

Agenda Item No. ____
Higher Education Coordinating Board
July 26, 2024

RULES GOVERNING THE TEACHER OPPORTUNITY PROGRAM

In compliance with Act 413 of 2023, the rules for the Teacher Opportunity Program are presented to the Arkansas Higher Education Coordinating Board (AHECB) for initial approval.

The following resolution is offered for the Board's consideration:

RESOLVED, That the Arkansas Higher Education Coordinating Board reviews the rules presented in this agenda item for the Teacher Opportunity Program to be administered by the Arkansas Division of Higher Education.

FURTHER RESOLVED, That the Commissioner of the Arkansas Division of Higher Education or his designee is authorized to make technical changes and corrections, when necessary, in the program rules for the Teacher Opportunity Program.

FURTHER RESOLVED, That the Teacher Opportunity Program rules be approved for public comment release.

**DIVISION OF HIGHER EDUCATION RULES GOVERNING TEACHER
OPPORTUNITY PROGRAM**

Effective Date:

1.00 Program Definitions

1.01 The following definitions are used in the Teacher Opportunity Program (TOP):

1.01.1 “Academic Year” means ~~A~~ a measure of the academic work to be accomplished by the recipient.

1.01.1.1 The academic year is defined as fall, spring, and summer semesters, in that order.

1.01.2 “Arkansas Resident” means ~~an applicant that has been to be considered an Arkansas resident by ADHE, an applicant must be an Arkansas resident~~ for twelve (12) months prior to the application deadline for the financial aid program.

1.01.2.1 Further, the recipient may be asked to provide evidence of a permanent connection with the State of Arkansas.

1.01.2.2 ~~ADHE~~ The Division of Higher Education will ~~look to one or more of the following to~~ determine residency through ~~in~~ those cases:

1.01.2.2.1 ~~(A) A valid~~ Valid Arkansas Driver’s License;

1.01.2.2.2 ~~(B)~~ Proof of payment for Arkansas personal and/or real taxes for previous year;

1.01.2.2.3 ~~(C)~~ Proof of Arkansas vehicle registration;

1.01.2.2.4 ~~(D)~~ Proof of Arkansas voter registration; and

1.01.2.2.5 ~~(E)~~ Other forms of proof of Arkansas residency.

1.01.3 “Approved Institution” means ~~an~~ An Arkansas postsecondary public or private college, university, or school that is currently accredited by a nationally recognized accrediting agency or association that has a teacher licensure program where those courses are directly creditable toward teacher licensure in a baccalaureate institution.

1.01.3.1 The institution must not discriminate against applicants, or employees on the basis of race, color, religion, sex, age,

handicap, or national origin, consistent with the provisions of applicable state and federal laws.

1.01.4 “Award Year” means the year beginning ~~The award year begins~~ on July 1 of one calendar year, and ~~extends~~ extending to June 30 of the next calendar year.

1.01.5 “Classroom Teacher” means an ~~An~~ individual who is required to hold a teaching license from the division ~~Arkansas Department of Education~~ and who is:

1.01.5.1 ~~a.~~ Engaged directly in instruction with students in a classroom setting for more than seventy percent (70%) of the individual’s contracted time;

1.01.5.2 ~~b.~~ A media specialist or librarian;

1.01.5.3 ~~c.~~ A guidance counselor;

1.01.5.4 ~~d.~~ An administrator.

1.01.6 “Dual License” means licensure ~~Licensure~~ to teach in more than one (1) subject area.

1.01.7 “Semester” means one-half (½) of a traditional academic year at an institution of higher education, or an equivalent approved by the division, in which a student enrolls for not less than:

1.01.7.1 Fifteen (15) credit hours as a full-time student, except that in the first semester as a first-time full-time freshman, a traditional student shall enroll in not less than twelve (12) credit hours; or

1.01.7.2 Six (6) credit hours as a part-time student.

1.01.7.2.1 For purposes of summer courses at an institution of higher education, a "semester" shall mean the same as is defined in this section.

