

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 398. Rules Governing the Teacher Opportunity Program

Subpart 1. Generally

6 CAR § 398-101. Organization and structure.

(a)(1) The Division of Higher Education shall administer the Teacher Opportunity Program with the policies set by the Arkansas Higher Education Coordinating Board.

(2) All formal communications shall be addressed to or signed by the Commissioner of the Division of Higher Education or the commissioner's designee.

~~(3) The Teacher Opportunity Program Advisory Council shall provide advice to the division regarding administration of the program.~~

~~(b) Teacher Opportunity Program Advisory Council.~~

~~—————(1)(A) The Teacher Opportunity Program Advisory Council shall consist of eight (8) members.~~

~~—————(B) The members will be appointed annually to serve a two-year staggered term by the commissioner.~~

~~—————(C) The members of this council will consist of representatives from:~~

~~—————(i) Public and private postsecondary institutions with teacher education programs;~~

~~—————(ii) Public and private elementary and secondary schools; and~~

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~~(iii) The teacher certification section of the division.~~
~~(2) The commissioner or the commissioner's designee shall:~~
~~(A) Serve as the presiding officer of the Teacher Opportunity Program Advisory Council; and~~
~~(B) Ensure that staff services for the council are provided.~~
~~(c) The final responsibility for selecting loan recipients shall rest with the division.~~
~~(d) When functioning under Acts 1983, No. 109, Acts 1987, No. 331, and any subsequent legislation, the division shall follow the provisions of the Arkansas Administrative Procedure Act, Arkansas Code § 25-15-201 et seq.~~

6 CAR § 398-102. Program definitions.

The following definitions are used in the Teacher Opportunity Program:

(1)(A) "Academic year" means a measure of the academic work to be accomplished by the recipient.

(B) The academic year is defined as fall, spring, and summer semesters, in that order;

(2)(A) "Arkansas resident" means an applicant that has been an Arkansas resident for twelve (12) months prior to the application deadline for the financial aid program.

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

(C) The Division of Higher Education will determine residency through:

- (i) A valid Arkansas driver's license;
- (ii) Proof of payment for Arkansas personal and/or real taxes for the previous year;
- (iii) Proof of Arkansas vehicle registration;
- (iv) Proof of Arkansas voter registration; and
- (v) Other forms of proof of Arkansas residency;

(3)(A) "Approved institution" means 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.

(B) 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;

~~(4) "Award year" means the year:~~

~~(A) Beginning on July 1 of one (1) calendar year; and~~

~~(B) Extending to June 30 of the next calendar year;~~

(5) "Classroom teacher" means an individual who is required to hold a teaching license from the Division of Higher Education and who is:

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

(B) A media specialist or librarian;

(C) A guidance counselor; or

(D) An administrator;

(6) "Dual license" means licensure to teach in more than one (1) subject area;

(7) "Semester" means one-half (1/2) of a traditional academic year at an institution of higher education, or an equivalent approved by the Division of Higher Education, in which a student enrolls for not less than:

(A) 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

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

(ii) For purposes of summer courses at an institution of higher education, "semester" means the same as is defined in this section;

(8) "Scholarship" means a program that is:

(A) Funded with state funds or lottery proceeds; and

(B) Administered by the Division of Higher Education; and

(9) "Student" means a classroom teacher who is attending an institution of higher education for additional education; and

~~(9)~~(10) "Teach on a full-time basis" means teaching 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.

6 CAR § 398-103. Eligibility and continuing eligibility criteria.

(a) Applicants must be bona fide residents of the State of Arkansas, as defined by the Division of Higher Education, having lived in Arkansas continually for at least twelve (12) months prior to the application deadline.

~~(b)~~(1) Applicant shall maintain a current teacher license with the division.

~~—(2) Only individuals with a provisional license or who are in the alternative licensure program are not considered certified for the purposes of the Dual Licensure Incentive Program.~~

~~(c) Recipients awarded under the Dual Licensure Incentive Program must:~~

~~—(1) Be currently employed as a classroom teacher, which includes librarian and media specialist, guidance counselor, and administrator, in a public school in Arkansas;~~

~~—(2) Have been employed as a classroom teacher for at least three (3) years immediately preceding application;~~

~~—(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:~~

~~—(A) Been declared by the division as a subject area with a shortage of teachers; or~~

~~—(B) Is in the grade level and subject area for which the school district has requested a waiver under Arkansas Code § 6-17-309; and~~

~~—(4)(A) Earn at least a 2.5 cumulative grade point average in the courses required toward dual licensure.~~

~~————(B) Recipients enrolled in dissertation coursework must receive a “Pass” for the course to receive reimbursement.~~

~~————(d)(1) The Non-Dual Licensure Program requires that the applicant must be:~~

(A) 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;

(B) Enrolled in an approved institution in Arkansas; and

(C) Enrolled in college-level courses, excluding correspondence courses, directly related to their employment as certified by the Commissioner of the Division of Higher Education, General Education section.

