

T.H. BELL PROGRAM AMENDMENTS

2019 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: V. Lowry Snow

Senate Sponsor: Evan J. Vickers

LONG TITLE

General Description:

This bill amends provisions related to the Terrel H. Bell Teaching Incentive Loans Program.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ changes the Terrel H. Bell Teaching Incentive Loans Program from a loan program to a scholarship program;
- ▶ enacts provisions regarding the scholarship program, including provisions related to:
 - eligibility for a scholarship;
 - prioritization of a scholarship; and
 - the amount and duration of a scholarship;
- ▶ requires the State Board of Regents to make rules related to the scholarship program; and
- ▶ makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides a special effective date.

Utah Code Sections Affected:

29 AMENDS:

30 [53B-10-101](#), as last amended by Laws of Utah 2018, Chapter 415

31 [63I-2-253](#), as last amended by Laws of Utah 2018, Chapters 107, 281, 382, 415, and

32 456

33 ENACTS:

34 [53B-8-114](#), Utah Code Annotated 1953

35 REPEALS:

36 [53B-10-102](#), as last amended by Laws of Utah 2006, Chapter 88

37 [53B-10-103](#), as last amended by Laws of Utah 2009, Chapter 370

38

39 *Be it enacted by the Legislature of the state of Utah:*

40 Section 1. Section [53B-8-114](#) is enacted to read:

41 **[53B-8-114](#). Terrel H. Bell Education Scholarship Program -- Scholarship**
42 **requirements -- Rulemaking.**

43 (1) As used in this section:

44 (a) "Approved program" means a program that:

45 (i) is a teacher preparation program that:

46 (A) meets the standards described in Section [53E-6-302](#); and

47 (B) provides enhanced clinical experiences; or

48 (ii) prepares an individual to become:

49 (A) a speech-language pathologist; or

50 (B) another licensed professional providing services in a public school to students with
51 disabilities.

52 (b) "Eligible institution" means a public or private institution of higher education in
53 Utah that offers an approved program.

54 (c) "High needs area" means a subject area or field in public education that has a high
55 need for teachers or other employees, as determined in accordance with Subsections (6) and

56 (7).

57 (d) "Scholarship" means a scholarship described in this section.

58 (2) Subject to future budget constraints, the Legislature shall annually appropriate
59 money to the board for the Terrel H. Bell Education Scholarship Program to be distributed to
60 eligible institutions to award scholarships to incentivize students to work in public education in
61 Utah.

62 (3) (a) Subject to the prioritization described in Subsection (3)(b), an eligible
63 institution may award a scholarship to an individual who:

64 (i) meets the academic standards described in Subsection (6);

65 (ii) is enrolled in at least six credit hours at the eligible institution; and

66 (iii) declares an intent to:

67 (A) apply to and complete an approved program at the eligible institution; and

68 (B) work in a Utah public school.

69 (b) An eligible institution shall prioritize awarding of scholarships:

70 (i) first, to first generation students who intend to work in any area in a Utah public
71 school;

72 (ii) second, to students who:

73 (A) are not first generation students; and

74 (B) intend to work in a high needs area in a Utah public school; and

75 (iii) last, to other students who meet the requirements described in Subsection (3)(a).

76 (4) (a) Except as provided in Subsection (4)(b), an eligible institution may award a
77 scholarship to an individual for an amount up to the cost of resident tuition, fees, and books for
78 the number of credit hours in which the individual is enrolled each semester.

79 (b) An eligible institution that is a private institution may not award a scholarship for
80 an amount of money that exceeds the average scholarship amount granted by a public
81 institution of higher education.

82 (5) (a) Except as provided in Subsection (5)(b), an eligible institution may award a

83 scholarship to an individual for up to four consecutive years.

84 (b) An eligible institution may grant a scholarship recipient a leave of absence.

85 (c) An eligible institution may cancel a scholarship if:

86 (i) the scholarship recipient fails to make reasonable progress toward completion of the
87 approved program, as determined by the eligible institution; or

88 (ii) the eligible institution determines with reasonable certainty that the scholarship
89 recipient does not intend to work in a Utah public school.

90 (6) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
91 board shall make rules that establish:

92 (a) requirements related to an eligible institution's administration of a scholarship;

93 (b) a process for an individual to apply to an eligible institution to receive a
94 scholarship;

95 (c) in accordance with Subsection (3)(a), requirements related to eligibility for a
96 scholarship, including required academic standards;

97 (d) in accordance with Subsection (3)(b), requirements related to prioritization of
98 scholarships, including determination of:

99 (i) whether a student is a first generation student; and

100 (ii) high needs areas; and

101 (e) criteria to determine whether an individual intends to work in a Utah public school.

