

**House Bill 518**  
Senate Amendments  
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HOUSE VERSION

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

SUBCHAPTER FF. CORRECTIONAL OFFICER  
LOAN REPAYMENT  
ASSISTANCE PILOT PROGRAM

Sec. 61.9781. DEFINITIONS. In this subchapter:

(1) "Correctional officer" means a correctional officer employed in a confinement facility operated by the Texas Department of Criminal Justice.

(2) "Trust fund" means the correctional officer loan repayment assistance trust fund.

Sec. 61.9782. REPAYMENT AUTHORIZED. The board shall establish a pilot program to provide, using money in the trust fund and in accordance with this subchapter and rules of the board, assistance in the repayment of student loans for correctional officers who apply and qualify for the assistance.

Sec. 61.9783. ELIGIBILITY. To be eligible to receive repayment assistance, a correctional officer must:

(1) have received a baccalaureate degree from Sam Houston State University or from another general academic teaching institution that is selected to participate in the program by the board under Section 61.9789(b) if the board expands the program to include an additional general academic teaching institution;

(2) establish to the board that:

(A) the repayment assistance will be used to repay any part of a student loan received by the correctional officer to cover the officer's cost of attendance in connection with enrollment in junior-level or senior-level course

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work in the baccalaureate degree program at the institution;

(B) during the period of the correctional officer's enrollment at the institution as described by Paragraph (A), the officer:

(i) was employed full-time as a correctional officer in this state;

(ii) was classified as a resident of this state under Subchapter B, Chapter 54;

(iii) established financial need as determined by board rule; and

(iv) maintained good academic standing at the institution as determined by board rule; and

(C) the correctional officer has not committed an offense:

(i) under Chapter 39, Penal Code;

(ii) under Section 38.11 or 38.114, Penal Code;

(iii) under any other provision of the Penal Code in which the victim was a person in the custody of the Texas Department of Criminal Justice at the time the offense occurred; or

(iv) the elements of which are equivalent to a criminal offense under the law of another state, federal law, or the law of a foreign government;

(3) complete at least two full years of employment as a full-time correctional officer in this state not later than the second anniversary of the date of the person's graduation from the institution; and

(4) comply with any other requirements adopted by board rule under this subchapter.

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Sec. 61.9784. ELIGIBLE LOANS. (a) The board may provide repayment assistance for the repayment of any student loan received by an eligible correctional officer through any lender for the cost of attendance for enrollment at Sam Houston State University or at another general academic teaching institution that is selected by the board to participate in the program under Section 61.9789(b).

(b) The board may withhold repayment assistance for a student loan that is in default at the time of the correctional officer's application.

(c) Subject to Sections 61.9785 and 61.9788, in each state fiscal biennium the board shall attempt to allocate all funds available in the trust fund for the purpose of providing repayment assistance under this subchapter.

Sec. 61.9785. REPAYMENT. (a) The board shall deliver any repayment under this subchapter in a lump sum:

(1) payable to both the lender or other holder of the loan and the correctional officer; or

(2) on the correctional officer's behalf directly to the lender or other holder of the loan.

(b) A repayment under this subchapter may be applied to any amount due in connection with the loan.

(c) The board may grant prior conditional approval to a correctional officer who completes each eligibility requirement under Section 61.9783 other than the requirement under Section 61.9783(3) and may reserve money in the trust fund for disbursement under this subchapter on the officer's completion of that

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requirement.

Sec. 61.9786. RULES. (a) The board shall adopt rules necessary to administer this subchapter. The board may consult with the Texas Department of Criminal Justice to assist the board in establishing priorities among eligible correctional officers for repayment assistance.

(b) The board shall distribute to Sam Houston State University, any other general academic teaching institution that is selected by the board to participate in the program under Section 61.9789(b), each public junior college, and appropriate state agencies and professional associations copies of the rules adopted under this section and other pertinent information relating to this subchapter.

Sec. 61.9787. AMOUNT OF REPAYMENT ASSISTANCE. (a) The loan repayment amount for one year of full-time employment as a correctional officer beginning two years after graduation from Sam Houston State University or from another general academic teaching institution that is selected by the board to participate in the program under Section 61.9789(b) may not exceed the cost of attendance for the officer to enroll in 30 semester credit hours of junior-level or senior-level course work at the institution, as applicable.

(b) The total amount of repayment assistance distributed by the board under this subchapter may not exceed the total amount of gifts and grants accepted by the board for repayment assistance, legislative appropriations for repayment assistance, and other funds available to the board for purposes of this subchapter.

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Sec. 61.9788. TRUST FUND. (a) The board shall award repayment assistance under this subchapter from the amount available in the trust fund. The trust fund is established outside the treasury but is held in trust by the comptroller. Money in the trust fund may be spent without appropriation and only to fund the pilot program. Interest and income from the assets of the trust fund shall be credited to and deposited in the trust fund. In each state fiscal year the board may spend from the trust fund to cover the costs of administering this subchapter an amount not to exceed 2.5 percent of the total amount of money deposited into the trust fund in that fiscal year.

