

CHAPTER 428

EDUCATORS FOR MAINE PROGRAM

§12501. Definitions

(REPEALED)

SECTION HISTORY

PL 1983, c. 859, §§F1,F2 (NEW). PL 1987, c. 611, §1 (AMD). PL 1989, c. 414, §§21,22 (AMD). PL 1989, c. 596, §M (AMD). PL 1989, c. 698, §32 (AMD). PL 1989, c. 911, §§4-6 (AMD). PL 1991, c. 553, §§1,2 (AMD). PL 1991, c. 612, §§13,14 (AMD). PL 1995, c. 117, §§E2-4 (AMD). PL 1995, c. 117, §E13 (AFF). PL 1999, c. 441, §§2-5 (AMD). PL 1999, c. 783, §2 (AMD). PL 2003, c. 427, §1 (RP).

§12501-A. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings. [PL 2003, c. 427, §2 (NEW).]

1. Academic achievement. "Academic achievement" means earning a grade point average of 3.0 or more, based on a 4.0 grade point system, or the equivalent, based upon the most recent cumulative grade point average.

[PL 2003, c. 427, §2 (NEW).]

2. Authority. "Authority" means the Finance Authority of Maine.

[PL 2003, c. 427, §2 (NEW).]

3. Chief executive officer. "Chief executive officer" means the chief executive officer of the Finance Authority of Maine.

[PL 2003, c. 427, §2 (NEW).]

4. Child care. "Child care" means a regular service of care and protection provided for compensation for any part of a day less than 24 hours to a child or children under 13 years of age whose parents work outside the home, attend an educational program or are otherwise unable to care for their children.

[PL 2003, c. 427, §2 (NEW).]

5. Child care facility. "Child care facility" means a child care center or a family child care provider as defined in Title 22, section 8301-A.

[PL 2005, c. 530, §1 (AMD).]

6. Child care provider qualifications. "Child care provider qualifications" means a degree or certificate in child development or a related area as determined by rule of the authority.

[PL 2003, c. 427, §2 (NEW).]

7. Cost of attendance. "Cost of attendance" has the same meaning as in 20 United States Code, Section 10871l and the regulations, guidelines and procedures promulgated under that section except, for students attending less than half-time, cost of attendance is determined on the same basis as for students attending half-time.

[PL 2003, c. 427, §2 (NEW).]

8. Duly enrolled. "Duly enrolled" means, for an undergraduate, enrolled full-time and, for a graduate student, enrolled at least part-time at an institution of higher education, as evidenced in a form satisfactory to the authority.

[PL 2003, c. 427, §2 (NEW).]

9. Eligible individual. "Eligible individual" means a student who meets the eligibility requirements of section 12505.

[PL 2003, c. 427, §2 (NEW).]

10. Graduating high school senior. "Graduating high school senior" means a student who is a resident of the State, who graduates from a secondary school or a home instruction program as described in section 5001-A, subsection 3, paragraph A, subparagraph (4) and who is entering that student's first year in an institution of higher education at the beginning of the next academic year.

[PL 2019, c. 303, §1 (AMD).]

11. Institution of higher education. "Institution of higher education" means an institution of higher education located within this State, another state or a foreign country that meets the requirements of and conforms to the definitions contained in the federal Higher Education Act of 1965, as amended, 20 United States Code, Section 1001(a) and the regulations, guidelines and procedures promulgated by the Secretary of Education pursuant to these sections of the law.

[PL 2003, c. 427, §2 (NEW).]

12. Return service. "Return service" means service in a public elementary or secondary school, publicly supported secondary school, special education facility as defined in section 7001, subsection 6 or private school in this State approved for tuition purposes for a full school year as a certified teacher or a speech pathologist, service as a Jobs for Maine's Graduates specialist with similar teacher certification or service for a 12-month period in a child care facility by an individual who has attained child care provider qualifications.

[PL 2019, c. 303, §2 (AMD).]

13. Student pursuing postbaccalaureate certification. "Student pursuing postbaccalaureate certification" means a student who has earned a baccalaureate degree or its equivalent and is pursuing a program of study leading to certification as a teacher or speech pathologist or to the attainment of child care provider qualifications.

