

CHAPTER 1229

S.B. No. 1720

AN ACT

relating to the Math and Science Scholars Loan Repayment Program for teachers who agree to teach mathematics or science in certain school districts in this state.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

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

SUBCHAPTER II. MATH AND SCIENCE SCHOLARS LOAN REPAYMENT PROGRAM

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 persons who agree to teach mathematics or science for a specified period in school districts that receive federal funding under Title I, Elementary and Secondary Education Act of 1965 (20 U.S.C. Section 6301 et seq.).

Sec. 61.9832. ELIGIBILITY; AGREEMENT REQUIREMENTS.

(a) To be eligible to receive loan repayment assistance under this subchapter, a person must:

(1) apply annually for the loan repayment assistance in the manner prescribed by the board;

(2) be a United States citizen;

(3) have completed an undergraduate or graduate program in mathematics or science;

(4) have a cumulative grade point average of at least

1 3.5 on a four-point scale or the equivalent;

2 (5) be certified under Subchapter B, Chapter 21, to
3 teach mathematics or science in a public school in this state or be
4 enrolled in an educator preparation program to obtain that
5 certification that is accredited by the State Board for Educator
6 Certification and is provided by an institution of higher education
7 or by a private or independent institution of higher education in
8 this state;

9 (6) have been employed for at least one year as a
10 teacher teaching mathematics or science at a public school located
11 in a school district that receives funding under Title I,
12 Elementary and Secondary Education Act of 1965 (20 U.S.C. Section
13 6301 et seq.);

14 (7) not be in default on any other education loan;

15 (8) not receive any other state or federal loan
16 repayment assistance, including a Teacher Education Assistance for
17 College and Higher Education (TEACH) Grant or teacher loan
18 forgiveness;

19 (9) enter into an agreement with the board under
20 Subsection (c); and

21 (10) comply with any other requirement adopted by the
22 board under this subchapter.

23 (b) An initial application for loan repayment assistance
24 under this subchapter must include a transcript of the applicant's
25 postsecondary coursework.

26 (c) To receive loan repayment assistance under this
27 subchapter, a person must enter into an agreement with the board

1 that includes the following provisions:

2 (1) the person will accept an offer of full-time
3 employment to teach mathematics or science, as applicable based on
4 the person's certification, in a public school located in a school
5 district that receives funding under Title I, Elementary and
6 Secondary Education Act of 1965 (20 U.S.C. Section 6301 et seq.);

7 (2) the person will complete four consecutive years of
8 employment as a full-time classroom teacher in a school described
9 by Subdivision (1) whose primary duty is to teach mathematics or
10 science, as applicable, based on the person's certification;

11 (3) beginning with the school year immediately
12 following the last of the four consecutive school years described
13 by Subdivision (2), the person will complete four additional
14 consecutive school years teaching in any public school in this
15 state; and

16 (4) the person acknowledges the conditional nature of
17 the loan repayment assistance.

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

22 Sec. 61.9833. AWARD. (a) Except as provided by Section
23 61.9834, the board shall determine the annual amount of loan
24 assistance payments provided under this subchapter in any year to
25 an eligible person, taking into consideration the amount of
26 available funding and other relevant considerations.

27 (b) The board shall reduce the amount of a single assistance

1 payment or refrain from making a loan assistance payment to an
2 eligible person as necessary to avoid making total payments under
3 this subchapter to the person in an amount greater than the total
4 amount of principal and interest due on the person's eligible
5 loans.

6 Sec. 61.9834. EXCEPTION TO CONSECUTIVE YEARS OF EMPLOYMENT
7 REQUIREMENT. The board shall excuse an otherwise eligible person
8 from a requirement imposed by Section 61.9832 that the employment
9 qualifying the person for loan repayment assistance be performed in
10 consecutive years if the break in employment is a result of the
11 person's:

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

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

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

23 (4) inability to secure employment as required by
24 Section 61.9832 for a period not to exceed 12 months, because of
25 care required by a disabled spouse or child;

26 (5) inability, despite reasonable efforts, to secure,
27 for a single period not to exceed 12 months, employment as required

1 by Section 61.9832; or

2 (6) satisfaction of the provisions of any other
3 exception adopted by the board for purposes of this section.

4 Sec. 61.9835. ELIGIBLE LOANS. (a) The board may provide
5 repayment assistance under this subchapter for the repayment of any
6 student loan that:

7 (1) is for education at a public or private
8 institution of higher education; and

9 (2) is received by an eligible person through an
10 eligible lender.

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

15 (c) The board may not provide loan repayment assistance
16 under this subchapter for a student loan that is in default at the
17 time of the person's application for repayment assistance.

18 Sec. 61.9836. PAYMENT OF ASSISTANCE. (a) The board shall
19 pay any loan repayment assistance under this subchapter in a lump
20 sum delivered on the eligible person's behalf directly to the
21 holder of the loan.

