

Proposed Rulemaking

Title

Promulgated by:

Division of Higher Education

Title 6. Education

Chapter IV. Division of Higher Education, Department of Education

Subchapter B. Scholarships and Grants

Part 410. Arkansas Geographical Critical Needs Teacher Scholarship Program

Subpart 1. Generally

6 CAR § 410-101. Creation & Purpose.

(a) This part shall be known as the Division of Higher Education's Rules Governing the Arkansas Geographical Critical Needs Teacher Scholarship Program.

(b) The purpose of this program is to attract qualified teachers to the Delta region and those geographical areas of the state where there exists a critical shortage of teachers by awarding scholarships to individuals declaring an intention to serve in the teaching field who actually renders service to this state while possessing an appropriate teaching license.

(c) This part does not affect any preference given to veterans in public education.

6 CAR § 410-102. Definitions.

As used in this part:

(1) "Approved institution of higher education" means an institution of higher education that is approved by the Division of Higher Education to administer the Arkansas Geographical Critical Needs Teacher Scholarship Program that is a:

(A) State-supported two-year or four-year institution of higher education;

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(B) Private, nonprofit two-year or four-year institution of higher education that has its primary headquarters located in Arkansas and is eligible to receive Title IV federal student aid funds;

(2) "Delta region" means the following counties of Arkansas are designated as being in the Delta region: Arkansas, Ashley, Baxter, Bradley, Calhoun, Chicot, Clay, Cleveland, Craighead, Crittenden, Cross, Dallas, Desha, Drew, Fulton, Grant, Greene, Independence, Izard, Jackson, Jefferson, Lawrence, Lee, Lincoln, Lonoke, Marion, Mississippi, Monroe, Ouachita, Phillips, Poinsett, Prairie, Pulaski, Randolph, St. Francis, Searcy, Sharp, Stone, Union, Van Buren, White, and Woodruff;

(3) "Full-time student" means a student enrolled for a minimum of twelve (12) semester credit hours or the equivalent;

(4) "Part-time student" means a student enrolled in at least six (6) semester credit hours or the equivalent, but less than twelve (12) semester credit hours or the equivalent;

6 CAR § 410-103. Scholarship eligibility and award amount.

(a) Any individual who is enrolled in or accepted for enrollment at a baccalaureate degree-granting institution of higher education whose teacher education program is approved by the State Board of Education or at an accredited state-supported community college in Arkansas who expresses in writing an intention to teach in a geographical area of the state in which there exists a critical shortage of teachers, as designated by the state board, shall be eligible for a Critical Needs Teacher Scholarship to be applied toward the costs of the individual's college education, if:

(1) The applicant has a grade point average of 2.5 on a 4.0 scale in high school if the applicant graduated within the five (5) preceding years; and

(2) The applicant scores nineteen (19) or above on the ACT composite or the equivalent as defined by the University of Arkansas at Pine Bluff.

(b)(1) The university is authorized to develop selection criteria through Critical Needs Teacher Scholarship Program rules, which combine an applicant's ACT

superscore, as defined by Arkansas code § 6-85-204, or ACT equivalent score and grade point average in the core curriculum into a selection index.

(2) Notwithstanding the provisions of subdivisions (b)(1) and (2) of this section, this selection index shall be employed as an alternative selection process for applicants who achieve a grade point average below 2.5 on a 4.0 scale or for applicants who have an ACT composite superscore or ACT equivalent score greater than nineteen (19).

(c)(1) The annual amount of the scholarship shall be one thousand five hundred dollars (\$1,500) per year.

(2) Awards made to nonresidents of the state shall not include any amount assessed by the college or university for out-of-state tuition.

(d)(1) Awards granted under the Critical Needs Teacher Scholarship Program shall be available to both full-time and part-time students.

(2) Students enrolling on a full-time basis may receive a maximum of four (4) annual awards.

(3) The maximum number of awards that may be made to students attending school on a part-time basis and the maximum time period for part-time students to complete the number of academic hours necessary to obtain a baccalaureate degree in education shall be established by rules jointly promulgated by the university and the Division of Higher Education.

(e) Scholarships shall not be based upon an applicant's eligibility for financial aid.

(f) The Commissioner of the Division of Higher Education shall:

(1)(A) Determine the amount available to fund the Critical Needs Teacher Scholarship Program.

(B) However, the amount determined under subdivision (g)(1)(A) of this section shall not exceed two hundred thousand dollars (\$200,000); and

(2)(A) Certify to the Chief Fiscal Officer of the State and the Treasurer of State the amount determined under subdivision (g)(1)(A) of this section to be transferred from the Higher Education Grants Fund Account.

(B)(i) Upon receipt of the certification under subdivision (g)(2)(A) of this section, the Chief Fiscal Officer of the State and the Treasurer of State shall transfer the necessary amount from the Higher Education Grants Fund Account and the related appropriation to the University of Arkansas at Pine Bluff Fund.

(ii) The university may use up to twenty percent (20%) of the funds and appropriation received under subdivision (g)(2)(B)(i) of this section for the administration of the Critical Needs Teacher Scholarship Program under this section.