[PL 2003, c. 427, §2 (NEW).]

14. Undergraduate. "Undergraduate" means an individual who has not been awarded any baccalaureate degree and who is currently enrolled or accepted for enrollment as a full-time student at an institution of higher education, including a graduating high school senior.

[PL 2003, c. 427, §2 (NEW).]

14-A. Underserved geographic areas. "Underserved geographic areas" means those geographic areas of the State where there is an insufficient supply of teachers or speech pathologists as determined by the chief executive officer in consultation with the commissioner.

[PL 2019, c. 303, §3 (NEW).]

15. Underserved subject areas. "Underserved subject areas" means those subjects or programs, required or authorized to be taught in the public schools, for which there is an insufficient supply of teachers or speech pathologists as determined by the chief executive officer in consultation with the commissioner.

[PL 2003, c. 427, §2 (NEW).]

SECTION HISTORY

PL 2003, c. 427, §2 (NEW). PL 2005, c. 530, §1 (AMD). PL 2013, c. 7, §1 (AMD). PL 2019, c. 303, §§1-3 (AMD).

§12502. Educators for Maine Program

There is established the Educators for Maine Program to provide financial assistance for postsecondary education to undergraduate students and students pursuing postbaccalaureate certification who demonstrate academic achievement and an interest in pursuing a career in teaching,

speech pathology or child care in this State. The chief executive officer shall administer the program and shall establish pursuant to rules of the authority the rates of interest or fees to be charged. [PL 2003, c. 427, §3 (AMD).]

Under the program, the authority may annually award a certain number of loan repayments to selected educators in underserved geographic areas as funds permit. A selected loan repayment recipient must enter into a loan repayment agreement with the authority and may receive payment from the authority on the recipient's outstanding student debt for each year of service as long as the recipient teaches in an underserved geographic area. [PL 2019, c. 303, §4 (NEW).]

SECTION HISTORY

PL 1983, c. 859, §§F1,F2 (NEW). PL 1987, c. 611, §2 (AMD). PL 1989, c. 698, §33 (AMD). PL 1989, c. 911, §7 (AMD). PL 1991, c. 553, §3 (RPR). PL 1991, c. 612, §15 (RPR). PL 1991, c. 664, §1 (RPR). PL 1995, c. 117, §E5 (AMD). PL 1995, c. 117, §E13 (AFF). PL 1999, c. 401, §0006 (AMD). PL 1999, c. 441, §6 (AMD). PL 1999, c. 783, §3 (RPR). PL 2003, c. 427, §3 (AMD). PL 2019, c. 303, §4 (AMD).

§12503. Educators for Maine loan recipients

Each year graduating high school seniors, undergraduates and students pursuing postbaccalaureate certification who show evidence of academic achievement may be considered for recognition as Educators for Maine loan recipients. Applications must be submitted to the chief executive officer at a time and in a format to be determined by rule of the authority. In determining loan recipients, the chief executive officer shall consider candidates in 3 categories: graduating high school seniors; undergraduates, other than graduating high school seniors; and students pursuing postbaccalaureate certification. [PL 2003, c. 427, §4 (AMD).]

SECTION HISTORY

PL 1983, c. 859, §§F1,F2 (NEW). PL 1987, c. 611, §3 (AMD). PL 1989, c. 698, §34 (AMD). PL 1991, c. 553, §4 (AMD). PL 1995, c. 117, §E6 (AMD). PL 1995, c. 117, §E13 (AFF). PL 1999, c. 441, §7 (AMD). PL 2003, c. 427, §4 (AMD). PL 2019, c. 303, §5 (AMD).

§12504. Allocation of funds

The authority shall establish by rule the allocation of funds available under this chapter. [PL 2003, c. 427, §5 (AMD).]

Loans in an amount to be determined annually by the authority based on available funds, but in no event less than \$3,000 per academic year for eligible undergraduate students and \$2,000 per academic year for eligible students pursuing postbaccalaureate certification, may be made. Selected full-time undergraduate students may receive loans for a period not to exceed 8 semesters at the institution they attend. Selected full-time and part-time students pursuing postbaccalaureate certifications may receive loans for a period not to exceed 4 semesters or the equivalent thereof at the institution they attend. An individual who has received an Educators for Maine loan as an undergraduate may also receive a loan for students pursuing postbaccalaureate certification. Loans are for one academic year and are renewable if the recipient maintains a grade point average of at least 2.5 based on a 4.0 grade point system or the equivalent and submits a complete renewal application by the deadline annually. [PL 2019, c. 303, §6 (AMD).]

