

MAINE STATE LEGISLATURE

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120th MAINE LEGISLATURE

FIRST REGULAR SESSION-2001

Legislative Document

No. 1595

S.P. 508

In Senate, March 13, 2001

An Act to Increase the Number of Licensed Speech-Language Pathologists to Serve Maine Schools.

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

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator CATHCART of Penobscot.
Cosponsored by Senators: KILKELLY of Lincoln, O'GARA of Cumberland, ROTUNDO of Androscoggin, Representatives: BAKER of Bangor, FULLER of Manchester, JONES of Greenville, KANE of Saco, THOMAS of Orono.

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

4 **Sec. 1. 20-A MRSA c. 426-A** is enacted to read:

6 **CHAPTER 426-A**

8 **MAINE SPEECH-LANGUAGE PATHOLOGY RECRUITMENT**

10 **§12311. Definitions**

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

14 1. Authority. "Authority" means the Finance Authority of Maine.

16 2. Board. "Board" means the Board of Examiners on Speech-language Pathology and Audiology.

18 3. Chief executive officer. "Chief executive officer" means the Chief Executive Officer of the Finance Authority of Maine.

20 4. Maine resident. "Maine resident" means a person who has been a resident of the State for a minimum of 2 years, for purposes other than education, at the time of the person's entry to a speech-language pathology program, as determined by rule of the authority. In determining residency, the authority shall consider:

24 A. Length of residence in the State for other than the purpose of gaining low tuition rates;

26 B. Secondary school attended;

28 C. Legal residence of parents;

30 D. Place of voting registration, if registered to vote;

32 E. Place where taxes are paid; and

34 F. Other indicators established by the authority.

36 5. Public school. "Public school" means a school that is governed by a school board of a school administrative unit and funded primarily with public funds.

38 6. Speech-language pathologist. "Speech-language pathologist" means an individual who practices speech-language pathology and who by virtue of academic and practical training

2 presents the individual to the public by any title or description
4 of services incorporating the words speech pathologist, speech
6 therapist, speech correctionist, speech clinician, language
8 pathologist, language therapist, logopedist, communicologist,
10 voice therapist, voice pathologist or any similar title or
12 description of service.

14 7. **Speech-language pathology.** "Speech-language pathology"
16 means the application of theories, principles and procedures
18 related to development and disorders of language and speech for
20 purposes of assessment and treatment of such disorders.

22 8. **Speech-language pathology program.** "Speech-language
24 pathology program" means a program of instruction in
26 speech-language pathology that awards a master's degree or its
28 equivalent, as determined by the board, that is consistent with
30 the requirements for the American Speech and Hearing Association
32 Certificate of Clinical Competency in Speech Pathology and
34 Audiology or its equivalent at an accredited institution of
36 higher education or at a course-offering institution that has
38 articulated an agreement with an accredited institution of higher
40 education. The board may establish the requirements for academic
42 course work, supervised clinical practice, supervised
44 professional employment and written examinations.

46 9. **Stafford loan.** "Stafford loan" means an education loan
48 issued under the Robert T. Stafford Loan Program.

50 **§12312. Maine Speech-Language Education Loan Forgiveness Program**

1 1. **Establishment.** The Maine Speech-Language Education Loan
3 Forgiveness Program, referred to in this chapter as the
5 "program," is established. The authority shall administer the
7 program. Under this program, beginning in fiscal year 2001-02,
9 the chief executive officer shall award up to 10 new loan
11 repayment agreements annually.

13 2. **Application process.** Application must be made directly
15 to the authority by a person who seeks to participate in the
17 program.

19 3. **Eligibility.** A person who meets the eligibility
21 criteria established by rule of the authority is eligible to
23 participate in the program. At a minimum, the criteria must
25 include that:

27 A. The applicant must be a Maine resident;

29 B. The applicant must be a graduate of a speech-language
31 pathology program;

2 C. The applicant must be licensed as a speech-language
3 pathologist in the State;

4 D. The applicant must be employed by a public school as a
5 speech-language pathologist; and

6 E. The applicant must have an outstanding Stafford loan.

7 Priority must be given to an applicant who previously received a
8 loan repayment agreement pursuant to this section.

9 4. Maximum amount. The maximum loan repayment amount
10 available to each participant in the program is \$10,000 per year
11 for each year up to 2 years the participant works in a public
12 school as a licensed speech-language pathologist and has
13 outstanding Stafford loans.

14 5. Loan repayment agreement. An accepted applicant who
15 participates in the program shall enter into a loan repayment
16 agreement as provided in this subsection.

17 A. The participant shall obtain employment as a licensed
18 speech-language pathologist in a public school and promise
19 to remain in that position for one academic year.

