§ 3612. Teachers of tomorrow teacher recruitment and retention program. 1. Definitions. a. The term "teacher shortage area" means a public school or subject area in which there was a shortage of certified teachers in the previous school year and there is a projected shortage in the current school year as determined by the commissioner.

b. The term "certified teacher" means a teacher who holds a state teaching certificate appropriate to the teaching position, including the subject area if applicable, in which he or she is to be employed.

c. The term "school district" shall mean a common, union free, central, central high school, or city school district.

d. The term "board of education" shall mean the governing board of any public school or public school district defined in paragraph c of this subdivision.

e. The term "low performing school" shall mean a school building which is under registration review or a school building performing significantly below state standards as defined by the commissioner.

f. The term "year of service" shall mean ten months of continuous full-time service as a teacher during a school year, generally occurring between September first and June thirtieth.

2. Application and funding. a. Grants shall be made to school districts for teacher recruitment, retention and certification activities necessary to increase the supply of qualified teachers in school districts experiencing a teacher shortage in accordance with subdivisions three, four, five, seven and eight of this section and in school districts containing a low-performing school pursuant to subdivision six of this section.

b. Such grants shall be awarded to school districts, within the limits of funds appropriated therefor, through a competitive process that takes into consideration the magnitude of any shortage of teachers in the school district, the number of teachers employed in the school district

who hold temporary licenses to teach in the public schools of the state, the number of provisionally certified teachers, the fiscal capacity and geographic sparsity of the district, the number of new teachers the school district intends to hire in the coming school year and the number of summer in the city student internships proposed by an eligible school district, if applicable. Grants provided pursuant to this section shall be used only for the purposes enumerated in this section. Notwithstanding any other provision of law to the contrary, a city school district in a city having a population of one million or more inhabitants receiving a grant pursuant to this section may use no more than eighty percent of such grant funds for any recruitment, retention and certification costs associated with transitional certification of teacher candidates for the school years two thousand one--two thousand two through two thousand twenty-eight--two thousand twenty-nine.

c. Not more than sixty percent of the funds allocated pursuant to this section shall be made available to any one school district and provided further that a city school district in a city with populations in excess of one million inhabitants may, notwithstanding any other provision of this section, allocate a portion of the grant received pursuant to this section for teacher recruitment and outreach activities provided that any allocation for teacher recruitment and outreach activities shall not exceed two hundred twenty-five thousand dollars.

d. In allocating grants pursuant to this section, a school district shall give priority in the following order:

(1) first, to a school under registration review that is designated as a teacher shortage area;

(2) second, to any school performing significantly below state standards as defined by the commissioner; and

(3) third, to any school that is designated as a teacher shortage area.

e. Any school district receiving funds under this section shall maintain any local effort in the current year equivalent to such effort in the base year for any local program related to the recruitment or retention of teachers or any program that has purposes that are similar

to any purpose of this section or the district shall provide a local match to state funds received pursuant to this section. State funds provided pursuant to this section shall not supplant local funds for any purpose similar to the purposes of this section.

f. Applications by a school district for funding pursuant to this section shall be filed with the commissioner, in a form determined by the commissioner, by June first of the base year and school districts shall be notified of their grant award by June thirtieth of the base year, provided that in any year such application and award dates may be modified by the commissioner for the reasonable administration of the program. Such application shall include a plan by the school district for the expenditure of the funds in each category of allowable expenses authorized by subdivisions three, four, five, six, seven and eight of this section, and such expenditures shall be consistent with such plan and the provisions of this section.

g. A person receiving an award pursuant to any subdivision of this section shall not be eligible for an award pursuant to any other subdivision of this section in a school year.

3. Teachers of tomorrow teacher recruitment incentive program. Teachers of tomorrow teacher recruitment incentive awards may be available to teachers pursuant to the provisions of this subdivision to attract teachers to employment in teacher shortage areas.

a. Eligibility. To be eligible for an award pursuant to this subdivision, an applicant shall:

(1) have initial, provisional, permanent or professional certification to teach in New York state;

(2) agree to a service obligation of one year of service in a teacher shortage area as a condition of receiving an award pursuant to this subdivision; and

(3) be employed for the first time as a teacher in the school district.

b. Application and selection. (1) The board of education shall

determine the form of the application and the application process for teachers deemed eligible for the award, and shall in its discretion select the number of eligible applicants who will receive an award pursuant to this subdivision.