(b) The board may solicit and accept gifts and grants from any public or private source for the purposes of this subchapter and shall deposit a gift or grant to the credit of the trust fund.

(c) The legislature may appropriate money to the trust fund.

Sec. 61.9789. EVALUATION OF PILOT PROGRAM.

(a) The board shall evaluate the effectiveness of the pilot program established under this subchapter and report the results of the evaluation to the legislature not later than December 31 of each even-numbered year.

(b) If the board determines that expansion of the program would enhance the effectiveness of the program or improve the board's ability to evaluate the program, the board by rule may expand the program to include as eligible to receive repayment assistance under Section 61.9783 a correctional officer who:

(1) received a baccalaureate degree from a general

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academic teaching institution other than Sam Houston State University that is located near a confinement facility operated by the Texas Department of Criminal Justice and that is selected by the board to participate in the program; and

(2) meets all other eligibility requirements prescribed by or adopted under Section 61.9783.

(c) If the board by rule expands the program under Subsection (b) to include graduates of one or more other general academic teaching institutions, the board shall include in the report under Subsection (a) information regarding the effectiveness of the expansion and the name of each additional general academic teaching institution selected to participate in the program.

Sec. 61.9790. TERMINATION OF PILOT PROGRAM. The board may not award repayment assistance under this subchapter to pay the costs of enrollment in an academic year after the 2015-2016 academic year. On January 1, 2019, the trust fund is abolished and any amount remaining in the trust fund shall be transferred to the general revenue fund.

SECTION 2. Chapter 61, Education Code, is amended by adding Subchapter GG to read as follows:

SUBCHAPTER GG. REPAYMENT OF CERTAIN SPEECH-LANGUAGE PATHOLOGIST AND AUDIOLOGIST EDUCATION LOANS

Sec. 61.9801. DEFINITIONS. In this subchapter:

(1) "Audiologist" means a person licensed as an audiologist under Chapter 401, Occupations Code.

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(2) "Communicative disorders program" means a graduate degree program in audiology or speech-language pathology accredited by the Council on Academic Accreditation in Audiology and Speech-Language Pathology.

(3) "Public school" means a public preschool or primary or secondary school in this state.

(4) "Speech-language pathologist" means a person licensed as a speech-language pathologist under Chapter 401, Occupations Code.

Sec. 61.9802. REPAYMENT ASSISTANCE AUTHORIZED. The board shall provide, in accordance with this subchapter and board rules, assistance in the repayment of student loans for speech-language pathologists and audiologists who apply and qualify for assistance.

Sec. 61.9803. ELIGIBILITY. (a) To be eligible to receive repayment assistance, a speech-language pathologist or an audiologist must:

(1) apply to the board; and

(2) at the time the speech-language pathologist or audiologist applies for the assistance:

(A) have been employed as a speech-language pathologist or as an audiologist, as applicable, for at least one year by, and be currently employed full-time in that capacity by, a public school; or

(B) have been employed as a faculty member of a communicative disorders program at an institution of higher education for at least one year, and be currently employed full-time in that capacity at such an institution.

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(b) The board by rule may provide for repayment assistance on a pro rata basis for speech-language pathologists and audiologists employed part-time by a public school or institution of higher education.

Sec. 61.9804. LIMITATION. (a) On qualifying for the assistance, a speech-language pathologist or an audiologist may receive repayment assistance grants for each year of employment, not to exceed five years, by:

(1) a public school; or

(2) a communicative disorders program at an institution of higher education.

(b) The amount of repayment assistance grants that a speech-language pathologist or an audiologist may receive for each year of employment by a public school or a communicative disorders program at an institution of higher education may not exceed 20 percent of the speech-language pathologist's or audiologist's total principal amount of student loans.

(c) The total amount of repayment assistance grants received by a speech-language pathologist or an audiologist under this subchapter may not exceed \$30,000 for an eligible recipient who holds a master's degree but not a doctoral degree, or \$45,000 for an eligible recipient who holds a doctoral degree.

Sec. 61.9805. ELIGIBLE LOANS. (a) The board may provide repayment assistance for the repayment of any student loan for education at an institution of higher education, including loans for undergraduate education, received by a speech-language pathologist or an audiologist through any lender.



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(b) The board may not provide repayment assistance for a student loan that is in default at the time of the speech-language pathologist's or audiologist's application.

(c) Each state fiscal biennium, the board shall attempt to provide repayment assistance in amounts sufficient to use all the money appropriated to the board for that biennium for the purpose of providing repayment assistance under this subchapter.

Sec. 61.9806. REPAYMENT. (a) The board shall deliver any repayment made under this subchapter in a lump sum payable to the lender and the speech-language pathologist or audiologist, in accordance with any applicable federal law.

(b) A repayment made under this subchapter may be applied only to the principal amount of the loan.

