
A BILL FOR AN ACT

RELATING TO EDUCATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Chapter 302A, Hawaii Revised Statutes, is
2 amended by adding a new part to be appropriately designated and
3 to read as follows:

4 "PART TEACHING INCENTIVE PROGRAMS FOR HIGH NEED AREAS.

5 §302A-A Definitions. As used in this part, unless the
6 context otherwise requires:

7 "Approved course of study" means a course of study that
8 leads to enrollment in a graduate education program.

9 "Approved educational institution" means a public or
10 private post-secondary educational institution located in this
11 State that has been accredited by a nationally recognized
12 accrediting agency that is listed by the United States Secretary
13 of Education.

14 "Department" means the department of education.

15 "High need area" means schools in the Nanakuli Complex,
16 Waianae Complex, Ka`u Complex, and the Molokai Complex.

17 "Program" means the teaching incentive program established
18 under this part.



1 "Qualified individual" means (1) any individual domiciled
 2 in this state who attends a post-secondary educational
 3 institution located in this state leading to a master's degree
 4 or doctoral degree in education, and who intends to teach in a
 5 public school in a high need area in Hawaii or (2) any
 6 individual domiciled in this state who teaches in a public
 7 school or serves as an administrative capacity at a public
 8 school in a high need area in Hawaii.

9 "University" means the University of Hawaii.

10 "Work requirement" means teaching at a public school in a
 11 high need area located in Hawaii after receiving a master's
 12 degree or doctoral degree in education.

13 **§302A-B Teaching incentive program for high need areas;**
 14 **establishment, administration.** (a) There is established a
 15 program to be known as the teaching incentive program for high
 16 need areas to be placed within the department of education.

17 (b) Under the parameters of the program, the department
 18 may provide incentives to a qualified individual who is a
 19 resident of this state.

20 (c) To receive incentives under this part, a qualified
 21 individual shall meet all of the following requirements:



- 1 (1) Be working towards or have a master's degree or
- 2 doctoral degree in education from an accredited
- 3 college or university in this State;
- 4 (2) Maintenance of domicile in Hawaii during the term of
- 5 the incentives;
- 6 (3) Compliance with any conditions placed on the
- 7 incentives by the department; and
- 8 (4) Enter into a written agreement with the department to:
- 9 (A) Satisfy all requirements and other requirements
- 10 under this chapter; and
- 11 (B) Reimburse the State for all amounts received
- 12 under this chapter and interest thereon, as
- 13 determined by the department, if the teacher
- 14 fails to comply with this part.
- 15 (d) A qualified individual applying for incentives under
- 16 this program shall apply to the department and include all
- 17 information and documentation required by the department. The
- 18 application shall include a verified statement of employment
- 19 from the appropriate school.
- 20 (e) If a qualified individual or school terminates
- 21 employment or course of study during the academic year or prior
- 22 to completion of the academic year, the qualified individual



1 shall be ineligible for incentives as of the date of
2 termination. The qualification shall become eligible for
3 incentives upon employment at a public school in a high need
4 area and meeting the criteria set forth in this part

5 (f) Incentives awarded under the program shall be limited
6 to funds appropriated for the purpose or funds otherwise matched
7 by external entities.

8 **§302A-C Incentives.** The incentive offered under the
9 program created by this Act shall be a loan repayment program.
10 Qualified individuals shall be eligible for the program to
11 assume the repayment of outstanding student loans entered into
12 by qualified individuals in pursuit of a bachelor's degree,
13 master's degree, or doctoral degree from an approved educational
14 institution. The amount of outstanding loan repayment through
15 this program shall be no more than \$2,500 for all loans per
16 academic year over a ten-year period.

17 **§302A-D Program administration.** (a) The department
18 shall monitor and verify a qualified individual's fulfillment of
19 all requirements under this part.

20 (b) The department may enter into a contract with a
21 private or public entity to administer the program.



1 (c) The department shall enforce repayment of all
2 incentives for a qualified individual who does not comply with
3 this part. Repayment shall include the use of all lawful
4 collection procedures and the use of private collection
5 agencies.

6 (d) Incentives received by a qualified individual for the
7 program shall not be considered taxable income under chapter
8 235.

9 (e) Any person who knowingly or intentionally procures,
10 obtains, or aids another to procure or obtain an incentive under
11 this chapter through fraudulent means shall be disqualified from
12 participation in the program and shall be liable to the
13 department for an amount equal to three times the amount
14 obtained.

15 **§302A-E Annual report.** (a) The department shall publish
16 a report by September 1, 2008, and every year thereafter. The
17 report shall include information regarding the operation of the
18 program including:

19 (1) The total number of qualified individuals receiving
20 incentives;

21 (2) The total amount of incentives awarded;



- 1 (3) The number of qualified individuals receiving
- 2 incentives by the institution;
- 3 (4) The total number of qualified individuals who withdraw
- 4 from the program.

5 (b) The annual report shall be submitted to the governor
6 and the legislature no later than twenty days prior to the
7 convening of each regular session."

8 **§302A-F Scholarship grants; establishment.** (a) The
9 university may provide scholarship grants to an eligible student
10 who is a resident of this state upon confirmation from an
11 approved educational institution that the student has been
12 accepted for enrollment in an approved graduate course of study.
13 Scholarship grants shall only be for the amounts set forth in
14 this Act and shall only be used for tuition, books, laboratory
15 fees, and any other required fees.

