

# MAINE STATE LEGISLATURE

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# 119th MAINE LEGISLATURE

## SECOND REGULAR SESSION-2000

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Legislative Document

No. 2429

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H.P. 1723

House of Representatives, January 10, 2000

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### **An Act to Address the Teacher Shortage in Maine.**

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Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Reference to the Committee on Education and Cultural Affairs suggested and ordered printed.

A handwritten signature in cursive script that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative LaVERDIERE of Wilton.

Cosponsored by Representatives: BELANGER of Caribou, BRENNAN of Portland, JABAR of Waterville, Speaker ROWE of Portland, SAXL of Portland, TOWNSEND of Portland, Senator: MILLS of Somerset.

2 **Be it enacted by the People of the State of Maine as follows:**

4 **Sec. 1. 20-A MRSA c. 428-A is enacted to read:**

6 **CHAPTER 428-A**

8 **TEACHERS FOR CRITICAL AND QUALIFYING  
AREAS PROGRAM**

10 **§12521. Teachers for Critical and Qualifying Areas Program  
established**

12 There is established the Teachers for Critical and  
14 Qualifying Areas Program, referred to in this chapter as the  
16 "program," to provide financial incentives through the repayment  
18 of education loans to teachers in critical or qualifying schools  
20 to address the shortage of teachers in underserved subject areas  
in those schools as determined pursuant to this chapter. The  
commissioner shall administer the program.

22 **§12522. Definitions**

24 As used in this chapter, unless the context otherwise  
indicates, the following terms have the following meanings.

26 **1. Critical area school.** "Critical area school" means a  
28 school that demonstrates to the commissioner that the school has:

30 A. A critical shortage of qualified teachers in an  
underserved subject area; and

32 B. Made a significant effort to fill that critical shortage.

34 **2. Education loan.** "Education loan" means a loan given by  
36 a financial institution authorized to do business in the State to  
a postsecondary student for the payment of an undergraduate,  
38 postbaccalaureate or continuing education course of study.

40 **3. Eligible person.** "Eligible person" means a teacher who  
meets the requirements of section 12525.

42 **4. Original amount of education loans.** "Original amount of  
44 education loans" means the total amount of education loans  
outstanding at the time the eligible person is hired by the  
46 critical area school or qualifying area school and any interest  
that accrues over the life of the education loans.

48 **5. Qualifying area school.** "Qualifying area school" means  
50 a school that demonstrates to the commissioner that the school  
has:

2           A. A need for a qualified teacher or teachers in an  
4           underserved subject area; and

6           B. Made a significant effort to fill that need.

8           6. Underserved subject area. "Underserved subject area"  
10          means a subject or program, which is required to be taught in a  
12          public school, for which there is a critical shortage of or need  
14          for qualified teachers as determined by the commissioner.

16          **§12523. Critical area school; percentage of loan repayment and**  
18          **schedule**

20          If the commissioner determines that a school is a critical  
22          area school pursuant to section 12522, subsection 1, an eligible  
24          person hired to teach in the underserved subject area is eligible  
26          to have up to 100% of that eligible person's education loans  
28          repaid based upon the following schedule. If the eligible person  
30          teaches in the critical area school for the amount of time  
32          specified in this section, the following amounts must be repaid  
34          by the department:

36          1. First year. At the end of the first year of teaching,  
38          10% of the original amount of education loans is eligible for  
40          repayment by the department;

42          2. Second year. At the end of the 2nd year of teaching,  
44          30% of the original amount of education loans is eligible for  
46          repayment by the department;

48          3. Third year. At the end of the 3rd year of teaching, 30%  
50          of the original amount of education loans is eligible for  
52          repayment by the department; and

54          4. Fourth year. At the end of the 4th year of teaching,  
56          30% of the original amount of education loans is eligible for  
58          repayment by the department.

60          In no event may the amount repaid by the department exceed  
62          the original amount of education loans made to the eligible  
64          person.

66          **§12524. Qualifying area school; percentage of loan repayment and**  
68          **schedule**

70          If the commissioner determines that a school is a qualifying  
72          area school pursuant to section 12522, subsection 5, an eligible  
74          person hired to teach in the underserved subject area is eligible  
76          to have up to 50% of that eligible person's education loans

2 repaid based upon the following schedule. If the eligible person  
3 teaches in the qualifying area school for the amount of time  
4 specified in this section, the following amounts must be repaid  
5 by the department:

6 1. First year. At the end of the first year of teaching,  
7 5% of the original amount of education loans is eligible for  
8 repayment by the department:

10 2. Second year. At the end of the 2nd year of teaching,  
11 15% of the original amount of education loans is eligible for  
12 repayment by the department:

14 3. Third year. At the end of the 3rd year of teaching, 15%  
15 of the original amount of education loans is eligible for  
16 repayment by the department; and

18 4. Fourth year. At the end of the 4th year of teaching,  
19 15% of the original amount of education loans is eligible for  
20 repayment by the department.

22 In no event may the amount repaid by the department exceed  
23 50% of the original amount of education loans made to the  
24 eligible person.

26 **§12525. Eligibility**

28 Only a person who meets the following requirements is  
29 eligible to participate in the program.

30 1. Certified. The person must be certified by the  
31 commissioner under chapter 501 or 502 in order to:

34 A. Teach in any public elementary or secondary school in the  
35 State; or

36 B. Teach in any private school receiving basic approval  
37 under section 2901.

40 2. Outstanding loans. The person must have an outstanding  
41 education loan or loans.

42 3. Hired after determination. The person must be hired to  
43 teach in an underserved subject area after the determination of  
44 the commissioner that the school is a critical area school or  
45 qualifying area school.

48 **§12526. Payment provisions**

2 Payment of education loans must be made by the department  
4 from the fund directly to a financial institution for credit to  
6 an eligible person's account and must be made within 60 days  
8 following evidence that the person has completed the number of  
10 years of teaching as specified in section 12523 or 12524.

12 **§12527. Teachers for Critical and Qualifying Areas Fund**

14 The Teachers for Critical and Qualifying Areas Fund,  
16 referred to in this chapter as the "fund," is created under the  
18 jurisdiction of the department as a nonlapsing, interest-earning,  
20 revolving fund to carry out the purposes of this chapter. Any  
22 unexpended balance in the fund carries over for continued use  
24 under this chapter. The department may receive, invest and  
26 expend, on behalf of the fund, money from gifts, grants,  
28 bequests, loans and donations in addition to money appropriated  
30 or allocated by the State. Money received by the department on  
32 behalf of the fund must be used for the designated purpose.

34 **§12528. Rules**

36 The commissioner shall adopt rules to carry out the purposes  
38 of this chapter. Rules adopted pursuant to this chapter are  
40 major substantive rules pursuant to Title 5, chapter 375,  
42 subchapter II-A.

44 **Sec. 2. Effective date.** This Act takes effect for school years  
beginning on or after August 15, 2000.

**SUMMARY**

This bill establishes the Teachers for Critical and Qualifying Areas Program to provide for the repayment of student loans to teachers who are hired in schools that are faced with a shortage of teachers in certain academic areas. Once the Commissioner of Education makes the determination that a school is a critical area school or qualifying area school, a teacher hired by that school to work in the underserved academic area is eligible for repayment of student loans incurred for postsecondary education. A teacher working in a critical area school who works for 4 years in the school is eligible to have 100% of the education loans repaid; a teacher who works in a qualifying area school for 4 years is eligible to have 50% of the education loans repaid.