22 (b) Loan repayment assistance provided under this
23 subchapter may be applied to any amount due on the loan.

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

27 Sec. 61.9837. MATHEMATICS AND SCIENCE TEACHER INVESTMENT

1 FUND. (a) In this section, "fund" means the mathematics and
2 science teacher investment fund.

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

5 (1) gifts, grants, and other donations received for
6 the fund; and

7 (2) interest and other earnings from the investment of
8 the fund.

9 (c) The fund may be used only to provide repayment
10 assistance for the repayment of loans eligible under Section
11 61.9835, including related administrative costs.

12 (d) The fund is exempt from the application of Sections
13 403.095 and 404.071, Government Code.

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

18 (f) The legislature may not appropriate general revenue to
19 the fund.

20 Sec. 61.9838. AMOUNT OF LOAN REPAYMENT ASSISTANCE.

21 (a) The total amount of loan repayment assistance paid by the
22 board under this subchapter may not exceed the total amount of money
23 available in the fund under Section 61.9837.

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

26 (b-1) This subsection expires January 1, 2020.

27 Notwithstanding Subsection (b), not more than the following number

1 of eligible persons may be provided loan repayment assistance under
2 this subchapter in the specified school year:

3 (1) in the 2016-2017 school year, not more than 1,000
4 eligible persons may be provided loan repayment assistance;

5 (2) in the 2017-2018 school year, not more than 2,000
6 eligible persons may be provided loan repayment assistance; and

7 (3) in the 2018-2019 school year, not more than 3,000
8 eligible persons may be provided loan repayment assistance.

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

17 (d) Only available money in the mathematics and science
18 teacher investment fund may be used for loan repayment assistance
19 under this subchapter.

20 Sec. 61.9839. REPAYMENT BASED ON CONTINUING EMPLOYMENT.

21 (a) An eligible person may continue to receive loan repayment
22 assistance if the person continues to teach in a public school
23 described by Section 61.9832(a)(7) after the first four years
24 required for eligibility under Section 61.9832(c)(2).

25 (b) If an eligible person transfers to a public school
26 located in a school district that does not receive funding under
27 Title I, Elementary and Secondary Education Act of 1965 (20 U.S.C.

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1 Section 6301 et seq.), after the first four years required for
2 eligibility under Section 61.9832(c)(2), the person may not receive
3 more than 75 percent of the maximum annual amount of the loan
4 repayment assistance as determined by the board.

5 (c) A person who does not satisfy the applicable conditions
6 of this subchapter after establishing eligibility for an award of
7 loan repayment assistance under this subchapter is no longer
8 eligible to apply for such assistance.

9 Sec. 61.9840. RULES. The board shall adopt rules necessary
10 for the administration of this subchapter, including a rule
11 providing for:

12 (1) the manner in which a person may apply for loan
13 repayment assistance; and

14 (2) a method of awarding assistance under this
15 subchapter that:

16 (A) gives first priority to applicants who are
17 renewing their applications for loan repayment assistance provided
18 under this subchapter; and

19 (B) awards any remaining available assistance
20 according to a cumulative ranking system developed by the board
21 based on the number of mathematics and science courses completed by
22 the applicant and the grade received by the applicant for each of
23 those courses.

24 Sec. 61.9841. APPLICATION FORM. (a) The board shall by
25 rule adopt a common application form for use by new applicants and
26 renewal applicants.

27 (b) The form must include a section in which the school

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1 district for which the applicant has taught for at least one year
2 verifies the applicant's year of employment.

3 SECTION 2. The Texas Higher Education Coordinating Board
4 shall begin providing loan repayment assistance under Subchapter
5 II, Chapter 61, Education Code, as added by this Act, for eligible
6 persons teaching in the 2016-2017 school year.

7 SECTION 3. This Act takes effect immediately if it receives
8 a vote of two-thirds of all the members elected to each house, as
9 provided by Section 39, Article III, Texas Constitution. If this
10 Act does not receive the vote necessary for immediate effect, this
11 Act takes effect September 1, 2013.

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David Dewhurst
President of the Senate

Joe Straus
Speaker of the House

I hereby certify that S.B. No. 1720 passed the Senate on May 8, 2013, by the following vote: Yeas 30, Nays 0; and that the Senate concurred in House amendment on May 25, 2013, by the following vote: Yeas 30, Nays 0.

Patsy Spaw
Secretary of the Senate

I hereby certify that S.B. No. 1720 passed the House, with amendment, on May 22, 2013, by the following vote: Yeas 142, Nays 6, two present not voting.

Robert Haney
Chief Clerk of the House

Approved:

14 JUNE '13
Date

Rick Perry
Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE

10 pm O'CLOCK

JUN 14 2013

[Signature]
Secretary of State