Sec. 61.9807. ADVISORY COMMITTEES. The board may appoint advisory committees to assist the board in administering this subchapter.

Sec. 61.9808. ACCEPTANCE OF GIFTS. The board may accept gifts, grants, and donations for the purposes of this subchapter.

Sec. 61.9809. RULES. (a) The board shall adopt rules necessary for the administration of this subchapter.

(b) The board shall distribute a copy of the rules adopted under this section and pertinent information regarding this subchapter to:

- (1) each institution of higher education;
- (2) any appropriate state agency; and
- (3) any appropriate professional association.

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SECTION 3. The Texas Higher Education Coordinating Board shall adopt the rules for repayment assistance under Subchapter FF, Chapter 61, Education Code, as added by this Act, not later than December 1, 2009.

**No equivalent provision.**

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

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Same as House version.

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

Same as House version.

The following rows were presented as identical to the language of the engrossed version of Senate Bill 816, 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.

**No equivalent provision.**

SECTION \_\_. Chapter 61, Education Code, is amended by adding Subchapter GG to read as follows:  
SUBCHAPTER GG. TEXAS TEACH CORPS

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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  
program accredited by the State Board for Educator  
Certification that is provided by an institution of higher  
education or by a private or independent institution of  
higher education in this state;
- (4) have a cumulative grade point average of at least  
2.75 on a four-point scale or the equivalent;
- (5) enter into an agreement with the board providing  
that:
  - (A) the person will earn a baccalaureate degree through  
completion of an educator preparation program described  
by Subdivision (3);

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

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

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

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

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

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

(b) Except as provided by Section 61.9833, for the first school year of employment and each following consecutive school year of employment, as described by Subsections (a)(5)(D) and (E), not to exceed a total of

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four years, the board may provide assistance for the repayment of a portion of an eligible person's eligible loans. Subject to the availability of funding under Section 61.9836 and except as otherwise provided by this subsection, the amount of an assistance payment provided under this subsection in any year to an eligible person is \$5,000. The board shall increase that amount as necessary to adjust for inflation or, as determined by the board, on the basis of other relevant considerations. The board shall reduce the amount of a single assistance payment or refrain from making an assistance payment to an eligible person as necessary to avoid making total payments under this subsection to the person in an amount greater than the total amount of principal and interest due on the person's eligible loans.

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

(d) For purposes of Subsection (a)(5)(E), if a person is employed as a teacher in a school district determined to have a shortage of teachers in mathematics or science for

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the first year of employment, each subsequent year of continuous employment as a teacher in that district is considered to be employment in a district determined to have such a shortage of teachers in that subject in that subsequent year, regardless of whether the Texas Education Agency determined that the district had a shortage of teachers in that subject for that year.

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

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

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

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

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

(4) inability to secure employment as required by Section 61.9832 for a period not to exceed 12 months.

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because of care required by a disabled spouse or child;  
(5) inability, despite reasonable efforts, to secure, for a single period not to exceed 12 months, employment as required by Section 61.9832; or  
(6) satisfaction of the provisions of any other exception adopted by the board for purposes of this section.  
Sec. 61.9834. ELIGIBLE LOANS. (a) The board may provide under this subchapter repayment assistance for the repayment of any student loan that:  
(1) is for education at a public or private institution of higher education; and  
(2) is received by an eligible person through an eligible lender.  
(b) If the loan is not a state or federal guaranteed student loan, the note or other writing governing the terms of the loan must require the loan proceeds to be used for expenses incurred by a person in attending a postsecondary educational institution.  
(c) The board may not provide loan repayment assistance under this subchapter for a student loan that is in default at the time of the person's application for repayment assistance.  
Sec. 61.9835. PAYMENT OF ASSISTANCE. (a) The board shall pay any loan repayment assistance under this subchapter in a lump sum:  
(1) payable to both the holder of the loan and the eligible person; or  
(2) delivered on the eligible person's behalf directly to the holder of the loan.  
(b) Loan repayment assistance provided under this

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subchapter may be applied to any amount due on the loan.

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

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

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

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

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

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

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

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

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

Sec. 61.9837. AMOUNT OF LOAN REPAYMENT ASSISTANCE. (a) The total amount of loan repayment assistance paid by the board under this subchapter may



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not exceed the total amount of money available in the fund under Section 61.9836 and any other money that the board is legally authorized to use for purposes of this subchapter.

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

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

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

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

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

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

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Sec. 61.9838. RULES. The board shall:

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

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

No equivalent provision.

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

End of Senate Bill 816 language.

No equivalent provision.

SECTION \_\_. Subchapter GG, Chapter 61, Education Code, as added by this Act, does not make an appropriation. A provision in Subchapter GG, Chapter 61, Education Code, as added by this Act, that creates a new governmental program, creates a new entitlement, or imposes a new duty on a governmental entity is not mandatory during a fiscal period for which the legislature has not made a specific appropriation to implement the provision.