, on the basis of other relevant

1 considerations. The board shall reduce the amount of an assistance
2 payment or refrain from making an assistance payment to an eligible
3 person as necessary to avoid making total assistance payments under
4 this subchapter to the person in an amount greater than the total
5 amount of principal and interest due on the person's eligible
6 loans.

7 (c) A person must apply for loan repayment assistance each
8 year that the person seeks that assistance under this subchapter.

9 Sec. 61.9834. DETERMINATION OF SCHOOLS ANTICIPATED TO HAVE
10 TEACHER SHORTAGE. (a) For purposes of this subchapter, not later
11 than April 1 of each school year, the Texas Education Agency shall
12 determine which public schools in this state are anticipated to
13 have a shortage of teachers during the following school year and
14 shall provide that information to the board and to each educator
15 preparation program in this state accredited by the State Board for
16 Educator Certification.

17 (b) In making the determination required by Subsection (a),
18 the agency shall consider the availability of teachers for only
19 those subjects designated by agency rule as academic subjects. In
20 making those designations, the agency may not consider athletics,
21 physical education, art, or music, including band, as academic
22 subjects.

23 Sec. 61.9835. EXCEPTION TO CONSECUTIVE YEARS OF EMPLOYMENT
24 REQUIREMENT. The board shall excuse an otherwise eligible person
25 from the requirement imposed by Section 61.9832 that the employment
26 be performed in consecutive years if the break in employment is a
27 result of the person's:

1 (1) full-time enrollment in a course of study that is
2 related to the field of teaching, approved by the State Board for
3 Educator Certification, and provided by a public or private
4 institution of higher education in this state;

5 (2) service on active duty as a member of the armed
6 forces of the United States, including as a member of a reserve
7 force or National Guard called to active duty;

8 (3) temporary total disability for a period of not
9 more than 36 months as established by the affidavit of a qualified
10 physician;

11 (4) inability to secure employment as required by
12 Section 61.9832 for a period not to exceed 12 months, because of
13 care required by a disabled spouse or child; or

14 (5) satisfaction of the provisions of any other
15 exception adopted by the board for purposes of this section.

16 Sec. 61.9836. ELIGIBLE LOANS. (a) The board may provide
17 under this subchapter repayment assistance for the repayment of any
18 student loan that:

19 (1) is for education at a public or private
20 institution of higher education; and

21 (2) is received by an eligible person through an
22 eligible lender.

23 (b) If the loan is not a state or federal guaranteed student
24 loan, the note or other writing governing the terms of the loan must
25 require the loan proceeds to be used for expenses incurred by a
26 person in attending a public or private institution of higher
27 education.

1 (c) The board may not provide loan repayment assistance
2 under this subchapter for a student loan that is in default at the
3 time of the classroom teacher's application for repayment
4 assistance.

5 Sec. 61.9837. PAYMENT OF ASSISTANCE. (a) The board shall
6 pay any loan repayment assistance under this subchapter in a lump
7 sum payable to the holder of the loan and the eligible person, in
8 accordance with any applicable federal law.

9 (b) Loan repayment assistance provided under this
10 subchapter may be applied to any amount due on the loan.

11 (c) The board may grant prior conditional approval of loan
12 repayment assistance if a person establishes eligibility under
13 Sections 61.9832(a)(1), (2), and (3) and may reserve money to be
14 disbursed on completion of one or more years of employment as
15 required by the other provisions of Section 61.9832.

16 (d) Each state fiscal biennium, the board shall attempt to
17 allocate all money available to the board for the purpose of
18 providing loan repayment assistance under this subchapter.

19 Sec. 61.9838. FUNDING. In addition to money appropriated
20 by the legislature for purposes of this subchapter, the board may
21 solicit and accept gifts, grants, and donations from any public or
22 private entity for purposes of this subchapter.

23 Sec. 61.9839. TOTAL AMOUNT OF LOAN REPAYMENT ASSISTANCE
24 UNDER PROGRAM. The total amount of loan repayment assistance paid
25 by the board under this subchapter may not exceed the total amount
26 of money available under Section 61.9838 for that purpose and any
27 other money that the board is legally authorized to use for purposes

1 of this subchapter.

2 Sec. 61.9840. RULES. If the board provides loan repayment
3 assistance under this subchapter, the board shall:

4 (1) adopt rules necessary for the administration of
5 this subchapter, including a rule providing for the manner in which
6 a person may apply for repayment assistance; and

7 (2) distribute to each educator preparation program
8 approved by the State Board for Educator Certification offered by a
9 public or private institution of higher education in this state a
10 copy of the rules adopted under this section.

11 SECTION 2. Not later than December 31, 2007, the Texas
12 Higher Education Coordinating Board and the Texas Education Agency
13 shall adopt rules for the Texas Teach Corps student loan repayment
14 assistance program under Subchapter FF, Chapter 61, Education Code,
15 as added by this Act.

16 SECTION 3. This Act takes effect immediately if it receives
17 a vote of two-thirds of all the members elected to each house, as
18 provided by Section 39, Article III, Texas Constitution. If this
19 Act does not receive the vote necessary for immediate effect, this
20 Act takes effect September 1, 2007.