

DECISION ITEM : Preliminary Approval of Amendments to the Administrative Procedures for the Alabama Math and Science Teacher Education Program – Loan Repayment Program

Tim Vick
Director of Operations and Fiscal Services

Staff Recommendation: That the Commission preliminarily approve the proposed amendments to Chapter 300-4-12 of the administrative procedures related to the Alabama Math and Science Teacher Education Program (AMSTEP).

Background: During the 2021 Legislative Session, Alabama Act 2021-389 was passed. This Act made several modifications to the AMSTEP program. Changes were aimed at broadening the eligibility requirements for participants by:

- Reducing an applicant's math, science or computer science teaching load from having to be full-time to 3/4ths of courses taught;
- Including middle-level school teachers;
- Including individuals teaching in Alabama, but residing in other states;
- Including teachers who graduated from a regionally accredited college or university in another state who are certified to teach math, science or computer science in another state, once they are certified to teach in Alabama. These individuals may or may not reside in Alabama;
- Allowing individuals issued the Alabama Bachelor's Level Professional Educator Certificate in math, science or computer science to participate in the program upon completion of alternative certification program (Class B) as outlined in the Code of Alabama, 1975, Section 16-23-3;
- Allowing teachers in a school which has been designated as a "failing" school to qualify for supplemental funds that currently are only available to teachers who are employed in the "acute" shortage systems;
- Clarifying that teachers in charter schools are eligible, but not for the supplement aimed at acute shortage eligibility.

Also, Sections 300-4-12-.01 through .06 are being repealed. The AMSTEP Scholarship Program is no longer operational, so procedures related to that program are no longer necessary.

Additions are underlined, deletions are struck through.

Code of Alabama, 1975, Title 16-5-53(a) authorizes the Alabama Commission on Higher Education to adopt any rules necessary for the administration of AMSTEP - Loan Repayment Program.

Supporting Documentation: 1. Proposed amendments to Chapter 300-4-12 of the Alabama Administrative Code (attached).

**ALABAMA MATH AND SCIENCE TEACHER EDUCATION PROGRAM
(AMSTEP)**

300-4-12-.01 Organization. REPEALED

(1) It is the responsibility of the Alabama Commission on Higher Education (ACHE) to establish rules and regulations for the administration and implementation of the Alabama Math and Science Teacher Education Program (AMSTEP). The program will be administered in accordance with the policies and procedures established by the Alabama Commission on Higher Education.

(2) The Alabama Commission on Higher Education appoints such staff as are necessary to ensure efficient operation of the program and is the final authority in determining eligible program applicants.

Author: Tim Vick

Statutory Authority: Code of Ala. 1975, §§16-5-10(10), et seq. Alabama Act 2017-335.

History: New Rule: Filed December 12, 2017; effective January 26, 2018.

300-4-12-.02 Definition Of Terms. REPEALED

(1) Eligible Institution - Institutions must meet both of the following criteria in order to participate in the program:

(a) The institution must be accredited by the Southern Association of Colleges and Schools Commission on Colleges (SACSCOC);

(b) The institution must have programs approved by the Alabama State Board of Education (ALSBE)/Alabama State Department of Education (ALSDE) to prepare teachers in math or science.

(2) Eligible Student - In order to participate in the program, recipients must:

(a) be an Alabama resident;

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(b) attend an eligible participating institution of higher education;

(c) be unconditionally admitted to an ALSBE approved program in math or science based on that institution's admission criteria (to include the PRAXIS Core Test or any other such tests subsequently approved to take its place by the ALSBE);

(d) be one of the following:

1. undergraduate junior or senior enrolled in a secondary education program in math or science and taking 12 or more semester hours, with preference given to students classified as seniors,

2. currently certified teacher enrolled in courses to earn certification in math or science,

3. a graduate student enrolled in a secondary math or science Alternative Class A program approved by the ALSBE;

(e) maintain the required College/School/Division/Department of Education GPA (cumulative). Note: If the student fails to meet GPA requirements at the end of a semester, the student's remaining award balance must be given to another eligible student;

(f) sign a letter of acceptance for the award;

(g) sign a statement that they intend to:

1. finish the program in which they are enrolled,

2. meet all testing requirements,

3. apply for an Alabama Educational Certificate.

