

1-1 By: Patrick, Shapiro S.B. No. 816  
1-2 (In the Senate - Filed February 12, 2009; March 4, 2009,  
1-3 read first time and referred to Committee on Higher Education;  
1-4 April 16, 2009, reported adversely, with favorable Committee  
1-5 Substitute by the following vote: Yeas 5, Nays 0; April 16, 2009,  
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 816 By: Patrick

1-8 A BILL TO BE ENTITLED  
1-9 AN ACT

1-10 relating to the Texas Teach Corps Student Loan Repayment Assistance  
1-11 Program for undergraduate students who agree to teach in school  
1-12 districts in this state that have shortages of teachers in  
1-13 mathematics or science.

1-14 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-15 SECTION 1. Chapter 61, Education Code, is amended by adding  
1-16 Subchapter GG to read as follows:

1-17 SUBCHAPTER GG. TEXAS TEACH CORPS STUDENT LOAN REPAYMENT ASSISTANCE  
1-18 PROGRAM FOR MATHEMATICS AND SCIENCE CLASSROOM TEACHERS

1-19 Sec. 61.9831. LOAN REPAYMENT ASSISTANCE AUTHORIZED. The  
1-20 board shall provide, in accordance with this subchapter and board  
1-21 rules, assistance in the repayment of eligible student loans for  
1-22 eligible undergraduate students who agree to teach mathematics or  
1-23 science for a specified period in school districts in this state  
1-24 that are determined by the Texas Education Agency to have shortages  
1-25 of teachers in mathematics or science.

1-26 Sec. 61.9832. ELIGIBILITY; AGREEMENT REQUIREMENTS.

1-27 (a) To be eligible to receive loan repayment assistance under this  
1-28 subchapter, a person must:

1-29 (1) apply for the loan repayment assistance in the  
1-30 manner prescribed by the board;

1-31 (2) have graduated from high school in this state;

1-32 (3) be currently enrolled in an educator preparation  
1-33 program accredited by the State Board for Educator Certification  
1-34 that is provided by an institution of higher education or by a  
1-35 private or independent institution of higher education in this  
1-36 state;

1-37 (4) have a cumulative grade point average of at least  
1-38 2.75 on a four-point scale or the equivalent;

1-39 (5) enter into an agreement with the board providing  
1-40 that:

1-41 (A) the person will earn a baccalaureate degree  
1-42 through completion of an educator preparation program described by  
1-43 Subdivision (3);

1-44 (B) the person will graduate with a cumulative  
1-45 grade point average of at least 2.75 on a four-point scale or the  
1-46 equivalent;

1-47 (C) the person will obtain, within the period  
1-48 prescribed by board rule, appropriate certification under  
1-49 Subchapter B, Chapter 21, to teach mathematics or science in a  
1-50 public school in this state;

1-51 (D) beginning with the first school year that  
1-52 begins after the date the person obtains the appropriate  
1-53 certification described by Paragraph (C), the person will accept an  
1-54 offer of full-time employment to teach mathematics or science, as  
1-55 applicable based on the person's certification, in a school  
1-56 district in this state selected by the person from among districts  
1-57 determined by the Texas Education Agency to have shortages of  
1-58 teachers in that subject for that first school year for which the  
1-59 person is accepting employment;

1-60 (E) the person will complete four consecutive  
1-61 years of employment as a full-time classroom teacher in a district  
1-62 described by Paragraph (D) whose primary duty is to teach  
1-63 mathematics or science, as applicable, based on the person's

2-1 certification; and  
 2-2 (F) the person acknowledges the conditional  
 2-3 nature of the loan repayment assistance; and  
 2-4 (6) comply with any other requirement adopted by the  
 2-5 board under this subchapter.

