

BILL ANALYSIS

Senate Research Center
81R23385 KJM-D

C.S.S.B. 816
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Higher Education
4/9/2009
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Like many states across the nation, Texas is experiencing a critical shortage of certified math and science teachers in the public school system. This shortage affects the state's economy, as many technology-based companies are searching nationally and even internationally for capable workers. Studies show that the shortages have increased dramatically in the past five years and are projected to increase in the next five years. As Texas schools implement the four-by-four graduation requirements for core courses, this shortage will have dire consequences for students as more school districts are forced to rely on out-of-field teachers to lead math and science classes.

C.S.S.B. 816 relating to the Texas Teach Corps 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.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Texas Higher Education Coordinating Board in SECTION 1 (Section 61.9838, Education Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 61, Education Code, by adding Subchapter GG, 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.** Requires the Texas Higher Education Coordinating Board (THECB) to provide, in accordance with this subchapter and THECB 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 (TEA) to have shortages of teachers in mathematics or science.

Sec. 61.9832. **ELIGIBILITY; AGREEMENT REQUIREMENTS.** (a) Requires a person, to be eligible to receive loan repayment assistance under this subchapter, to:

- (1) apply for the loan repayment assistance in the manner prescribed by THECB;
- (2) have graduated from high school in this state;
- (3) be currently enrolled in an educator preparation program accredited by the State Board of Educator Certification (SBEC) 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 THECB providing that:

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

(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 THECB rule, appropriate certification under Subchapter B (Certification of Educators), Chapter 21 (Educators), to teach mathematics or science in a public school area 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 TEA 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 THECB under this subchapter.

(b) Authorizes THECB, 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 four years, to provide assistance for the repayment of a portion of an eligible person's eligible loans. Provides that, 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. Requires THECB to increase that amount as necessary to adjust for inflation or, as determined by THECB, on the basis of other relevant considerations. Requires THECB to 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) Provides that, 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 TEA during the preceding school year. Requires TEA, not later than April 1 of each school year, to determine which school districts in this state have a shortage of mathematics or science teachers during that school year and to provide that information to THECB and to each educator preparation program in this state accredited by SBEC.

(d) Provides that, 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 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 TEA determined that the district had a shortage of teachers in that subject for that year.

(e) Requires a person, to satisfy the teaching obligation prescribed by an agreement under this section, to 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. Requires THECB to 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 SBEC 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, 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 THECB for purposes of this section.

Sec. 61.9834. ELIGIBLE LOANS. (a) Authorizes THECB to provide under this subchapter repayment assistance for the repayment of any student loan that is for education at a public or private institution of higher education and is received by an eligible person through an eligible lender.

(b) Requires the note or other writing governing the terms of the loan, if the loan is not a state or federal guaranteed student loan, to require the loan proceeds to be used for expenses incurred by a person in attending a postsecondary educational institution.

(c) Prohibits THECB from providing 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) Requires THECB to pay any loan repayment assistance under this subchapter in a lump sum payable to both the holder of the loan and the eligible person or delivered on the eligible person's behalf directly to the holder of the loan.

(b) Authorizes that loan repayment assistance provided under this subchapter be applied to any amount due on the loan.

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

Sec. 61.9836. MATHEMATICS AND SCIENCE TEACHER INVESTMENT FUND.

(a) Defines "fund."

(b) Provides that the mathematics and science teacher investment fund (fund) is a dedicated account in the general revenue fund and consists of appropriations of money to the fund by the legislature; gifts, grants, and other donations received for the fund; and interest and other earnings from the investment of the fund.

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

(d) Exempts the fund from the application of Sections 403.095 (Use of Dedicated Revenue) and 404.071 (Disposition of Interest on Investments), Government Code.

(e) Authorizes THECB to solicit and accept grants, gifts, or donations from any public or private entity for the purposes of this subchapter. Requires that all money received under this subchapter be deposited in the fund.

Sec. 61.9837. AMOUNT OF LOAN REPAYMENT ASSISTANCE. Prohibits the total amount of loan repayment assistance paid by THECB under this subchapter from exceeding the total amount of money available in the fund under Section 61.9836 and any other money that THECB is legally authorized to use for purposes of this subchapter.

(b) Prohibits not more than 4,000 eligible persons from being provided loan repayment assistance in the amount authorized under this subchapter in any school year.

(b-1) Provides that this subsection expires January 1, 2016. Sets forth the maximum number of eligible persons authorized to be provided loan repayment assistance in the amount authorized under this subchapter in 2012-2013, 2013-2014, and 2014-2015 school years, notwithstanding Subsection (b)

(c) Requires THECB, 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, to establish criteria to determine which eligible applicants will be provided repayment assistance as THECB determines appropriate to further the purposes of this subchapter.

Sec. 61.9838. RULES. Requires THECB to adopt rules necessary for the administration of this subchapter, including a rule providing for the manner in which a person is authorized to apply for loan repayment assistance and to distribute to each educator preparation program approved by SBEC 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.

SECTION 2. Requires THECB to 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.

SECTION 3. Effective date: upon passage or September 1, 2009.