(2) If the number of eligible applicants exceeds the number of awards determined by the board pursuant to this subdivision then the board shall use an objective competitive process based on educational qualifications to determine which eligible applicants shall receive awards.

c. Payment of awards. (1) Annual awards from state and local funds provided for this purpose shall be paid by the board of education to the award recipient. Award recipients shall be entitled to receive awards pursuant to the provisions of this subdivision and such awards shall be in addition to and not part of any award recipient's base salary.

(2) The initial annual award shall be three thousand four hundred dollars, and such initial award may be renewable each year, for up to three additional years, provided that the recipient agrees to one year of service as a full-time teacher in a teacher shortage area for each year of a renewed award and has provided satisfactory service in any prior year in which an initial or renewed award was granted to the recipient. No awards shall be made for less than one school year of service and the sum of any initial and renewed awards shall not exceed thirteen thousand six hundred dollars.

Awards made pursuant to this subdivision shall be used to reimburse any educational costs, including those for which student loans may have been taken, incurred by the recipient prior to receipt of the award for certification as a teacher in the public schools of the state.

(3) The board of education shall develop and secure from the award recipient a written agreement outlining the service obligation. Such agreement shall include provisions for the recipient to repay the amount of the award to the school district if the recipient fails to complete their service obligation in any year where an initial or renewed award is granted, and such repaid amounts shall be deducted from any grant amounts due to the district from the state pursuant to this section. Upon a written appeal by an award recipient, the board of education, in

its discretion, may provide a waiver of repayment provisions for an award recipient who fails to complete his or her service requirement for documented reasons of health or other severe hardship, as determined by the commissioner.

d. Notification. The board of education shall notify both successful and unsuccessful applicants by September first of any school year for which an initial or renewed award is provided to teachers pursuant to this subdivision.

4. Teachers of tomorrow certification stipends. Teachers of tomorrow certification stipends may be available to eligible teachers pursuant to this subdivision for the purpose of providing additional training and education required for the applicants to obtain initial or provisional certification. Such additional training and education may be held during the summer or during any other season or time of the year.

a. Eligibility. To be eligible for an award pursuant to this subdivision, an applicant shall:

(1) provide proof that he or she has received a temporary license to teach from the commissioner and at the time of application does not hold any initial, provisional, permanent or professional certification to teach in the public schools of the state; and

(2) agree to a service obligation of one year of service in a teacher shortage area as a condition for receiving an award pursuant to this subdivision.

b. Application and selection. (1) The board of education shall determine the form of the application and the application process for teachers deemed eligible for the award, and shall in its discretion select the number of eligible applicants who will receive an award pursuant to this subdivision.

(2) If the number of eligible applicants exceeds the number of awards determined by the board pursuant to this subdivision then the board shall use an objective competitive process based on educational qualifications to determine which eligible applicants shall receive awards.

c. Payment of awards. (1) Annual awards from state and local funds provided for this purpose shall be paid by the board of education to the award recipient. No award shall be made for less than one year of service.

(2) Allowable expenses. Awards may be used for the payment of expenses incurred by the recipient for the following purposes:

(i) tuition charged for test preparation workshops intended to prepare recipients to pass teacher certification exams required for initial or provisional teacher certification, which shall be provided by the board of education either through a contract for such services or by providing such services through employees of the board of education; and

(ii) tuition charged for any additional coursework at an accredited institution of higher education required of the recipient to receive initial or provisional teacher certification, as determined by the commissioner.

(3) Certification stipends of two thousand dollars each may be provided pursuant to this subdivision to award recipients. Fifty percent of each award amount shall be payable from state funds provided to the school district pursuant to this section and the remaining fifty percent shall be payable by the board of education from other sources of revenue, provided that if the board of education elects to provide the services described in clause (i) of subparagraph two of this paragraph then such remaining fifty percent share may be paid by the board through in-kind direct services to the award recipient.

