

HB0188S01 compared with HB0188

~~{deleted text}~~ shows text that was in HB0188 but was deleted in HB0188S01.

Inserted text shows text that was not in HB0188 but was inserted into HB0188S01.

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Representative V. Lowry Snow proposes the following substitute bill:

T.H. BELL PROGRAM AMENDMENTS

2019 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: V. Lowry Snow

Senate Sponsor: _____

LONG TITLE

General Description:

This bill ~~{repeals and enacts}~~ 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

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- the amount and duration of a scholarship;~~{and}~~
- ▶ 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:

~~{None}~~ This bill provides a special effective date.

Utah Code Sections Affected:

~~{ENACTS:~~

~~———— 53B-8-114, Utah Code Annotated 1953~~

~~REPEALS}~~ AMENDS:

53B-10-101, as last amended by Laws of Utah 2018, Chapter 415

63I-2-253, as last amended by Laws of Utah 2018, Chapters 107, 281, 382, 415, and
456

ENACTS:

53B-8-114, Utah Code Annotated 1953

REPEALS:

53B-10-102, as last amended by Laws of Utah 2006, Chapter 88

53B-10-103, as last amended by Laws of Utah 2009, Chapter 370

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

Section 1. Section **53B-8-114** is enacted to read:

53B-8-114. Terrel H. Bell Education Scholarship Program -- Scholarship requirements -- Rulemaking.

(1) As used in this section:

(a) "Approved program" means a ~~{bachelor's or master's}~~ program that:

(i) is a teacher preparation program that:

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

(B) provides enhanced clinical experiences; or

(ii) prepares an individual to become:

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(A) a speech-language pathologist; or

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

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

(c) "High needs area" means a subject area or field in public education that has a high need for teachers or other employees, as determined in accordance with Subsections (6) and (7).

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

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

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

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

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

(iii) declares an intent to:

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

(B) work in a Utah public school.

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

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

(ii) second, to students who:

(A) are not ~~underserved~~ first generation students; and

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

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

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

(b) An eligible institution that is a private institution may not award a scholarship for

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an amount of money that exceeds the average scholarship amount granted by a public institution of higher education.

(5) (a) Except as provided in Subsection (5)(b), an eligible institution may award a scholarship to an individual for up to four consecutive years.

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

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

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

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

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

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

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

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

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

(i) whether a student is ~~an underserved~~ a first generation student; and

(ii) high needs areas; and

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

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

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

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

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

Section 2. ~~Repealer:~~

~~—This} {bill repeals:~~

~~—}Section 53B-10-101{;} is amended to read:~~

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

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students -- Cancellation of incentive loans -- Repayment by recipient who fails to meet requirements -- Duration of incentive loans.

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

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

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

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

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

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

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

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

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

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

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

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appropriate interest, unless waived for good cause.

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

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

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

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

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

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

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

(i) a special education teacher;

(ii) a speech or language pathologist; or

(iii) another licensed professional providing services in the public schools to pupils with disabilities.

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

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

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

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

(b) When repealing Subsections 53B-2a-103(2) and (4), the Office of Legislative Research and General Counsel shall, in addition to its authority under Subsection 36-12-12(3),

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make necessary changes to subsection numbering and cross references.

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

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

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

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

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

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

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

(i) Section 53B-8-202;

(ii) Section 53B-8-203;

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

(iv) Section 53B-8-205.

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

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

(7) Section 53B-10-101 is repealed on July 1, 2027.

~~(7)~~ (8) Title 53B, Chapter 18, Part 14, Uintah Basin Air Quality Research Project, is repealed July 1, 2023.

~~(8)~~ (9) Subsection 53E-5-306(3)(b)(ii)(B) is repealed July 1, 2020.

~~(9)~~ (10) Section 53E-5-307 is repealed July 1, 2020.

~~(10)~~ (11) Subsections 53F-2-205(4) and (5), the language that states "or 53F-2-301.5, as applicable" is repealed July 1, 2023.

~~(11)~~ (12) Subsection 53F-2-301(1) is repealed July 1, 2023.

~~(12)~~ (13) Subsection 53F-2-515(1), the language that states "or 53F-2-301.5, as applicable" is repealed July 1, 2023.

~~(13)~~ (14) Section 53F-4-204 is repealed July 1, 2019.

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~~[(14)]~~ (15) Section 53F-6-202 is repealed July 1, 2020.

~~[(15)]~~ (16) Subsection 53F-9-302(3), the language that states "or 53F-2-301.5, as applicable" is repealed July 1, 2023.

~~[(16)]~~ (17) Subsection 53F-9-305(3)(a), the language that states "or 53F-2-301.5, as applicable" is repealed July 1, 2023.

~~[(17)]~~ (18) Subsection 53F-9-306(3)(a), the language that states "or 53F-2-301.5, as applicable" is repealed July 1, 2023.

~~[(18)]~~ (19) Subsection 53G-3-304(1)(c)(i), the language that states "or 53F-2-301.5, as applicable" is repealed July 1, 2023.

~~[(19)]~~ (20) On July 1, 2023, when making changes in this section, the Office of Legislative Research and General Counsel shall, in addition to the office's authority under Subsection 36-12-12(3), make corrections necessary to ensure that sections and subsections identified in this section are complete sentences and accurately reflect the office's perception of the Legislature's intent.

Section 4. Repealer.

This bill repeals:

Section **53B-10-102, Number of incentive loans -- Criteria for awarding.**

Section **53B-10-103, Incentive loan appropriation -- Administration of incentive loan program.**

Section 5. Effective date.

This bill takes effect on July 1, 2019.