1.01.8 “Scholarship” means a program that is:

1.01.8.1 Funded with state funds or lottery proceeds; and

1.01.8.2 Administered by the division.

1.01.9 “Teach on a Full-time Basis” means teaching ~~Teach~~ the same number of hours required of teachers who have full-time contracts, as determined by the institution or agency in which an individual is teaching, for a minimum of one (1) academic term, as defined by the institution or agency in which an individual is teaching.

2.00 Organization and Structure

2.01 The ~~Arkansas Department~~ Division of Higher Education (~~ADHE~~) shall administer the Teacher Opportunity Program with the policies set by the ~~Arkansas Higher Education Coordinating Board (AHECB)~~.

2.01.1 All formal communications shall be addressed to or signed by the ~~Director~~ Commissioner of the ~~Arkansas Department of Higher Education~~ division or the ~~Director's~~ commissioner's designee.

2.01.2 The Teacher Opportunity Program Advisory Council shall provide advice to the ~~Department of Higher Education~~ division regarding administration of the program.

2.02 Teacher Opportunity Program Advisory Council

2.02.1 The Teacher Opportunity Program Advisory Council shall consist of eight members.

2.02.1.1 The members will be appointed annually to serve a two-year staggered term by the ~~Director~~ commissioner of the division ~~Department of Higher Education~~.

2.02.1.2 The members of this council will consist of representatives from public and private postsecondary institutions with Teacher Education programs, public and private elementary and secondary schools, and the teacher certification division ~~section~~ of the Division ~~Department of Education~~.

2.02.2 The ~~Director~~ commissioner of the ~~Department of Higher Education~~ division or the ~~Director's~~ commissioner's designee shall serve as the presiding officer of the Teacher Opportunity Program Advisory Council and shall ensure that staff services for the Council are provided.

2.03 The final responsibility for selecting loan recipients shall rest with the ~~Department of Higher Education~~ division.

2.04 When functioning under Act 109 of 1983, Act 331 of 1987, and any subsequent legislation, the ~~Arkansas Department of Higher Education~~ division shall follow the Provisions of the Administrative Procedures Act.

3.00 Eligibility and Criteria

- 3.01 Applicant must be bona fide residents of the State of Arkansas, as defined by the ~~Arkansas Department~~ Division of Higher Education, as having lived in Arkansas continually for at least twelve (12) months prior to the application deadline.
- 3.02 Applicant shall maintain a current teacher license with the ~~Arkansas Department of Education~~ division.
- 3.02.1 Only individuals with a provisional license or who are in the alternative licensure program are not considered certified for the purposes of the Dual Certification Incentive Program.
- 3.03 Recipient awarded under the Dual Licensure Incentive Program must:
- 3.03.1 Be currently employed as a classroom teacher, which includes librarian/and media specialist, guidance counselor and administrator, in a public school in Arkansas; and
- 3.03.2 Have been employed as a classroom teacher for at least three (3) years immediately preceding application; and
- 3.03.3 Be accepted for enrollment in a teacher education program that will lead to licensure in a subject area that is different than the teacher's current licensure area and the subject area has either:
- 3.03.3.1 Been declared by the ~~Arkansas Department of Education~~ division as a subject area with a shortage of teachers; or
- 3.03.3.2 Is in the grade level and subject area for which the school district has requested a waiver under 6-17-309.
- 3.03.4 Earn a 2.5 cumulative grade point average in courses required toward dual licensure.
- 3.03.4.1 Recipients enrolled in dissertation coursework must receive a "Pass" for the course to receive reimbursement.
- 3.04 Non-Dual Licensure Program requires that:
- 3.04.1 Applicant must be currently employed as a classroom teacher which includes librarian/and media specialist, guidance counselor and administrator, in Arkansas and declare an intention to continue such employment in Arkansas.
- 3.04.2 Applicant must be enrolled in an approved institution in Arkansas.

3.04.3 Applicant must be enrolled in college level courses, excluding correspondence courses, directly related to their employment as certified by the ~~Director~~ Commissioner of the ~~Department of Education~~ division, General Education ~~Division~~ section.