(i) Awards shall be paid to award recipients upon proof of the recipient's expenditure for allowable expenses as provided for in clauses (i) and (ii) of subparagraph two of this paragraph.

(ii) Such awards shall be in an amount of two thousand dollars per award or the actual expenses incurred by the recipient, whichever is less.

(iii) No person shall be eligible for more than one award pursuant to this subdivision.

(4) The board of education shall develop and secure from the award recipient a written agreement outlining the service obligation. Such agreement shall include provisions for the recipient to repay the amount of the award to the school district if the recipient fails to complete

their service obligation in any year where an award is granted, and such repaid amounts shall be deducted from any grant amounts due to the district from the state pursuant to this section. Upon a written appeal by an award recipient, the board of education, in its discretion, may provide a waiver of repayment provisions for an award recipient who fails to complete his or her service requirement for documented reasons of health or other severe hardship, as determined by the commissioner.

d. Notification. The board of education shall notify both successful and unsuccessful applicants by September first of any school year for which an initial or renewed award is provided to teachers pursuant to this subdivision.

5. Teachers of tomorrow summer in the city internship program. City school districts in cities with populations in excess of one hundred and twenty-five thousand inhabitants shall be eligible to apply for funding pursuant to this section for summer in the city student internships for the purpose of attracting prospective teachers to opportunities in urban education.

a. Eligibility. To be eligible for an award pursuant to this subdivision, a student shall:

(1) have completed sixty or more hours of credit bearing college courses, be in good academic standing as determined by the higher education institution of attendance, have attended an accredited New York state college or university full-time in the base year, be enrolled in a registered program for the preparation of teachers at an accredited New York state institution of higher education or have indicated a desire to enter the teaching profession, and are recommended by their college or university to participate in the program.

(2) agree to a service obligation of the full duration of the internship program, as determined by the board of education.

b. Application and selection. (1) Boards of education in school districts that are eligible for funding pursuant to this section shall develop and distribute an application to the accredited colleges and universities of the state which have approved teacher education

programs. Such application shall include at a minimum a description of the program including:

(i) the duration of the program which shall operate for at least five or more weeks during the months of June through August generally;

(ii) the amount of any stipend for the program;

(iii) available housing for the program;

(iv) the training and professional development opportunities afforded to the student; and

(v) the amount of time the student will spend in direct contact with children participating in educational activities.

(2) The board of education shall determine the application process for students deemed eligible for the award, and shall in its discretion select the number of eligible applicants who will receive an award pursuant to this subdivision.

(3) If the number of eligible applicants exceeds the number of awards determined by the board pursuant to this subdivision then the board shall use an objective competitive process based on educational qualifications to determine which eligible applicants shall receive awards.

c. Payment of awards. (1) Annual awards from state funds provided for this purpose shall be paid by the board of education to the award recipient. No award shall be made for less than the duration of the program, as determined by the board of education. Nothing shall prohibit a board of education from allowing an eligible applicant from participating in the program more than once, provided the eligible applicant provided satisfactory service in any prior year as determined by the board of education.

(2) Allowable expenses. Districts may expend funds pursuant to this subdivision for:

(i) stipends of up to two thousand dollars per student;

(ii) housing for a portion of the students participating in the program, which shall include provisions for the students to pay a portion of the housing costs and to pay a refundable security deposit on such housing;

(iii) orientation, training and professional development of the students participating in the program; and

(iv) other expenses appropriate to the operation of the program, as approved by the commissioner.

(3) The board of education shall develop and secure from the award recipient a written agreement outlining the service obligation. Such agreement shall include provisions for the recipient to repay the amount of any stipend provided pursuant to this subdivision to the school district if the recipient fails to complete their service obligation for any year where an award is granted, and such repaid amounts shall be deducted from any grant amounts due to the district from the state pursuant to this section. Upon a written appeal by an award recipient, the board of education, in its discretion, may provide a waiver of repayment provisions for an award recipient who fails to complete his or her service requirement for documented reasons of health or other severe hardship, as determined by the commissioner.

d. Colleges and universities may provide credit for the summer in the city program and may charge a fee for such credit or provide the credit free of charge. Participation in the summer in the city program shall qualify as a field experience for purposes of any graduation or certification requirement. Students eligible for the program shall submit their application to the board of education by the date determined by the board of education.

e. Notification. The board of education shall inform eligible applicants of their selection for the program by a date determined by the board of education.