102 (7) The board shall consult with the State Board of Education to determine:

103 (a) whether a teacher preparation program provides enhanced clinical experiences; and

104 (b) which subject areas and fields are high needs areas.

105 (8) The board may use up to 5% of money appropriated for the purposes described in
106 this section to promote the scholarships described in this section.

107 Section 2. Section **53B-10-101** is amended to read:

108 **53B-10-101. Terrel H. Bell Teaching Incentive Loans program -- Eligible**

109 **students -- Cancellation of incentive loans -- Repayment by recipient who fails to meet**

110 **requirements -- Duration of incentive loans.**

111 (1) (a) Notwithstanding the provisions of this section, the board may not award an
112 incentive loan described in this section on or after July 1, 2019.

113 (b) The provisions of this section apply to an incentive loan described in this section
114 that was awarded before July 1, 2019.

115 ~~[(1)]~~ (2) (a) A Terrel H. Bell Teaching Incentive Loans program is established to
116 recruit and train superior candidates for teaching in Utah's public school system as a
117 component of the teacher quality continuum referred to in Subsections [53E-2-302\(7\)](#) and
118 [53E-6-103\(2\)\(a\)](#).

119 (b) Under the program, the incentive loans may be used in any of Utah's state-operated
120 institutions of higher education or at a private institution of higher education in Utah that offers
121 a state-approved teacher education program.

122 ~~[(2)]~~ (3) (a) The ~~[State Board of Regents]~~ board shall award the incentive loans to
123 college students who have been admitted to, or have made application to and are prepared to
124 enter into, a program preparing students for licensure and who declare an intent to complete the
125 prescribed course of instruction and to teach in this state in accordance with the priorities
126 described under Subsection ~~[(5)]~~ (6)(c).

127 (b) The incentive loan may be canceled at any time by the institution of attendance if:

128 (i) the student fails to make reasonable progress ~~[towards]~~ toward completion of
129 licensing requirements; or

130 (ii) it appears to be a reasonable certainty that the student does not intend to teach in
131 Utah.

132 (c) The ~~[State Board of Regents]~~ board may grant leaves of absence to incentive loan
133 holders.

134 ~~[(3)]~~ (4) The ~~[State Board of Regents]~~ board may require an incentive loan recipient
135 who fails to complete the requirements for licensing without good cause to repay all tuition and
136 fees provided by the loan, together with appropriate interest.

137 ~~[(4)]~~ (5) (a) The ~~[State Board of Regents]~~ board may require an incentive loan recipient
138 who does not work in the state's public school system or a private school within the state within
139 two years after graduation to repay all tuition and fees provided by the loan, together with
140 appropriate interest, unless waived for good cause.

141 (b) (i) A recipient who does not teach for a term equal to the number of years of the
142 incentive loan within a reasonable period of time after graduation shall repay a graduated
143 portion of the tuition and fees based upon the uncompleted term.

144 (ii) One year of teaching is credit for one year's tuition and fees.

145 (c) All repayments made under this Subsection ~~[(4)]~~ (5) are for use in the Terrel H.
146 Bell ~~[Teaching Incentive Loans program]~~ Education Scholarship Program described in Section
147 [53B-8-114](#).

148 ~~[(5)]~~ (6) (a) Each incentive loan is valid for up to four years of full-time equivalent
149 enrollment, or until requirements for licensing or advanced licensing have been met, whichever
150 is less.

151 (b) (i) Incentive loans apply to both tuition and fees in amounts and are subject to
152 conditions approved by the ~~[State Board of Regents]~~ board, based upon criteria developed to
153 ~~[insure]~~ ensure that all recipients of the loans will pursue an education career within the state.

154 (ii) An incentive loan for tuition and fees at a private institution may not exceed the
155 average scholarship amounts granted for tuition and fees at public institutions of higher
156 education within the state.

157 (c) Incentive loans shall be awarded in accordance with prioritized critical areas of
158 need for teaching expertise within the state, as determined by the State Board of Education's
159 criticality index and school district priorities based upon data provided by the school district,
160 and may include preparing persons as:

161 (i) a special education teacher;

162 (ii) a speech or language pathologist; or

163 (iii) another licensed professional providing services in the public schools to pupils

164 with disabilities.