SECTION HISTORY

PL 1983, c. 859, §§F1,F2 (NEW). PL 1991, c. 553, §5 (AMD). PL 1995, c. 117, §E7 (AMD). PL 1995, c. 117, §E13 (AFF). PL 1997, c. 24, §G1 (AMD). PL 1999, c. 441, §8 (AMD). PL 1999, c. 783, §4 (AMD). PL 2001, c. 417, §25 (AMD). PL 2003, c. 427, §5 (AMD). PL 2019, c. 303, §6 (AMD).

§12505. Eligibility requirements

1. Eligibility for loans for undergraduate education. An Educators for Maine loan recipient must be an undergraduate at an institution of higher education.

[PL 2019, c. 303, §7 (AMD).]

2. Eligibility for graduate study or continuing education loans.

[PL 2003, c. 427, §7 (RP).]

3. Eligibility for postbaccalaureate certification. A loan to a student pursuing postbaccalaureate certification may be given only to a resident of the State who has shown academic achievement, who has a baccalaureate degree, who is pursuing a course of study that will lead to certification as a teacher, to licensure as a speech pathologist or to attainment of child care provider qualifications and who has met other eligibility criteria established by rule of the authority.

[PL 2003, c. 427, §8 (AMD).]

SECTION HISTORY

PL 1983, c. 859, §§F1,F2 (NEW). PL 1989, c. 414, §23 (AMD). PL 1989, c. 698, §35 (AMD). PL 1991, c. 553, §6 (AMD). PL 1995, c. 117, §E8 (AMD). PL 1995, c. 117, §E13 (AFF). PL 1999, c. 441, §9 (AMD). PL 2003, c. 427, §§6-8 (AMD). PL 2019, c. 303, §7 (AMD).

§12506. Payment provisions

Payment of loans shall be made directly to the institution for credit to the student's account and be made within 60 days following evidence that the student has become duly enrolled at the post-secondary institution. [PL 1983, c. 859, Pt. F, §§1, 2 (NEW).]

These loans must only be used to substitute or replace the family contribution or interest-accruing loans. A loan recipient may not receive student financial assistance in excess of the cost of attendance. [PL 2003, c. 427, §9 (AMD).]

If a recipient of a loan withdraws from an institution and if the student is entitled to a refund of tuition, fees or other charges, the institution shall pay directly to the authority from that refund a sum which represents the portion of the loan paid to the student for the portion of the academic year that the student did not complete. [PL 1989, c. 698, §36 (AMD).]

SECTION HISTORY

PL 1983, c. 859, §§F1,F2 (NEW). PL 1989, c. 7, §O5 (AMD). PL 1989, c. 698, §36 (AMD). PL 2003, c. 427, §9 (AMD).

§12507. Repayment and return service provisions

Each student who receives a loan may cancel the total amount of the loan by completing one year of return service in a public school, publicly supported secondary school, special education facility as defined in section 7001, subsection 6 or private school approved for tuition purposes in the State for each year the individual receives a loan. An individual who received that individual's first program loan after January 1, 2000 may also cancel the total amount of the loan by completing one year of return service by working in a child care facility. The return service requirement is one year for every 2 years or less that the individual receives a loan if return service is performed in an underserved subject area or an underserved geographic area. Return service for this purpose must be performed within 10 years of graduation from the institution of higher education. If the chief executive officer grants a deferment, the time period for performance of return service may be extended for the same period as the deferment. Return service may not be credited for the same semester for which an individual receives a loan pursuant to this chapter. Pro rata loan forgiveness may be granted for part-time return service as determined by rule of the authority. Failure to fulfill the return service option necessitates repayment to the authority as follows. [PL 2019, c. 303, §8 (AMD).]