20 B. The authority shall provide to the participant a letter
21 evidencing repayment of the participant's outstanding
22 Stafford loan indebtedness for speech-language pathologist
23 education at the rate established in subsection 4 per year
24 of service for up to 2 years as long as the participant
25 continues to practice as a licensed speech-language
26 pathologist in a public school.

27 6. Default. A participant in the program who agrees to
28 practice in a public school and who fails to complete the period
29 of service required to pay off a loan is liable to the authority
30 for an amount equal to the sum of the total amount paid by the
31 authority to or on behalf of the participant under the loan
32 repayment agreement under subsection 5 plus interest at a rate
33 determined by the authority. Credit for practice in a public
34 school is awarded for each academic school year served.

35 A participant may be granted permission to default without
36 penalty from the loan repayment agreement to serve as a
37 speech-language pathologist in a public school by petitioning the
38 authority. Grounds for permission to default without penalty
39 include, but are not limited to, catastrophic circumstances that
40 prevent the recipient from remaining in a public school position
41 for the required period of time. The participant receives credit

2 for the number of months served, and the remaining financial
3 obligation plus interest must be repaid to the authority in cash
4 under the terms of the original agreement.

6 **§12313. Nonlapsing fund**

8 1. Fund created. A nonlapsing, interest-earning, revolving
9 fund under the jurisdiction of the authority is created to carry
10 out the purposes of this chapter. Any unexpended balance in the
11 fund carries over for continued use under this chapter. The
12 authority may receive, invest and expend, on behalf of the fund,
13 money from gifts, grants, bequests and donations in addition to
14 money appropriated or allocated by the State. Loan forgiveness
15 repayments to the authority must be invested by the authority, as
16 provided by law, with the earned income to be added to the fund.
17 Money received by the authority on behalf of the fund, except
18 interest income, must be used for the purposes of the program.
19 Interest income may be used for the purposes of the program, for
20 the purpose specified in subsection 2 or for the payment of
21 student financial assistance administrative costs incurred by the
22 authority for the operation of the program.

24 2. Allocation of interest income. The authority may
25 reallocate a portion of the interest income for the purpose of
26 recruiting speech-language pathologists for public school
27 employment.

28 **§12314. Board of Examiners on Speech-language Pathology and**
29 **Audiology**

31 The Board of Examiners on Speech-language Pathology and
32 Audiology, as established by Title 5, section 12004-A, subsection
33 39, shall assist the chief executive officer in evaluating and
34 improving the program.

36 **§12315. Rules**

38 The authority shall establish rules necessary to implement
39 this chapter. Rules adopted pursuant to this section are routine
40 technical rules as defined in Title 5, chapter 375, subchapter
41 II-A.

44 **Sec. 2. 20-A MRS §12501, sub-§2-A, as enacted by PL 1999, c.**
45 **441, §2, is amended to read:**

46 **2-A. Educator shortage area.** "Educator shortage area"
47 means a geographic region of the State for which there is an
48 insufficient supply of teachers ~~or--speech--pathologists~~, as
49 determined by the chief executive officer in consultation with
50 the commissioner.

2 **Sec. 3. 20-A MRSA §12501, sub-§6-A**, as amended by PL 1999, c.
441, §3, is further amended to read:

4 **6-A. Students pursuing postbaccalaureate certification.**
6 "Students pursuing postbaccalaureate certification" means
8 students who have earned a Bachelor of Arts degree or its
equivalent and are pursuing a program of studies leading to
certification as a teacher ~~or speech-pathologist~~.

10 **Sec. 4. 20-A MRSA §12501, sub-§7**, as amended by PL 1999, c.
12 441, §5, is further amended to read:

14 **7. Underserved subject areas.** "Underserved subject areas"
16 means those subjects or programs, required or authorized to be
taught in the public schools for which there is an insufficient
supply of teachers ~~or speech-pathologists~~, as determined by the
18 chief executive officer in consultation with the commissioner.

20 **Sec. 5. 20-A MRSA §12502**, as repealed and replaced by PL
1999, c. 783, §3, is amended to read:

22 **§12502. Educators for Maine Program**

24 There is established the Educators for Maine Program to
26 provide financial assistance to college students, graduating high
school seniors and students pursuing postbaccalaureate
28 certification, child development associate certification or an
associate's degree in child development who demonstrate an
30 interest in pursuing a career in teaching in this State for
postsecondary education and to teachers ~~and speech-pathologists~~
32 for advanced-degree or continued study. The program recognizes
outstanding graduating high school seniors, college students and
34 students pursuing postbaccalaureate certification or child
development associate certification or an associate's degree in
36 child development. The chief executive officer shall administer
the program and shall establish by rule the rates of interest or
38 fees to be charged.