Author: Tim Vick

Statutory Authority: Code of Ala. 1975, §§16-5-10(10), et seq. Alabama Act 2017-335.

History: New Rule: Filed December 12, 2017; effective January 26, 2018.

300-4-12-.03 Disbursement Of Funds. REPEALED

(1) Institutions will be required to submit a Request for Proposal (RFP) to participate in the program. The RFP will be developed by the staff of the Commission on Higher Education and is subject to change each year.

(2) The staff of the Commission on Higher Education will select the participating institutions based on the following criteria:

(a) Previous experience in credentialing persons in math and science (30%);

(b) Design/Plan for increasing students credentialing in math and science education (50%),

(c) Ability to credential persons to teach in communities where shortages in math and science teachers is acute. (20%),

(3) Each selected institution will receive a percentage of the total funds available to be used to provide scholarships based on their response to the RFP.

(4) No indirect /administrative cost can be charged to the scholarship by the institution.

(5) Once each institution's overall percentage of the total awards has been determined, each institution will receive its designated percentage of the funds available for each quarter. In FY 2017-18, the first increment will be available on January 1, 2018. In subsequent fiscal years, these increments will be available on October 1, January 1, April 1 and July 1 of any given fiscal year.

(6) Funds awarded in any given award year can be used for a period of two years.

(7) Institutions will have the flexibility to determine the number of awards distributed and the amounts to be received; however, awards cannot exceed the tuition and cost of instruction fees of the institution per semester.

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(8) Participating institutions must:

(a) sign a Program Participation Agreement (PPA) withACHE each fiscal year;

(b) identify recipients based on ACHE establishedstudent eligibility criteria;

(c) certify to ACHE that recipients meet all theeligibility requirements;

(d) submit vouchers to ACHE at the end of each quarter of the fiscal year for payment. ACHE will not disburse checks tostudents;

(e) meet the following reporting requirements (Data will be reported to ACHE. Failure to meet all reporting requirements will jeopardize an institutions eligibility to participate in the program):

1. percent of recipients that graduate,
2. percent of recipients who pass the PRAXIS mathand/or science test, depending on their field(s) of study,
3. the number of recipients that are teaching inAlabama public schools.
4. the number of recipients that are teaching indesignated high demand areas.

(9) If a student whose eligibility for a grant has been certified by an approved institution becomes ineligible for a grant before the expiration of the institutional tuition refundperiod, the grant funds, the student's remaining award balance must be given to another eligible student.

Author: Tim Vick

Statutory Authority: Code of Ala. 1975, §§16-5-10(10), et seq. Alabama Act 2017-335.

History: New Rule: Filed December 12, 2017; effective January 26, 2018

300-4-12-.04 Maintenance Of Records. REPEALED

(1) An annual report regarding the success of scholarship students will be required. The report will include the data described in 300-4-12-.03 (e).

(2) Each approved institution shall establish and maintain on a current basis adequate records which reflect all transactions with respect to program and fiscal activity as they relate to the administration of the Math and Science Education Program. The records must be maintained in such a manner as to identify all program and fiscal transactions separately from other institutional activities and funds.

(3) The records for any award period shall be retained for a period of five (5) years following the date of submission of the institutional award list, unless a longer retention period is necessitated because of program review or audit resolution problems. In the event an approved institution closes or otherwise ceases operation and fails to matriculate students, institutional program records of the approved institution shall be forwarded to ACHE for retention.

(4) Forms must be used to gather data in a uniform manner from each applicant; such forms shall contain information relative to all eligibility criteria for an award. Fiscal records pertaining to the operation of the program at an approved institution must be maintained in a manner which provides a clear audit trail.