165 Section 3. Section **63I-2-253** is amended to read:

166 **63I-2-253. Repeal dates -- Titles 53 through 53G.**

167 (1) Section **53A-24-602** is repealed July 1, 2018.

168 (2) (a) Subsections **53B-2a-103**(2) and (4) are repealed July 1, 2019.

169 (b) When repealing Subsections **53B-2a-103**(2) and (4), the Office of Legislative
170 Research and General Counsel shall, in addition to its authority under Subsection **36-12-12**(3),
171 make necessary changes to subsection numbering and cross references.

172 (3) (a) Subsection **53B-2a-108**(5) is repealed July 1, 2022.

173 (b) When repealing Subsection **53B-2a-108**(5), the Office of Legislative Research and
174 General Counsel shall, in addition to its authority under Subsection **36-12-12**(3), make
175 necessary changes to subsection numbering and cross references.

176 (4) (a) Subsection **53B-7-705**(6)(b)(ii)(A), the language that states "Except as provided
177 in Subsection (6)(b)(ii)(B)," is repealed July 1, 2021.

178 (b) Subsection **53B-7-705**(6)(b)(ii)(B) is repealed July 1, 2021.

179 (5) (a) Subsection **53B-7-707**(4)(a)(ii), the language that states "Except as provided in
180 Subsection (4)(b)," is repealed July 1, 2021.

181 (b) Subsection **53B-7-707**(4)(b) is repealed July 1, 2021.

182 (6) (a) The following sections are repealed on July 1, 2023:

183 (i) Section **53B-8-202**;

184 (ii) Section **53B-8-203**;

185 (iii) Section **53B-8-204**; and

186 (iv) Section **53B-8-205**.

187 (b) (i) Subsection **53B-8-201**(2) is repealed on July 1, 2023.

188 (ii) When repealing Subsection **53B-8-201**(2), the Office of Legislative Research and
189 General Counsel shall, in addition to its authority under Subsection **36-12-12**(3), make
190 necessary changes to subsection numbering and cross references.

191 (7) Section 53B-10-101 is repealed on July 1, 2027.
192 [~~(7)~~] (8) Title 53B, Chapter 18, Part 14, Uintah Basin Air Quality Research Project, is
193 repealed July 1, 2023.
194 [~~(8)~~] (9) Subsection 53E-5-306(3)(b)(ii)(B) is repealed July 1, 2020.
195 [~~(9)~~] (10) Section 53E-5-307 is repealed July 1, 2020.
196 [~~(10)~~] (11) Subsections 53F-2-205(4) and (5), the language that states "or 53F-2-301.5,
197 as applicable" is repealed July 1, 2023.
198 [~~(11)~~] (12) Subsection 53F-2-301(1) is repealed July 1, 2023.
199 [~~(12)~~] (13) Subsection 53F-2-515(1), the language that states "or 53F-2-301.5, as
200 applicable" is repealed July 1, 2023.
201 [~~(13)~~] (14) Section 53F-4-204 is repealed July 1, 2019.
202 [~~(14)~~] (15) Section 53F-6-202 is repealed July 1, 2020.
203 [~~(15)~~] (16) Subsection 53F-9-302(3), the language that states "or 53F-2-301.5, as
204 applicable" is repealed July 1, 2023.
205 [~~(16)~~] (17) Subsection 53F-9-305(3)(a), the language that states "or 53F-2-301.5, as
206 applicable" is repealed July 1, 2023.
207 [~~(17)~~] (18) Subsection 53F-9-306(3)(a), the language that states "or 53F-2-301.5, as
208 applicable" is repealed July 1, 2023.
209 [~~(18)~~] (19) Subsection 53G-3-304(1)(c)(i), the language that states "or 53F-2-301.5, as
210 applicable" is repealed July 1, 2023.
211 [~~(19)~~] (20) On July 1, 2023, when making changes in this section, the Office of
212 Legislative Research and General Counsel shall, in addition to the office's authority under
213 Subsection 36-12-12(3), make corrections necessary to ensure that sections and subsections
214 identified in this section are complete sentences and accurately reflect the office's perception of
215 the Legislature's intent.

Section 4. **Repealer.**

This bill repeals:

- 218 Section **53B-10-102**, **Number of incentive loans -- Criteria for awarding.**
- 219 Section **53B-10-103**, **Incentive loan appropriation -- Administration of incentive**
- 220 **loan program.**
- 221 Section 5. **Effective date.**
- 222 This bill takes effect on July 1, 2019.