6 CAR § 410-104. Service requirements.

(a) Except in those cases where employment positions may not be available upon completion of licensure requirements, at the beginning of the first school year in which a recipient of a Critical Needs Teacher Scholarship is eligible for employment as a licensed teacher, that person shall begin to render service as a licensed teacher in a public school district in a geographical area of the state where there is a critical shortage of teachers or in the Mississippi Delta, as designated by the Division of Elementary and Secondary Education.

(b)(1) Any person who received four (4) annual awards, or the equivalent of four (4) annual awards, shall render two (2) years' service as a licensed teacher.

(2) Any person who received fewer than four (4) annual awards, or the equivalent of four (4) annual awards, shall render one (1) school semester of service as a licensed teacher for each year that the person received a full-time student scholarship or for the number of academic hours equivalent to one (1) school year, as determined by the University of Arkansas at Pine Bluff, for which a part-time student received a scholarship.

(c) Students receiving a scholarship shall execute a note made payable to the university for an amount equal to the scholarship award each semester that shall bear interest at a rate to be determined by the Division of Higher Education beginning September 1 after completion of the program or immediately after termination of the scholarship loan, whichever is earlier.

(d)(1) Any person failing to complete a program of study which will enable the person to become a licensed teacher shall begin repaying the note according to the note's terms for the sum of all scholarship awards made to that person less the corresponding amount of any awards for which service has been rendered.

(2) Any person failing to complete his or her teaching obligation, as required under subsection (b) of this section, shall begin repaying the note according to the note's terms for the sum of all scholarship awards made to that person less the corresponding amount of any awards for which service has been rendered, except in the case of a deferral of debt for cause approved by the State Board of Education if there is no employment position immediately available upon a teacher's completion of licensure requirements.

(3) After the period of the deferral, the person shall begin or resume teaching duties as required under this section or shall become liable on the note under this section.

(4) If a claim for payment under subsection (c) of this section is placed in the hands of an attorney for collection, the obligor shall be liable for an additional amount equal to a reasonable attorney's fee.

(e) The obligations made by the recipient of a scholarship award shall not be voidable by reason of the age of the student at the time of receiving the scholarship.

6 CAR § 410-105. Administration and reporting.

(a) The University of Arkansas at Pine Bluff shall administer the program.

(b) If sufficient funds are not available to fully fund scholarship awards to all eligible students, the university shall make the awards to first-time students on a first-come, first-served basis. However, priority consideration shall be given to persons previously receiving awards under the program.

(c) All funds received by the university from the repayment of scholarship awards by program participants shall be deposited into the fund that provides funding for the program.

(d)(1) The university shall make an annual report to the General Assembly.

(2) Each report shall contain a complete enumeration of the:

- (A) Program's activities;
- (B) Scholarships granted;
- (C) Names of persons to whom granted;
- (D) Institutions attended by those receiving the scholarships; and
- (E) Teaching location of applicants who have received their education and become licensed teachers within this state as a result of the scholarships.

(3) The university shall make a full report and account of receipts and expenditures for salaries and expenses incurred under this section.

(4) Upon its records and any published reports, the university shall distinguish among those recipients who:

- (A) Have paid their financial obligations in full;
- (B) Have breached their contracts but with the university's permission; and
- (C) Have breached their contracts and remain financially indebted to the state.

(e) The requirements of this subchapter are contingent on the funding available for the program.

(f) The university is authorized to determine the necessary procedures for the awarding of forgivable loans should the number of eligible applicants and recipients exceed the funds available, so long as the procedures are consistent with subsection (c) of this section.

6 CAR § 410.106. Committee established.

(a) There is established a committee to be known as the Critical Needs Teacher Scholarship Program Committee.

(b) The committee shall consist of five (5) members to be appointed by the Chancellor of the University of Arkansas at Pine Bluff.

(c) The appointed committee members shall be:

(1) Individuals who have demonstrated a commitment to education; and

(2) Residents of the State of Arkansas at the time of appointment and throughout their term.

(d) The members shall be appointed for terms of two (2) years.

(e)(1) If a vacancy occurs in an appointed position for any reason, the vacancy shall be filled by appointment of the chancellor.

(2) The new appointee shall serve for the remainder of the unexpired term.

(f) The chancellor shall designate one (1) of the members to serve as chairperson.

(g)(1) The committee shall meet at times and places the chairperson deems necessary, but no meetings shall be held outside of Arkansas.

(2) Three (3) of the members of the committee shall constitute a quorum for the purpose of transacting business.

(3) All action of the committee shall be by approval of a quorum.

(h) The committee shall:

(1) Select the recipients of the Arkansas Teaching Fellows forgivable loans; and

(2) Perform other duties or functions regarding the Critical Needs Teacher Scholarship Program as may be requested by the chancellor.

(i)(1) The University of Arkansas at Pine Bluff shall provide staff and office space to the committee.

(2)(A) Members of the committee shall serve without pay.

(B) Members of the committee may receive expense reimbursement in accordance with Arkansas Code § 25-16-902, to be paid with funds appropriated for administration of the program to the extent money is available.