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S.B. No. 816

A BILL TO BE ENTITLED

AN ACT

relating to the Texas Teach Corps Student Loan Repayment Assistance Program for undergraduate students who agree to teach in school districts in this state that have shortages of teachers in mathematics or science.

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

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

SUBCHAPTER GG. TEXAS TEACH CORPS STUDENT LOAN REPAYMENT ASSISTANCE PROGRAM FOR MATHEMATICS AND SCIENCE CLASSROOM TEACHERS

Sec. 61.9831. LOAN REPAYMENT ASSISTANCE AUTHORIZED. The board shall provide, in accordance with this subchapter and board rules, assistance in the repayment of eligible student loans for eligible undergraduate students who agree to teach mathematics or science for a specified period in school districts in this state that are determined by the Texas Education Agency to have shortages of teachers in mathematics or science.

Sec. 61.9832. ELIGIBILITY; AGREEMENT REQUIREMENTS.

(a) To be eligible to receive loan repayment assistance under this subchapter, a person must:

(1) apply for the loan repayment assistance in the manner prescribed by the board;

(2) have graduated from high school in this state;

(3) be currently enrolled in an educator preparation

1 program accredited by the State Board for Educator Certification
2 that is provided by an institution of higher education or by a
3 private or independent institution of higher education in this
4 state;

5 (4) have a cumulative grade point average of at least
6 2.75 on a four-point scale or the equivalent;

7 (5) enter into an agreement with the board providing
8 that:

9 (A) the person will earn a baccalaureate degree
10 through completion of an educator preparation program described by
11 Subdivision (3);

12 (B) the person will graduate with a cumulative
13 grade point average of at least 2.75 on a four-point scale or the
14 equivalent;

15 (C) the person will obtain, within the period
16 prescribed by board rule, appropriate certification under
17 Subchapter B, Chapter 21, to teach mathematics or science in a
18 public school in this state;

19 (D) beginning with the first school year that
20 begins after the date the person obtains the appropriate
21 certification described by Paragraph (C), the person will accept an
22 offer of full-time employment to teach mathematics or science, as
23 applicable based on the person's certification, in a school
24 district in this state selected by the person from among districts
25 determined by the Texas Education Agency to have shortages of
26 teachers in that subject for that first school year for which the
27 person is accepting employment;

1 (E) the person will complete four consecutive
2 years of employment as a full-time classroom teacher in a district
3 described by Paragraph (D) whose primary duty is to teach
4 mathematics or science, as applicable, based on the person's
5 certification; and

6 (F) the person acknowledges the conditional
7 nature of the loan repayment assistance; and

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

10 (b) Except as provided by Section 61.9833, for the first
11 school year of employment and each following consecutive school
12 year of employment, as described by Subsections (a)(5)(D) and (E),
13 not to exceed a total of four years, the board may provide
14 assistance for the repayment of a portion of an eligible person's
15 eligible loans. Subject to the availability of funding under
16 Section 61.9836 and except as otherwise provided by this
17 subsection, the amount of an assistance payment provided under this
18 subsection in any year to an eligible person is \$5,000. The board
19 shall increase that amount as necessary to adjust for inflation or,
20 as determined by the board, on the basis of other relevant
21 considerations. The board shall reduce the amount of a single
22 assistance payment or refrain from making an assistance payment to
23 an eligible person as necessary to avoid making total payments
24 under this subsection to the person in an amount greater than the
25 total amount of principal and interest due on the person's eligible
26 loans.

27 (c) For purposes of this subchapter, whether a school

1 district is determined to have a shortage of mathematics or science
2 teachers for a school year is based on a determination made by the
3 Texas Education Agency during the preceding school year. Not later
4 than April 1 of each school year, the Texas Education Agency shall
5 determine which school districts in this state have a shortage of
6 mathematics or science teachers during that school year and shall
7 provide that information to the board and to each educator
8 preparation program in this state accredited by the State Board for
9 Educator Certification.

10 (d) For purposes of Subsection (a)(5)(E), if a person is
11 employed as a teacher in a school district determined to have a
12 shortage of teachers in mathematics or science for the first year of
13 employment, each subsequent year of continuous employment as a
14 teacher in that district is considered to be employment in a
15 district determined to have such a shortage of teachers in that
16 subject in that subsequent year, regardless of whether the Texas
17 Education Agency determined that the district had a shortage of
18 teachers in that subject for that year.

19 (e) To satisfy the teaching obligation prescribed by an
20 agreement under this section, a person must teach mathematics or
21 science courses for not less than an average of four hours each
22 school day.