3.04.4 Recipient must maintain at least a 2.50 grade point average in the courses funded by the Teacher Opportunity Program.

3.04.4.1 Recipients funded for one course must obtain at least a "B" for that course.

3.04.4.2 Recipients funded for two courses must obtain at least a "B" for one course and a "C" for the other.

3.04.4.3 Recipients enrolled in dissertation coursework must receive a "Pass" for the course to receive reimbursement.

4.00 Application Process

4.01 Solicitation of Applicants

4.01.1 Applications will be available at the ~~Arkansas Department~~ Division of Higher Education's website.

4.01.1.1 Applications will also be mailed to individuals upon request.

4.02 Submission of Application

4.02.1 Applications include personal information, as well as education and employment information.

4.02.2 The ~~Department of Higher Education~~ division will review all applications to ensure that all pertinent data are included and will notify the applicant of the status of the application.

4.02.2.1 If the application is incomplete, the division will notify the applicant of this status, the information that is missing, and the deadline to submit the information.

4.02.2.1.1 This deadline will be no less than two weeks from the date of the notification letter.

4.03 Application Deadline

4.03.1 The application deadline will be set each year by the division ~~Department~~ of Higher Education.

4.03.1.1 All applications must be submitted by the established deadline date.

4.03.1.2 Applications received after the deadline date will not be considered for participation in the Teacher Opportunity Program.

4.03.1.3 The division ~~Department~~ may establish alternate deadlines for applicants based on the start date of each term.

5.00 Award Process

5.01 Selection of Recipients

5.01.1 The final responsibility for selecting recipients shall rest with the ~~Director~~ Commissioner of the ~~Arkansas Department~~ Division of Higher Education.

5.01.2 Applications for additional education in the following areas will receive first priority for awards:

5.01.2.1 Science, technology, engineering, or mathematics fields;

5.01.2.2 Computer Science;

5.01.2.3 Literacy or reading;

5.01.2.4 Prekindergarten education; or

5.01.2.5 Special Education.

5.01.3 If funds remain after awarding all eligible applicants in the areas listed above, applicants will be ranked according to criteria developed in conjunction with the ~~Department of Education~~ Division of Elementary and Secondary Education, focusing on state-wide needs.

5.02 Notification of Recipients

5.02.1 Selected recipients will receive an award notice stating their eligibility for the program.

5.02.1.1 The award notice will include, where applicable, the student's name, social security number, and award amount.

6.00 Reimbursement Amount

6.01 Reimbursement for students in the Dual Licensure Incentive Program includes funding for the cost of student fees, books, and instructional supplies at a public institution of higher education in this State assessing the highest rate of student fees.

6.01.1 The reimbursement made to one individual within one fiscal year may not exceed the aforementioned costs associated with six semester hours or the equivalent of six semester credit hours, though not to exceed \$3,000 during the fiscal year.

6.02 Non-Dual Licensure Program recipients may receive funds up to, but not in excess of, the cost of student fees, books, and instructional supplies at a public institution of higher education in this State assessing the highest rate of student fees.

6.02.1 The reimbursement made to one individual within one fiscal year may not exceed the aforementioned costs associated with six semester hours or the equivalent of six semester credit hours.

6.03 Based on the availability of program funds, awards will be disbursed to the recipient pursuant to the reimbursement limitations above and ranking status.

6.04 Recipients must maintain an eligible status to receive funds.

7.00 Reimbursement Disbursement

8.01 Teacher Opportunity Program is a reimbursement program.

8.01.1 A check made payable to the individual recipient is mailed to the student once he/or she has successfully completed the funded course with a satisfactory grade and has provided the ~~Arkansas Department~~ Division of Higher Education with an original copy of the itemized paid receipt and grade report or transcript for the funded course.

8.00 Recipient Responsibilities

8.01 It is the recipient's responsibility to notify the ~~Arkansas Department~~ Division of Higher Education, in writing, of any change in status within 21 days.