6. New York state master teacher program. a. New York state master teacher awards may be available to teachers pursuant to the provisions of this subdivision to attract highly qualified, experienced, expert teachers to low performing schools.

b. The commissioner shall establish and maintain a list of persons eligible to serve as master teachers for the purposes of this subdivision.

c. School districts eligible to participate in this program are those

districts which contain a school building that has been designated as a low performing school.

d. Such school districts, upon notification of eligibility by the commissioner, may apply for funding pursuant to this section to obtain master teachers to serve in low performing school buildings.

e. Eligibility. A person shall be eligible to serve as a master teacher if he or she meets the following criteria:

(1) he or she has received national board certification from the National Board for Professional Teaching Standards.

(2) he or she is to be employed full-time for the school year by a public school designated as a low performing school.

(3) he or she agrees to a service obligation of three years of service in a low performing school as a condition of receiving awards pursuant to this subdivision.

f. Application and selection. (1) The board of education shall determine the form of the application and the application process for teachers deemed eligible for the award, and shall in its discretion select the number of eligible applicants who will receive an award pursuant to this subdivision.

(2) If the number of eligible applicants exceeds the number of awards determined by the board pursuant to this subdivision then the board shall use an objective competitive process based on educational qualifications to determine which eligible applicants shall receive awards.

g. Payment of awards. (1) Annual awards from state funds provided for this purpose shall be paid by the board of education to the award recipient.

(2) The initial annual award shall be ten thousand dollars, and such initial annual award may be renewable each year, for two additional years, provided that the recipient has provided satisfactory service in any prior year in which an initial or renewed annual award was granted to the recipient and the recipient continues to fulfill his or her service obligation. No annual awards shall be made for less than one

year of service and provided further that the sum of any initial and renewed annual awards shall not exceed thirty thousand dollars.

(3) The board of education shall develop and secure from the award recipient a written agreement outlining the service obligation. Such agreement shall include provisions for the recipient to repay the amount of the annual award to the school district if the recipient fails to complete a year of service in any year where an initial or renewed award is granted, and such repaid amounts shall be deducted from any grant amounts due to the district from the state pursuant to this section. Upon a written appeal by an award recipient, the board of education, in its discretion, may provide a waiver of repayment provisions for an award recipient who fails to complete his or her service requirement for documented reasons of health or other severe hardship, as determined by the commissioner.

h. Each board of education and particular master teacher shall agree to a three-year term in an eligible school building for each master teacher appointment and each master teacher shall be assigned partner classroom teachers. In addition to assigned teaching duties, activities to be undertaken by the master teacher shall include, but are not limited to, engaging in daily and long-term planning and assessment with partner teachers, modeling teaching techniques and strategies, and serving as classroom experts who provide ongoing support to teachers and children.

i. Upon completion of such master teacher's term of participation in the program, the master teacher shall have the right to return to the position he or she held immediately prior to appointment as a master teacher without loss of tenure, seniority or other employment rights.

j. Notification. The board of education shall inform eligible applicants of their selection for the program by a date determined by the board of education.

7. Teacher recruitment tuition reimbursement program. A tuition reimbursement program may be available to teachers pursuant to the provisions of this subdivision, as an incentive to attract qualified

teachers to teacher shortage areas.

a. Definition. The term "approved course" shall mean a course in a registered program for the preparation of teachers at an accredited New York state institution of higher education which is taken towards meeting requirements for permanent certification to teach in the public schools of the state.

b. Eligibility. A person shall be eligible for a tuition reimbursement award if he or she meets the following criteria:

(1) has received initial or provisional certification to teach in the public schools of the state and does not hold any permanent or professional certification to teach in the public schools of the state;

(2) he or she is employed full-time for the school year by a public school designated as a teacher shortage area; and

(3) he or she agrees to a service obligation of one year of service in a teacher shortage area as a condition of receiving the award.

c. Application and selection. (1) The board of education shall determine the form of the application and the application process for teachers deemed eligible for the award, and shall in its discretion select the number of eligible applicants who will receive an award pursuant to this subdivision.