23 Sec. 61.9833. 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(a)(5)(E) that the
26 employment be performed in consecutive years if the break in
27 employment is a result of the person's:

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

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

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

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

15 (5) inability, despite reasonable efforts, to secure,
16 for a single period not to exceed 12 months, employment as required
17 by Section 61.9832; or

18 (6) satisfaction of the provisions of any other
19 exception adopted by the board for purposes of this section.

20 Sec. 61.9834. ELIGIBLE LOANS. (a) The board may provide
21 under this subchapter repayment assistance for the repayment of any
22 student loan that:

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

25 (2) is received by an eligible person through an
26 eligible lender.

27 (b) If the loan is not a state or federal guaranteed student

1 loan, the note or other writing governing the terms of the loan must
2 require the loan proceeds to be used for expenses incurred by a
3 person in attending a postsecondary educational institution.

4 (c) The board may not provide loan repayment assistance
5 under this subchapter for a student loan that is in default at the
6 time of the person's application for repayment assistance.

7 Sec. 61.9835. PAYMENT OF ASSISTANCE. (a) The board shall
8 pay any loan repayment assistance under this subchapter in a lump
9 sum:

10 (1) payable to both the holder of the loan and the
11 eligible person; or

12 (2) delivered on the eligible person's behalf directly
13 to the holder of the loan.

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

16 (c) Each 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. 61.9836. MATHEMATICS AND SCIENCE TEACHER INVESTMENT
20 FUND. (a) In this section, "fund" means the mathematics and
21 science teacher investment fund.

22 (b) The fund is a dedicated account in the general revenue
23 fund and consists of:

24 (1) appropriations of money to the fund by the
25 legislature;

26 (2) gifts, grants, and other donations received for
27 the fund; and

1 (3) interest and other earnings from the investment of
2 the fund.

3 (c) The fund may be used only to provide repayment
4 assistance for the repayment of loans eligible under Section
5 61.9834, including related administrative costs.

6 (d) The fund is exempt from the application of Sections
7 403.095 and 404.071, Government Code.

8 (e) The board may solicit and accept grants, gifts, or
9 donations from any public or private entity for the purposes of this
10 subchapter. All money received under this subchapter shall be
11 deposited in the fund.

12 Sec. 61.9837. AMOUNT OF LOAN REPAYMENT ASSISTANCE.

13 (a) The total amount of loan repayment assistance paid by the
14 board under this subchapter may not exceed the total amount of money
15 available in the fund under Section 61.9836 and any other money that
16 the board is legally authorized to use for purposes of this
17 subchapter.

18 (b) Not more than 4,000 eligible persons may be provided
19 loan repayment assistance in the amount authorized under this
20 subchapter in any school year.

21 (b-1) This subsection expires January 1, 2016.
22 Notwithstanding Subsection (b), not more than the following number
23 of eligible persons may be provided loan repayment assistance in
24 the amount authorized under this subchapter in the specified school
25 year:

26 (1) in the 2012-2013 school year, not more than 1,000
27 eligible persons may be provided loan repayment assistance;

1 (2) in the 2013-2014 school year, not more than 2,000
2 eligible persons may be provided loan repayment assistance; and

3 (3) in the 2014-2015 school year, not more than 3,000
4 eligible persons may be provided loan repayment assistance.

5 (c) If in any year the amount of money available for loan
6 repayment assistance under this subchapter is insufficient to
7 provide loan repayment assistance to each eligible applicant or if
8 there are more eligible applicants than the number authorized by
9 this section, the board shall establish criteria to determine which
10 eligible applicants will be provided repayment assistance as the
11 board determines appropriate to further the purposes of this
12 subchapter.

13 Sec. 61.9838. RULES. The board shall:

14 (1) adopt rules necessary for the administration of
15 this subchapter, including a rule providing for the manner in which
16 a person may apply for loan repayment assistance; and

17 (2) distribute to each educator preparation program
18 approved by the State Board for Educator Certification offered by
19 an institution of higher education or by a private or independent
20 institution of higher education in this state a copy of the rules
21 adopted under this section.

22 SECTION 2. The Texas Higher Education Coordinating Board
23 shall begin providing loan repayment assistance under Subchapter
24 GG, Chapter 61, Education Code, as added by this Act, for eligible
25 persons teaching in the 2012-2013 school year.

26 SECTION 3. This Act does not make an appropriation. A
27 provision in this Act that creates a new governmental program,

1 creates a new entitlement, or imposes a new duty on a governmental
2 entity is not mandatory during a fiscal period for which the
3 legislature has not made a specific appropriation to implement the
4 provision.

5 SECTION 4. This Act takes effect immediately if it receives
6 a vote of two-thirds of all the members elected to each house, as
7 provided by Section 39, Article III, Texas Constitution. If this
8 Act does not receive the vote necessary for immediate effect, this
9 Act takes effect September 1, 2009.