1. Debt calculation. The debt must include the total amount of the loan and interest at the rate established by rule of the authority, less the amount, if any, that has been cancelled by return service.

[PL 1997, c. 489, §8 (AMD).]

2. Time for repayment. The total debt must be repaid to the authority within 11 years of graduation from the institution of higher education according to a schedule established by the chief executive officer. Due dates for repayments are set by the chief executive officer and may be extended for the same period of any deferment granted by the chief executive officer.

[PL 2003, c. 427, §10 (AMD).]

3. Deferment. A recipient of a loan may seek a deferment of the annual payments for a period or periods as established by rule of the authority. A request for deferment must be made to the chief executive officer who shall make a determination on a case-by-case basis. The chief executive officer may grant a deferment in the event that a recipient of a loan evidences intent to teach and inability to secure employment necessary to obtain forgiveness of the loan at the time the deferment is sought. The chief executive officer shall require certification of the intent annually and grant a deferment for each successful request for deferment for a period not to exceed one year. The chief executive officer may establish limits to the number of deferments that may be granted to any recipient by rule of the authority.

[PL 2003, c. 427, §10 (AMD).]

4. Child development students.

[PL 2003, c. 427, §10 (RP).]

5. Death or disability. The authority may forgive loans of loan recipients who have died or who have become permanently disabled, as determined by the chief executive officer.

[PL 2003, c. 427, §10 (NEW).]

SECTION HISTORY

PL 1983, c. 859, §§F1,F2 (NEW). PL 1985, c. 819, §C2 (AMD). PL 1989, c. 698, §§37-39 (AMD). PL 1991, c. 612, §16 (AMD). PL 1991, c. 664, §2 (AMD). PL 1995, c. 117, §E9 (AMD). PL 1995, c. 117, §E13 (AFF). PL 1997, c. 489, §8 (AMD). PL 1999, c. 441, §10 (AMD). PL 1999, c. 783, §5 (AMD). PL 2003, c. 427, §10 (AMD). PL 2019, c. 303, §8 (AMD).

§12508. Repayment and return service provisions - loans for teachers and speech pathologists and students pursuing postbaccalaureate certification

(REPEALED)

SECTION HISTORY

PL 1983, c. 859, §§F1,F2 (NEW). PL 1989, c. 698, §§40,41 (AMD). PL 1991, c. 553, §7 (AMD). PL 1991, c. 664, §3 (AMD). PL 1995, c. 117, §E10 (AMD). PL 1995, c. 117, §E13 (AFF). PL 1997, c. 24, §G2 (AMD). PL 1999, c. 441, §11 (AMD). PL 2003, c. 427, §11 (RP).

§12509. Nonlapsing revolving fund

The Educators for Maine fund is created under the jurisdiction of the authority as a nonlapsing, interest-earning, revolving fund to carry out the purposes of this chapter. Any unexpended balance in the Educators for Maine fund carries over for continued use under this chapter. The authority may receive, invest and expend, on behalf of the funds, money from gifts, grants, bequests, loans, including loans obtained pursuant to chapter 417-B, and donations, in addition to money appropriated or allocated by the State. Loan repayments under this section or other repayments to the authority must be invested by the authority, as provided by law, with the earned income to be added to the fund. Money received by the authority on behalf of the fund, except interest income, must be used for the designated purpose; interest income may be used for the designated purpose or to pay student financial assistance administrative costs incurred by the authority as determined appropriate by the authority. [PL 1999, c. 441, §12 (AMD).]

SECTION HISTORY

PL 1983, c. 859, §§F1,F2 (NEW). PL 1989, c. 698, §42 (RPR). PL 1993, c. 410, §EEEE4 (AMD). PL 1995, c. 117, §E11 (AMD). PL 1995, c. 117, §§E12,13 (AFF). PL 1999, c. 441, §12 (AMD).

§12510. Rules

(REPEALED)

SECTION HISTORY

PL 1983, c. 859, §§F1,F2 (NEW). PL 1989, c. 698, §43 (RP).

§12511. Rules

Rules adopted by the authority pursuant to this chapter are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A. [PL 2003, c. 427, §12 (NEW).]

SECTION HISTORY

PL 2003, c. 427, §12 (NEW).

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