(2) If the number of eligible applicants exceeds the number of awards determined by the board pursuant to this subdivision then the board shall use an objective competitive process based on educational qualifications to determine which eligible applicants shall receive awards.

d. Payment of awards. (1) Annual awards from state funds provided for this purpose shall be paid by the board of education to the award recipient.

(2) The initial reimbursement award shall be seven hundred dollars or the actual cost of one approved course, whichever is less, provided that a recipient shall be eligible to receive three initial reimbursement awards in the school year. Such initial award shall be renewable for up to one additional year and such renewed reimbursement award shall be

seven hundred dollars or the actual cost of one approved course, whichever is less, provided that a recipient shall be eligible to receive three renewed reimbursement awards in the school year, and provided further that such eligible teacher has provided satisfactory service in the prior year as determined by the board of education to be eligible for any initial or renewed reimbursement awards. In no case shall the sum of any initial and renewed reimbursement awards exceed four thousand two hundred dollars.

(3) The board of education shall develop and secure from the award recipient a written agreement outlining the service obligation. Such agreement shall include provisions for the recipient to repay the amount of any reimbursement awards received to the school district if the recipient fails to complete a year of service in any year where any initial or renewed awards are granted, and such repaid amounts shall be deducted from any grant amounts due to the district from the state pursuant to this section. Upon a written appeal by an award recipient, the board of education, in its discretion, may provide a waiver of repayment provisions for an award recipient who fails to complete his or her service requirement for documented reasons of health or other severe hardship, as determined by the commissioner.

e. After February first, two thousand four, any course for which tuition reimbursement is made shall not be counted toward any continuing education required of persons certified to teach in the public schools of the state.

f. Notification. The board of education shall inform eligible applicants of their selection for the program by a date determined by the board of education.

8. Summer teacher training program. In a city school district with a population of one million or more, intensive summer teacher training may be provided pursuant to this subdivision to certified teachers teaching in a teacher shortage area that will be employed for the first time in the city school district as a certified teacher.

a. Eligibility and selection. Such training may be provided to

teachers who hold initial, provisional, permanent or professional certification to teach in the public schools of the state who will be employed for the first time in the city school district. The board of education shall establish a selection process by which new teachers are chosen to participate in this program. Such process at a minimum shall include:

(1) proof that the applicant has received, or is eligible to receive, initial, provisional, permanent or professional certification to teach in the public schools of the state; and

(2) proof that the applicant will be employed for the first time in the city school district as a certified teacher in a teacher shortage area.

b. Allowable expenses. Funds provided for summer teacher training may be used for the payment of expenses incurred by the district for training and orientation of certified teachers employed by the district for the first time including team teaching with cooperating teachers, observing summer school classes, and training on meeting new standards and assessments provided such expenditures from state funds for this purpose shall not exceed one thousand dollars per eligible participant. Nothing in this subdivision shall limit the expenditure of local funds for the purposes of this subdivision.

9. Science, mathematics and bilingual education tuition reimbursement program. Of the amount appropriated for purposes of this section for grants to school districts for the two thousand seven--two thousand eight school year and thereafter, five million dollars ($5,000,000) shall be made available for a science, mathematics and bilingual education tuition reimbursement program developed by the commissioner to attract qualified teachers who have received or will receive a transitional teaching certificate, to teach mathematics, science, or bilingual education in a low-performing school.

10. Reporting. By November first following the completion of each school year, the commissioner shall report to the governor and the legislature regarding the teachers of tomorrow teacher recruitment and retention program. Such report shall list the amount of each school

district's total grant pursuant to this section, the uses of the grant by each eligible category of expense, the number of awards granted by type pursuant to this section and, if applicable, the number of persons receiving more than one award of a single type or more than one type of award and the number of such awards for these individuals, as well as an analysis of the effectiveness of the program in recruiting and retaining teachers in the public schools of the state designated as teacher shortage areas.