2-6 (b) Except as provided by Section 61.9833, for the first  
 2-7 school year of employment and each following consecutive school  
 2-8 year of employment, as described by Subsections (a)(5)(D) and (E),  
 2-9 not to exceed a total of four years, the board may provide  
 2-10 assistance for the repayment of a portion of an eligible person's  
 2-11 eligible loans. Subject to the availability of funding under  
 2-12 Section 61.9836 and except as otherwise provided by this  
 2-13 subsection, the amount of an assistance payment provided under this  
 2-14 subsection in any year to an eligible person is \$5,000. The board  
 2-15 shall increase that amount as necessary to adjust for inflation or,  
 2-16 as determined by the board, on the basis of other relevant  
 2-17 considerations. The board shall reduce the amount of a single  
 2-18 assistance payment or refrain from making an assistance payment to  
 2-19 an eligible person as necessary to avoid making total payments  
 2-20 under this subsection to the person in an amount greater than the  
 2-21 total amount of principal and interest due on the person's eligible  
 2-22 loans.

2-23 (c) For purposes of this subchapter, whether a school  
 2-24 district is determined to have a shortage of mathematics or science  
 2-25 teachers for a school year is based on a determination made by the  
 2-26 Texas Education Agency during the preceding school year. Not later  
 2-27 than April 1 of each school year, the Texas Education Agency shall  
 2-28 determine which school districts in this state have a shortage of  
 2-29 mathematics or science teachers during that school year and shall  
 2-30 provide that information to the board and to each educator  
 2-31 preparation program in this state accredited by the State Board for  
 2-32 Educator Certification.

2-33 (d) For purposes of Subsection (a)(5)(E), if a person is  
 2-34 employed as a teacher in a school district determined to have a  
 2-35 shortage of teachers in mathematics or science for the first year of  
 2-36 employment, each subsequent year of continuous employment as a  
 2-37 teacher in that district is considered to be employment in a  
 2-38 district determined to have such a shortage of teachers in that  
 2-39 subject in that subsequent year, regardless of whether the Texas  
 2-40 Education Agency determined that the district had a shortage of  
 2-41 teachers in that subject for that year.

2-42 (e) To satisfy the teaching obligation prescribed by an  
 2-43 agreement under this section, a person must teach mathematics or  
 2-44 science courses for not less than an average of four hours each  
 2-45 school day.

2-46 Sec. 61.9833. EXCEPTION TO CONSECUTIVE YEARS OF EMPLOYMENT  
 2-47 REQUIREMENT. The board shall excuse an otherwise eligible person  
 2-48 from the requirement imposed by Section 61.9832(a)(5)(E) that the  
 2-49 employment be performed in consecutive years if the break in  
 2-50 employment is a result of the person's:

2-51 (1) full-time enrollment in a course of study related  
 2-52 to the field of teaching that is approved by the State Board for  
 2-53 Educator Certification and provided by an institution of higher  
 2-54 education or by a private or independent institution of higher  
 2-55 education in this state;

2-56 (2) service on active duty as a member of the armed  
 2-57 forces of the United States, including as a member of a reserve or  
 2-58 National Guard unit called for active duty;

2-59 (3) temporary total disability for a period of not  
 2-60 more than 36 months as established by the affidavit of a qualified  
 2-61 physician;

2-62 (4) inability to secure employment as required by  
 2-63 Section 61.9832 for a period not to exceed 12 months, because of  
 2-64 care required by a disabled spouse or child;

2-65 (5) inability, despite reasonable efforts, to secure,  
 2-66 for a single period not to exceed 12 months, employment as required  
 2-67 by Section 61.9832; or

2-68 (6) satisfaction of the provisions of any other  
 2-69 exception adopted by the board for purposes of this section.

3-1 Sec. 61.9834. ELIGIBLE LOANS. (a) The board may provide  
3-2 under this subchapter repayment assistance for the repayment of any  
3-3 student loan that:

3-4 (1) is for education at a public or private  
3-5 institution of higher education; and

3-6 (2) is received by an eligible person through an  
3-7 eligible lender.

3-8 (b) If the loan is not a state or federal guaranteed student  
3-9 loan, the note or other writing governing the terms of the loan must  
3-10 require the loan proceeds to be used for expenses incurred by a  
3-11 person in attending a postsecondary educational institution.

3-12 (c) The board may not provide loan repayment assistance  
3-13 under this subchapter for a student loan that is in default at the  
3-14 time of the person's application for repayment assistance.