(5) The Executive Director of the Alabama Commission on Higher Education, or any of the Director's duly authorized representatives, will have access, for the purpose of review and examination, to program records and supporting documents maintained by the approved institution.

(6) The records involved in any claim or expenditure which has been questioned by program review or by state audit must be retained until resolution of any such review or audit questions.

Author: Tim Vick

Statutory Authority: Code of Ala. 1975, §§16-5-10(10), et seq. Alabama Act 2017-335.

History: New Rule: Filed December 12, 2017; effective January 26, 2018.

300-4-12-.05. Appeals REPEALED

(1) Any person or institution aggrieved by the actionsof the Commission in its administration of this rule may, by written petition filed with the Commission within thirty (30) days after notice of the action complained of, request a rehearing by the Commission. The Commission shall schedule the requested rehearing no less than twenty (20) days, nor more than thirty (30) days after receipt of the petition. The aggrieved party may present written and oral evidence supporting its petition and may be represented by counsel, if desired. The decision of the Commission following the rehearing shall be final.

Author: Tim Vick

Statutory Authority: Code of Ala. 1975, §§16-5-10(10), et seq. Alabama Act 2017-335.

History: New Rule: Filed December 12, 2017; effective January 26, 2018.

300-4-12-.06 Reporting. REPEALED

(1) ACHE shall submit a report to the Governor and tothe Chairs of the Senate Committee on Finance and Taxation-Education and the House Ways and Means Education Committee and the Legislative Fiscal Officer within 60 days after October 1, 2017 regarding the steps being taken to implement thisprogram.

(2) ACHE shall submit an annual report with 30 days after September 30, 2018 including updates on all aspects of theprogram.

Author: Tim Vick

Statutory Authority: Code of Ala. 1975, §§16-5-10(10), et seq. Alabama Act 2017-335.

History: New Rule: Filed December 12, 2017; effective January 26, 2018.

300-4-12-.07 Organization For Loan Repayment Program.

It is the responsibility of the Alabama Commission on Higher Education (ACHE) to establish rules and regulations forthe administration and implementation of the Alabama Math and Science Teacher Education Program (AMSTEP) Loan Repayment Program. The program will be administered in accordance with the policies and procedures established by the Alabama

Commission on Higher Education.

(2) The Alabama Commission on Higher Education appoints such staff as are necessary to ensure efficient operation of the program and is the final authority in determining eligible program applicants.

(3) ACHE shall submit an annual report to the Governor and to the Chairs of the Senate Committee on Finance and Taxation-Education and the House Ways and Means Education Committee and the Deputy Director of the Legislative Services Agency - Fiscal Division within 30 days after September 30th of any given year including updates on all aspects of the program.

Author: Tim Vick

Statutory Authority: Code of Ala. 1975, ~~§§16-5-10(10), et seq.~~ §16-5-53(a).

History: New Rule: Filed December 12, 2017; effective January 26, 2018.

300-4-12-.08 Purpose Of Loan Repayment Program.

(1) To encourage individuals to enroll in and complete programs leading to Alabama certification in mathematics, ~~or~~ science or computer science.

(2) To improve the educational system in Alabama by encouraging those who complete the program to accept math, ~~or~~ science or computer science teaching positions in Alabama public schools, preferably in public school systems, including charter schools, where the shortage of math, science or computer science teachers, or both any combination of the three, is most acute, or in a school which has been designated as a failing school, by the State Board of Education or the Legislature.

Author: Tim Vick

Statutory Authority: Code of Ala. 1975, §16-5-53(a).

History: New Rule: Filed September 19, 2018; effective November 3, 2018. **Amended:** Published December 31, 2019; effective February 14, 2020.

300-4-12-.09 Definitions For Loan Repayment Program.

(1) APPROVED INSTITUTION. A state-supported institution of higher education or a private nonprofit institution of higher education that satisfies all of

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the following:

(a) Is accredited by the Southern Association of Colleges and Schools Commission on Colleges.