40 **Sec. 6. 20-A MRSA §12504, 2nd ¶**, as amended by PL 1999, c.
783, §4, is further amended to read:

42 Loans of up to \$1,500 per academic year or \$6,000 total may
44 be made to students pursuing postbaccalaureate certification.
Loans of up to \$3,000 per academic year or \$12,000 total may be
46 made to eligible graduating high school seniors and college
students. Loans of up to \$3,000 per academic year or \$6,000
48 total may be made to eligible child development students pursuing
an associate's degree in child development, and loans of up to
50 \$3,000 total but not exceeding the cost of tuition, books and

2 fees may be made to child development students pursuing a child
development associate certification. An individual who has
4 received a Educators for Maine loan or a Blaine House Scholars
Program loan as a graduating high school senior or as a college
6 student may also receive a loan for students pursuing
postbaccalaureate certification or as a teacher ~~or--speech~~
~~pathologist~~ engaged in graduate education or continuing
8 education. In no event may an individual receive more than
\$18,000 in total. Loans for undergraduate students,
10 postbaccalaureate recipients and child development students
pursuing an associate's degree in child development are for one
12 academic year and are automatically renewed if the recipient
maintains a grade point average of 2.5 based on a 4.0 grade point
14 system or the equivalent.

16 **Sec. 7. 20-A MRSA §12505, sub-§2**, as amended by PL 1999, c.
441, §9, is further amended to read:

18
20 **2. Eligibility for graduate study or continuing education**
loans. A graduate study or continuing education loan may be
22 given only to a teacher ~~or--speech--pathologist~~ in a Maine school
who has met other eligibility criteria established by rule of the
24 chief executive officer. Preference must be given to teachers of
subjects determined to be underserved.

26 **Sec. 8. 20-A MRSA §12508**, as amended by PL 1999, c. 441, §11,
is further amended to read:

28
30 **§12508. Repayment and return service provisions -**
loans for teachers and students pursuing
32 **postbaccalaureate certification**

34 Each recipient of a loan designated for students pursuing
postbaccalaureate certification may cancel the total amount of
36 the loan by completing one year of return service for each year a
loan is received in the public schools or private schools
38 approved for tuition purposes in the State. The return service
requirement is one year of return service for 2 loans received if
40 return service is performed in underserved subject areas or in
educator shortage areas. Return service for this purpose must be
42 performed within 3 years of graduation from the institution of
higher education or completion of the course or courses for which
44 the funds were given. In no event may return service be credited
for the same semester for which an individual receives a loan
46 pursuant to this chapter. An individual receiving loan
forgiveness for a loan for a postbaccalaureate certification loan
48 may not receive loan forgiveness for any undergraduate loan
simultaneously. If the chief executive officer grants a
50 deferment, the time period for performance of return service may
be extended for the same period as the deferment. Failure to

2 fulfill the return service option will necessitate repayment to
the authority as follows.

4 **1. Debt calculation.** The debt must include the total
amount of the loan less the amount, if any, that has been
6 canceled by return service.

8 **2. Time for repayment.** The total debt must be repaid to
the authority within 3 years of graduation from the institution
10 of higher education or courses for which the funds were given or
within 3 years of repayment of any other loans made pursuant to
12 this chapter. If the chief executive officer grants a deferment,
the time period may be extended up to the period of the
14 deferment. A repayment schedule including due dates must be set
by the chief executive officer.

16 **3. Deferment.** A recipient of a loan may seek a deferment
18 of the annual payments for a period or periods as established by
the chief executive officer who shall make a determination on a
20 case-by-case basis. The chief executive officer may grant a
deferment in the event that a recipient of a loan evidences
22 intent to teach ~~or practice speech pathology~~ and inability to
secure employment necessary to obtain forgiveness of the loan at
24 the time the deferment is sought. The chief executive officer
shall require certification of the intent annually and grant a
26 one-year deferment for each successful request for deferment. A
recipient may not receive more than 5 one-year deferments. The
28 decision of the chief executive officer is final.

30 SUMMARY

32 This bill establishes a loan forgiveness program for Maine
34 residents who are licensed speech-language pathologists who have
outstanding Stafford loans incurred while obtaining a master's
36 degree in speech-language pathology and who agree to practice in
public schools in the State. A licensed speech-language
38 pathologist who agrees to practice for one academic year in a
public school is entitled to forgiveness of a maximum amount of
40 \$10,000 in outstanding Stafford loans for each year the
speech-language pathologist continues to practice in that
42 position up to a maximum of 2 years.

44 This bill also removes speech pathologists from inclusion in
the Educators for Maine Program.