3-15 Sec. 61.9835. PAYMENT OF ASSISTANCE. (a) The board shall  
3-16 pay any loan repayment assistance under this subchapter in a lump  
3-17 sum:

3-18 (1) payable to both the holder of the loan and the  
3-19 eligible person; or

3-20 (2) delivered on the eligible person's behalf directly  
3-21 to the holder of the loan.

3-22 (b) Loan repayment assistance provided under this  
3-23 subchapter may be applied to any amount due on the loan.

3-24 (c) Each fiscal biennium, the board shall attempt to  
3-25 allocate all money available to the board for the purpose of  
3-26 providing loan repayment assistance under this subchapter.

3-27 Sec. 61.9836. MATHEMATICS AND SCIENCE TEACHER INVESTMENT  
3-28 FUND. (a) In this section, "fund" means the mathematics and  
3-29 science teacher investment fund.

3-30 (b) The fund is a dedicated account in the general revenue  
3-31 fund and consists of:

3-32 (1) appropriations of money to the fund by the  
3-33 legislature;

3-34 (2) gifts, grants, and other donations received for  
3-35 the fund; and

3-36 (3) interest and other earnings from the investment of  
3-37 the fund.

3-38 (c) The fund may be used only to provide repayment  
3-39 assistance for the repayment of loans eligible under Section  
3-40 61.9834, including related administrative costs.

3-41 (d) The fund is exempt from the application of Sections  
3-42 403.095 and 404.071, Government Code.

3-43 (e) The board may solicit and accept grants, gifts, or  
3-44 donations from any public or private entity for the purposes of this  
3-45 subchapter. All money received under this subchapter shall be  
3-46 deposited in the fund.

3-47 Sec. 61.9837. AMOUNT OF LOAN REPAYMENT ASSISTANCE.

3-48 (a) The total amount of loan repayment assistance paid by the  
3-49 board under this subchapter may not exceed the total amount of money  
3-50 available in the fund under Section 61.9836 and any other money that  
3-51 the board is legally authorized to use for purposes of this  
3-52 subchapter.

3-53 (b) Not more than 4,000 eligible persons may be provided  
3-54 loan repayment assistance in the amount authorized under this  
3-55 subchapter in any school year.

3-56 (b-1) This subsection expires January 1, 2016.  
3-57 Notwithstanding Subsection (b), not more than the following number  
3-58 of eligible persons may be provided loan repayment assistance in  
3-59 the amount authorized under this subchapter in the specified school  
3-60 year:

3-61 (1) in the 2012-2013 school year, not more than 1,000  
3-62 eligible persons may be provided loan repayment assistance;

3-63 (2) in the 2013-2014 school year, not more than 2,000  
3-64 eligible persons may be provided loan repayment assistance; and

3-65 (3) in the 2014-2015 school year, not more than 3,000  
3-66 eligible persons may be provided loan repayment assistance.

3-67 (c) If in any year the amount of money available for loan  
3-68 repayment assistance under this subchapter is insufficient to  
3-69 provide loan repayment assistance to each eligible applicant or if

4-1 there are more eligible applicants than the number authorized by  
4-2 this section, the board shall establish criteria to determine which  
4-3 eligible applicants will be provided repayment assistance as the  
4-4 board determines appropriate to further the purposes of this  
4-5 subchapter.

4-6 Sec. 61.9838. RULES. The board shall:

4-7 (1) adopt rules necessary for the administration of  
4-8 this subchapter, including a rule providing for the manner in which  
4-9 a person may apply for loan repayment assistance; and

4-10 (2) distribute to each educator preparation program  
4-11 approved by the State Board for Educator Certification offered by  
4-12 an institution of higher education or by a private or independent  
4-13 institution of higher education in this state a copy of the rules  
4-14 adopted under this section.

4-15 SECTION 2. The Texas Higher Education Coordinating Board  
4-16 shall begin providing loan repayment assistance under Subchapter  
4-17 GG, Chapter 61, Education Code, as added by this Act, for eligible  
4-18 persons teaching in the 2012-2013 school year.

4-19 SECTION 3. This Act takes effect immediately if it receives  
4-20 a vote of two-thirds of all the members elected to each house, as  
4-21 provided by Section 39, Article III, Texas Constitution. If this  
4-22 Act does not receive the vote necessary for immediate effect, this  
4-23 Act takes effect September 1, 2009.

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