(b) Is approved by the Alabama State Board of Education (ALSBE) to prepare teachers of middle level or secondary math, ~~or~~ science or computer science, ~~or all three.~~

(c) Is eligible to receive Title IV federal studentaid program funds.

(d) Maintains its primary headquarters in Alabama.

(2) CHARTER SCHOOL. A form of public school. A teacher employed by a charter school accredited by the Southern Association of Colleges and Schools is eligible to participate in the program. A teacher employed by a charter school is not eligible for the acute shortage area supplement provided in this article.

(3) ~~(2)~~ COMMISSION. The Alabama Commission on Higher Education.

(4) ~~(3)~~ ELIGIBLE APPLICANT. A person who satisfies the criteria set out in this act and is found to be eligible by rules adopted by the Alabama Commission on Higher Education.

(5) ~~(4)~~ PROGRAM. The Alabama Math and Science Teacher Education Program ~~created by this act and~~ administered by the commission ~~that~~ provides loan repayments to a teacher with a valid Alabama professional educator certificate endorsed in math, ~~or~~ science or computer science, who teaches math, ~~or~~ science or computer science courses for which the teacher is properly certified for three-fourths of the full-time teaching load in the Alabama public school system.

(6) ~~(5)~~ SCIENCE. Biology, chemistry, physics, and general science. ~~The ALSBE approved general science certificate includes all sciences with the exception of computer science.~~

(7) ~~(6)~~ YEAR. A school year that shall be divided into fall and spring semesters. The term does not

mean calendar, fiscal, or scholastic year.

Author: Tim Vick

Statutory Authority: Code of Ala. 1975, §16-5-53(a).

History: New Rule: Filed September 19, 2018; Effective November 3, 2018. **Amended:** Published December 31, 2019; effective February 14, 2020.

300-4-12-.10 Rule Making Authority For Loan Repayment Program.

(1) The Alabama Math and Science Teacher Education Program shall be administered by the commission, which may adopt any rules necessary for the administration of the program.

Author: Tim Vick

Statutory Authority: Alabama Act 2018-504

History: New Rule: Filed September 19, 2018; effective November 3, 2018.

300-4-12-.11 Eligible Applicants And Award Amounts For Loan Repayment Program.

(1) Base Program: To be eligible for the base loan repayment program for math and science teachers of two thousand five hundred dollars (\$2,500) per semester worked or \$5,000 per year, for a maximum of four consecutive years, or to be eligible for the base loan repayment program for computer science teachers of one thousand five hundred dollars (\$1,500) per semester worked or \$3,000 per year, for a maximum of four consecutive years an applicant shall satisfy all of the following:

(a) Be a graduate of an ALSBE approved program in math or science or computer science beginning with the Spring term of 2018, at the baccalaureate or master's level, from an approved institution leading to an initial middle level or secondary professional educator certificate endorsed in math or science or computer science that was issued based upon completion of the approved program in math or science or computer science. A teacher who only earns a passing score on the Praxis test in math or science or computer science to add a certificate endorsement for math or science or computer science, and who has not completed an entire approved program, does not satisfy this requirement.

(b) Holds a valid Alabama professional educator

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certificate endorsed in middle level or secondary math or science or computer science, or ~~all three~~ any combination of the three.

(c) Is teaching math or science or computer science full-time in an Alabama public school district or at an Alabama Public Charter School Commission approved charter school.

(d) Is a citizen or a lawful permanent resident of the United States.

(e) ~~Has been~~ Is a resident of Alabama ~~for at least 12 months before the application deadline~~ and provides documentation proving a permanent connection to the State of Alabama. The commission shall accept any one of the following as proof of residency:

1. A current valid Alabama driver's license.
2. A current valid Alabama vehicle registration.
3. A current valid Alabama voter registration card.

(f) Has outstanding federal student loans, subsidized or unsubsidized.

(g) Teaches a schedule in which at least three-fourths of the full-time teaching load is comprised of math, science or computer science in an Alabama public school system.