(2)(A) Recipients must maintain at least a cumulative 2.5 grade point average on a 4.0 scale, or an appropriate equivalent, in the courses funded by the Teacher Opportunity Program.

(B) Recipients funded for one (1) course must obtain at least a "B" for that course.

(C) Recipients funded for two (2) courses must obtain at least a "B" for one (1) course and a "C" for the other.

(D) Recipients enrolled in dissertation coursework must receive a “Pass” for the course to receive reimbursement.

(d) Failure to notify the division of a change in status may affect future eligibility or collection status.

6 CAR § 398-104. Application process.

(a) Solicitation of applicants.

(1) Applications will be available on the Division of Higher Education’s website.

~~(2) Applications will also be mailed to individuals upon request.~~

(b) Submission of application.

(1) Applications include personal information, as well as education and employment information.

(2) The division will review all applications to ensure that all requested information is included and will notify the applicant of the status of the application.

(3) If the application is incomplete, the division will notify the applicant of:

(A) This status;

(B) The information that is missing; and

(C) The deadline to submit the missing information.

(4) This deadline will be no less than two (2) weeks from the date of the notification letter.

(c) Application deadline.

(1) The application deadline will be set each year by the division.

(2) All applications must be submitted by the established deadline date.

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

(4) The division may establish alternate deadlines for applicants based on the start date of each term.

6 CAR § 398-105. Award process.

(a) Selection of recipients.

(1) The final responsibility for selecting recipients shall rest with the Commissioner of the Division of Higher Education.

(2)(A) Applications for additional education in the following areas will receive first priority for awards:

(i) Science, technology, engineering, or mathematics fields;

(ii) Computer science;

(iii) Literacy or reading;

(iv) Prekindergarten education; or

(v) Special education.

(B) 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 Division of Elementary and Secondary Education, focusing on statewide needs.

(b) Notification of recipients.

(1) Selected recipients will receive an award notice stating their eligibility and approval information for the program.

~~—(2) The award notice will include, where applicable, the student's:~~

~~————(A) Name;~~

~~————(B) Social security number; and~~

~~————(C) Award amount.~~

(c) Awarding of recipients.

(1) The deadline for the division to disburse funds shall be no later than ten (10) days after receipt of funds and any outstanding funds that are not disbursed by this deadline shall be returned to the division

6 CAR § 398-106. ~~Reimbursement~~Award amount.

~~(a)(1) 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.~~

~~————(2) The reimbursement made to one (1) individual within one (1) fiscal year may not exceed the aforementioned costs associated with six (6) semester hours or the equivalent of six (6) semester credit hours, though not to exceed three thousand dollars (\$3,000) during the fiscal year. A teacher may receive an award if seeking dual licensure in an additional subject area different from the subject area in which the teacher is currently teaching, if he or she does not have a current license for the additional subject area.~~

(2) The amount of award and the number of recipients selected by the Division of Higher Education is contingent on the appropriation and availability of funding for that purpose.

~~————(b)(1) Non-Dual Licensure (b)(1) 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 an~~

award that shall not exceed the cost of tuition and fees required to complete six (6) semester credit hours per academic year.

~~(2) The reimbursement made to one (1) individual within one (1) fiscal year may not exceed the aforementioned costs associated with six (6) semester hours or the equivalent of six (6) semester credit hours.~~

(2) For purposes of award disbursement under this section, an academic year begins in the fall semester and runs through the summer semester.

(c)(1) Based on the availability of program funds, awards will be disbursed to the recipient pursuant to the reimbursement award limitations above and ranking status.

(2) Recipients must maintain an eligible status to receive funds.

~~**6 CAR § 398-107. Reimbursement disbursement.**~~

~~—(a) Teacher Opportunity Program is a reimbursement program.~~

~~—(b) A check made payable to the individual recipient is mailed to the student once he or she has:~~

~~——(1) Successfully completed the funded course with a satisfactory grade; and~~

~~——(2) Provided the Division of Higher Education with:~~

~~——(A) An original copy of the itemized paid receipt; and~~

~~——(B) A grade report or transcript for the funded course.~~

(a)

~~**6 CAR § 398-108. Recipient responsibilities.**~~

~~—(a) It is the recipient's responsibility to notify the Division of Higher Education in writing of any change in status within twenty-one (21) days.~~

~~—(b) This will include, but is not limited to changes in:~~

~~——(1) Name;~~

~~——(2) Address;~~

~~——(3) Institution;~~

~~——(4) Coursework to be funded;~~

~~——(5) Enrollment status;~~

~~_____ (6) Employment; or~~

~~_____ (7) Licensure status.~~

~~_____ (c) Failure to notify the division of a change in status may affect future eligibility or collection status.~~