16 (b) To receive a scholarship grant under this Act, a
17 student shall meet all of the following requirements:

- 18 (1) Graduation from an accredited college or
- 19 university with a bachelor's degree;
- 20 (2) Maintenance of domicile in Hawaii during the term
- 21 of the scholarship grants;



- 1 (3) Compliance with any conditions placed on the
- 2 scholarship grant by the university;
- 3 (4) Maintenance of a grade point average of 3.0 or
- 4 higher, on a scale of 4.0 or its equivalent; and
- 5 (5) Enter into a written agreement with the
- 6 university to:
 - 7 (A) Satisfy all degree requirements and
 - 8 other requirements under this chapter;
 - 9 (B) Commence instruction in a high need
 - 10 area of this state within one year
 - 11 after completion of an approved
 - 12 graduate degree in education for a
 - 13 period of one year for each academic
 - 14 year the student received a scholarship
 - 15 grant under this chapter, unless the
 - 16 department determines that there are
 - 17 extenuating circumstances; and
 - 18 (C) Reimburse the State for all amounts
 - 19 received under this chapter and
 - 20 interest thereon, as determined by the
 - 21 university, if the student fails to
 - 22 comply with this Act.



1 A student applying for the scholarship shall apply to the
2 department and include all information and documentation
3 required by the university. The application shall include a
4 verified statement of grade point average from the appropriate
5 approved educational institution. The teaching requirement
6 under this section of the Act shall begin after the receipt of
7 the master's or doctoral degree.

8 (c) If a student terminates enrollment in the approved
9 educational institution during the academic year or prior to
10 completion of the approved graduate course of study and is
11 eligible to have all or a portion of the tuition payments
12 refunded under the refund policies of the institution, the
13 approved educational institution shall notify the department in
14 writing and shall return all unused portions of the scholarship
15 grant. Returned amounts shall be used to fund other scholarship
16 grants under this Act. A scholarship under this chapter is only
17 transferable to another approved educational institution if
18 approved by the department. Grants awarded under the program
19 shall be limited to funds appropriated for the purpose or funds
20 otherwise matched by external entities. First priority for
21 awarding grants shall be given to renewal applicants.



1 **§302A-G Grant awards.** (a) The university may award a
2 scholarship grant in an amount up to \$5,000 per academic year to
3 a student enrolled full-time in an approved educational
4 institution pursuing a graduate degree in education through an
5 approved course of study.

6 The grant shall be for a maximum of three academic years
7 for a master's degree or up to four academic years if the
8 student is enrolled in a doctoral program approved course of
9 study.

10 (b) The department shall monitor and verify a student's
11 fulfillment of all requirements under this chapter, and may
12 enter into a contract with a private or public entity to
13 administer the program. The department shall enforce repayment
14 of all scholarship grants for a student who does not comply with
15 this chapter. Repayment shall include the use of all lawful
16 collection procedures and the use of private collection
17 agencies. Scholarship grants received by a student for the
18 program shall not be considered taxable income under chapter
19 235, and shall not be considered financial assistance or
20 appropriations to the approved educational institution.

21 (c) Any person who knowingly or intentionally procures,
22 obtains, or aids another to procure or obtain a grant under this



1 chapter through fraudulent means shall be disqualified from
2 participation in the program and shall be liable to the
3 department for an amount equal to three times the amount
4 obtained.

5 **§302A-H Annual reports.** The university shall publish
6 reports by September 1, 2008, and every year thereafter, that
7 shall include information regarding the operation of their
8 respective programs including:

- 9 (1) The total number of students receiving scholarship
10 grants;
- 11 (2) The total amount of scholarship grants awarded;
- 12 (3) The number of full-time and part-time graduate
13 students receiving scholarship grants by the
14 institution;
- 15 (4) The amount of scholarship grants awarded to graduate
16 students reported by the institution; and
- 17 (5) The total number of graduation students who withdraw
18 from the program.

19 The annual report shall be submitted to the governor and
20 the legislature no later than twenty days prior to the convening
21 of each regular session.

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SECTION 2. In codifying the new sections added by section 1 of this Act, the revisor of statutes shall substitute appropriate section numbers for the letters used in designating the new sections in this Act.

SECTION 3. There is appropriated out of the general revenues of the State of Hawaii the sum of \$_____ or so much thereof as may be necessary for fiscal year 2007-2008 and the same sum or so much thereof as may be necessary for fiscal year 2008-2009 to establish and implement the teaching incentive program for high need areas.

The sums appropriated shall be expended by the department of education for the purposes of this Act.

SECTION 4. There is appropriated out of the general revenues of the State of Hawaii the sum of \$_____ or so much thereof as may be necessary for fiscal year 2007-2008 and the same sum or so much thereof as may be necessary for fiscal year 2008-2009 to establish scholarship grants for students pursuing post-secondary degrees in the field of education.

The sums appropriated shall be expended by the University of Hawaii for the purposes of this Act.

SECTION 5. This Act shall take effect on July 1, 2007.

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INTRODUCED BY:

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JAN 24 2007



Report Title:

Education

Description:

Establishes incentive program for teachers to teach in high need areas.