(h) Satisfies additional continuing eligibility criteria established by the Commission. A recipient who receives a loan repayment award and continues to satisfy employment criteria shall continue to receive an award for the four-year limit regardless of whether the employing school system retains its acute shortage designation or the employing school is removed from the failing school list. If a recipient leaves an acute shortage system or a failing school, and accepts employment in a school system or school that does not hold an acute shortage system or failing school designation, the recipient shall no longer qualify to receive supplemental funds.

(i) Beginning in the fall semester of 2021, the benefits outlined above shall apply to the following eligible individuals, pending authorization to teach in Alabama and subsequent employment in an Alabama public school:

1. An individual who graduated beginning with the Spring term of 2018 forward from a regionally accredited college or university in Alabama or in another state who is certified to teach math, science, or computer science in another state, and who may or may not reside within Alabama.

2. An individual who resides in another state and is a graduate of a State Board of Education approved program in math, science, or computer science, at the baccalaureate or master's level, after the 2021 spring semester term, from an approved Alabama institution and who holds an initial middle-level or secondary professional educator certificate endorsed in math, science, or computer science that was issued based upon completion of the approved program in math, science, or computer science. A teacher who only earns a passing score on the Praxis test in math, science, or computer science to add a certificate endorsement for math, science, or computer science and who has not completed an entire approved program, does not satisfy this requirement.

3. The individuals shall also satisfy all of the following criteria:

(i) Hold a valid Alabama professional educator certificate endorsed in middle-level or secondary math, science, or computer science, or any combination of the three.

(ii) Teach a schedule in which at least three-fourths of the full-time teaching load is comprised of math, science, or computer science courses for which the teacher is properly certified in an Alabama public school system.

(iii) Be citizens or lawful permanent residents of the United States.

(iv) Have outstanding federal student loans, subsidized or unsubsidized.

(v) Satisfy additional continuing eligibility criteria established by the commission. A recipient who receives a loan repayment award and continues to satisfy employment criteria shall continue to receive an award for the four-year limit regardless of whether the employing school system retains its acute shortage designation or the employing school is removed from the failing school list. If a recipient leaves an acute shortage system or a failing school, and accepts employment in a school system or school that does not hold an acute shortage system or failing school designation, the recipient shall no longer qualify to receive supplemental funds.

(j) Beginning after the 2021 spring semester, an individual issued an Alabama bachelor's level professional educator certificate in math, science, or computer science upon completion of an alternative certification program pursuant to the Code of Alabama, Section 16-23-3, may be eligible for the program if he or she satisfies all employment and teaching load requirements outlined above. The individual may only be reimbursed for tuition and mandatory instructional fees for not more than 12 semester credit hours of the college courses required for earning an alternative certificate in order to obtain a professional educator certificate in math, science, or computer science. The individual shall provide the State Department of Education and the commission with documentation concerning the cost incurred for the course work. These funds are considered income by the Internal Revenue Service, and recipients shall be made aware of that fact.

(2) Supplemental Program: In order to receive a an additional supplement pursuant to this act, in addition to all of the criteria listed above, a recipient shall also teach math or science, or ~~both~~ computer science or any combination of the three, in a ~~geographic area~~ public school system within the state with an acute teacher shortage in math or science, or computer science or any combination of the three, for which the teacher is properly certified ~~both~~ as identified by the Commission in consultation with the State Department of Education or in a school which has been identified as a failing school, or any other term adopted to identify an underperforming school, by the State Board of Education or the Legislature. The supplement is an additional two thousand five hundred dollars (\$2,500) per year, or one thousand two hundred fifty dollars (\$1,250) per semester worked, for a maximum of four consecutive years for math and science teachers. Computer Science teachers will not be eligible to receive the acute shortage area supplement, until such time as the Alabama Commission on Higher Education and the State Department of

Education concur that there is sufficient need or resources, or both, available to allow its inclusion.

(a) ~~Geographic areas~~ Public school systems and schools with acute shortages in math or science or both will be identified by the Commission in consultation with the State Department of Education.