8.01.1 This will include, but is not limited to:

8.01.1.1 Change of name;

8.01.1.2 Change in address;

- 8.01.1.3 Change in institution;
- 8.01.1.4 Change in coursework to be funded;
- 8.01.1.5 Change in enrollment status;
- 8.01.1.6 Change in employment; or
- 8.01.1.7 Change in licensure status.

8.02 Failure to notify the ~~Arkansas Department~~ division of Higher Education of a change in status may affect future eligibility or collection status.

DRAFT

1 State of Arkansas
2 94th General Assembly
3 Regular Session, 2023
4

As Engrossed: H2/14/23

A Bill

HOUSE BILL 1412

5 By: Representative J. Mayberry
6 By: Senator J. English
7

For An Act To Be Entitled

9 AN ACT CONCERNING RULES PROMULGATED BY THE DIVISION
10 OF HIGHER EDUCATION; TO REQUIRE THE DIVISION OF
11 HIGHER EDUCATION TO PROMULGATE CERTAIN RULES
12 CONCERNING THE ADMINISTRATION OF SCHOLARSHIPS FUNDED
13 WITH STATE FUNDS AND LOTTERY PROCEEDS; TO DECLARE AN
14 EMERGENCY; AND FOR OTHER PURPOSES.

Subtitle

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16
17
18 TO REQUIRE THE DIVISION OF HIGHER
19 EDUCATION TO PROMULGATE CERTAIN RULES
20 CONCERNING THE ADMINISTRATION OF
21 SCHOLARSHIPS FUNDED WITH STATE FUNDS AND
22 LOTTERY PROCEEDS; AND TO DECLARE AN
23 EMERGENCY.
24
25

26 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
27

28 SECTION 1. Arkansas Code Title 6, Chapter 80, Subchapter 1, is amended
29 to add an additional section to read as follows:

30 6-80-109. Division of Higher Education – Rules.

31 (a) The Division of Higher Education shall promulgate or update
32 existing division rules to allow a student who is a recipient of a
33 scholarship to utilize scholarship funds to enroll in and attend courses
34 offered during a summer term at the postsecondary institution in which the
35 student is enrolled.

36 (b) Rules promulgated under this section shall include without



1 limitation requirements concerning:

2 (1) Student eligibility; and

3 (2) The disbursement and administration of scholarship funds
4 utilized by a student to enroll in and attend courses offered during a summer
5 term.

6 (c) As used in this section, "scholarship" shall include a scholarship
7 program that is:

8 (1) Funded with state funds or lottery proceeds; and

9 (2) Administered by the division.

10
11 SECTION 2. Arkansas Code § 6-85-204(14), concerning the definition of
12 "semester" under the Arkansas Academic Challenge Scholarship Program, is
13 amended to read as follows:

14 (14)(A) "Semester" means one-half ($\frac{1}{2}$) of a traditional academic
15 year at an institution of higher education, or an equivalent approved by the
16 division, in which a student enrolls for not less than:

17 ~~(A)(i)~~ Fifteen (15) credit hours as a full-time student,
18 except that in the first semester as a first-time full-time freshman, a
19 traditional student shall enroll in not less than twelve (12) credit hours;
20 or

21 ~~(B)(ii)~~ Six (6) credit hours as a part-time student.

22 (B) For purposes of summer courses at an institution of
23 higher education, a "semester" shall mean the same as is defined by the
24 division, as required by § 6-80-109;

25
26 SECTION 3. EMERGENCY CLAUSE. It is found and determined by the
27 General Assembly of the State of Arkansas that the Division of Higher
28 Education must make certain arrangements to facilitate the use of Arkansas
29 Academic Challenge Scholarship funds for upcoming summer courses; and that
30 many of these arrangements must occur in time for the 2023-2024 school year.
31 Therefore, an emergency is declared to exist, and this act being necessary
32 for the preservation of the public peace, health, and safety shall become
33 effective on July 1, 2023.

34
35 /s/J. Mayberry

36 **APPROVED: 3/30/23**