(b) The Commission will approve the ~~geographic areas~~ public school systems and schools in which teachers will be eligible for the supplement.

(c) The list of eligible ~~geographic areas~~ public school systems and schools will be published on the Commission's website.

Author: Tim Vick

Statutory Authority: Code of Ala. 1975, §16-5-53(a).

History: New Rule: Filed September 19, 2018; effective November 3, 2018. **Amended:** Published December 31, 2019; effective February 14, 2020.

300-4-12-.12 Application Procedures For Loan Repayment Program.

(1) Information concerning the Loan Repayment Program shall be:

(a) Sent to the Alabama State Department of Education for distribution to the local school districts;

(b) Sent to the Alabama Education Association for distribution to its members;

(c) Sent to the Schools/Colleges of Education at all Alabama State Board of Education approved institutions;

(d) Posted on the ACHE website.

(2) Applications shall be made to the Commission on Higher Education. Applications shall be posted on the Commission's website.

(3) Applications must be received by ACHE by August 1 of each year.

(4) Loan repayment award recipients must reapply for the program annually.

(5) In addition to the application, each applicant must submit the following:

(a) Documentation that they are a graduate of ~~an approved~~ qualifying institution offering ALSBE approved certification programs in math or science or computer science. Submitted one time.

(b) Documentation that they hold a valid Alabama professional educator certificate endorsed in middle level or secondary math or science or computer science, or a combination of any or all three. Submitted one time and then again when renewed.

(c) Documentation from the employing school district or at an Alabama Public Charter School Commission approved charter school that they taught the previous semester. This maybe a letter from either their superintendent's office or their supervising principal. Submitted prior to each requested payment.

(d) Documentation that they hold a federal student loan. Documentation must include the amount owed. If the award amount is larger than the outstanding loan balance, the award amount shall be reduced to the amount of the loan balance. Submitted prior to each requested payment.

Author: Tim Vick

Statutory Authority: Code of Ala. 1975, §16-5-53(a).

History: New Rule: Filed September 19, 2018; effective November 3, 2018. **Amended:** Published December 31, 2019; effective February 14, 2020.

300-4-12-.13 Procedures For Loan Repayment Program.

(1) The requirements of this program are contingent upon available funding for the program. If funding is not adequate to cover the cost of all applicants, funds will be distributed based on a first come first serve basis.

(1) Loan repayment awards shall be distributed directly to the

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recipient teacher in two disbursements during the applicable year: One disbursement after January 1 and the second disbursement after June 1.

(2) Payments will not be distributed for partial completion of a semester of work.

(3) The recipient shall notify the commission in writing of any change in status within 30 days after the change. Failure to notify the commission of a change in status shall affect future eligibility. All of the following constitute a change in status:

- (a) A change in name.
- (b) A change in residence.
- (c) A change in employment status.

(4) To receive a loan repayment check pursuant to this act, an approved applicant must register online with the State of Alabama's Comptroller Office. It is the responsibility of the individual to register, the Commission cannot register someone on the Vender Services System (VSS).

(5) A loan repayment check is considered income by the United States Internal Revenue Service and must be reported as such. Recipients shall be made aware of that fact.

(6) Any funds appropriated to the program are considered non-reverting.

Author: Tim Vick

Statutory Authority: Alabama Act 2018-504

History: New Rule: Filed September 19, 2018; effective November 3, 2018.

300-4-12-.14 Appeal For Loan Repayment Program. Any person aggrieved by the actions of the Commission in its administration of this rule may, by written petition filed with the Commission within thirty (30) days after notice of the action complained of request a rehearing by the Commission. The Commission shall schedule the requested rehearing no less than twenty (20) days,

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nor more than thirty (30) days after receipt of the petition. The aggrieved party may present written and oral evidence supporting its petition and may be represented by counsel, if desired. The decision of the Commission following the rehearing shall be final.

Author: Tim Vick

Statutory Authority: Alabama Act 2018-504

History: New Rule: Filed September 19, 2018; effective November 3, 2018.