

112TH CONGRESS
2D SESSION

S. 3582

To improve quality and accountability for educator preparation programs.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 20, 2012

Mr. REED introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To improve quality and accountability for educator preparation programs.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Educator Preparation
5 Reform Act”.

6 **TITLE I—EDUCATOR QUALITY**
7 **ENHANCEMENT**

8 **SEC. 101. DEFINITIONS.**

9 Section 200 of the Higher Education Act of 1965 (20
10 U.S.C. 1021) is amended—

11 (1) by striking paragraph (22);

1 (2) by redesignating paragraphs (6), (7), (8)
2 through (19), (20), (21), and (23), as paragraphs
3 (7), (8), (10) through (21), (23), (24), and (28), re-
4 spectively;

5 (3) by inserting after paragraph (5) the fol-
6 lowing:

7 “(6) EDUCATOR.—The term ‘educator’ means a
8 teacher, principal, specialized instructional support
9 personnel, or other staff member who provides or di-
10 rectly supports instruction, such as a school librar-
11 ian, counselor, or paraprofessional.”;

12 (4) by inserting after paragraph (8), as redesi-
13 gnated by paragraph (2), the following:

14 “(9) EVIDENCE OF STUDENT LEARNING.—The
15 term ‘evidence of student learning’ means multiple
16 measures of student learning that shall include not
17 less than two of the following:

18 “(A) Student assessment data, which may
19 include valid and reliable data—

20 “(i) based on student learning gains
21 on State student academic assessments
22 under section 111(b)(3) of the Elementary
23 and Secondary Education Act of 1965 and
24 other State student academic achievement
25 assessments, where available;

1 “(ii) from formative assessments;

2 “(iii) from summative assessments;

3 and

4 “(iv) from objective performance-
5 based assessments.

6 “(B) Student work, including measures of
7 performance criteria and evidence of student
8 growth.

9 “(C) Teacher-generated information about
10 student goals and growth.

11 “(D) Parental feedback about student
12 goals and growth.

13 “(E) Assessments of affective engagement
14 and self-efficacy.

15 “(F) Other appropriate measures as deter-
16 mined by the State.”;

17 (5) by striking paragraph (12), as redesignated
18 by paragraph (2), and inserting the following:

19 “(12) HIGH-NEED LOCAL EDUCATIONAL AGEN-
20 CY.—The term ‘high-need local educational agency’
21 means a local educational agency—

22 “(A)(i) that serves not fewer than 10,000
23 low-income children;

1 “(ii) for which not less than 20 percent of
2 the children served by the agency are low-in-
3 come children;

4 “(iii) that meets the eligibility require-
5 ments for funding under the Small, Rural
6 School Achievement Program under section
7 6211(b) of the Elementary and Secondary Edu-
8 cation Act of 1965 or the Rural and Low-In-
9 come School Program under section 6221(b) of
10 such Act; or

11 “(iv) that has a percentage of low-income
12 children that is in the highest quartile among
13 such agencies in the State; and

14 “(B)(i) for which 1 or more schools served
15 by the agency is persistently low achieving; or

16 “(ii) for which 1 or more schools served by
17 the agency has a high teacher turnover rate.”;

18 (6) by striking paragraph (16), as redesignated
19 by paragraph (2), and inserting the following:

20 “(16) INDUCTION PROGRAM.—The term ‘induc-
21 tion program’ means a formalized program for new
22 teachers and principals during not less than the first
23 2 years of teaching or leading a school that is de-
24 signed to provide support for, improve the profes-
25 sional performance of, and advance the retention of

1 beginning teachers and principals. Such program
2 shall promote effective teaching and leadership skills
3 and shall include the following components:

4 “(A) High-quality mentoring.

5 “(B) Periodic, structured time for collabora-
6 tion and classroom observation opportunities
7 with teachers in the same department or field,
8 including mentor teachers, as well as time for
9 information-sharing among teachers, principals,
10 administrators, other appropriate educators,
11 and participating faculty in the partner institu-
12 tion.

13 “(C) The application of empirically based
14 practice and scientifically valid research on in-
15 structional practices.

16 “(D) Opportunities for new teachers and
17 principals to draw directly on the expertise of
18 mentors, faculty, local educational agency per-
19 sonnel, and researchers to support the integra-
20 tion of empirically based practice and scientif-
21 ically valid research with practice.

22 “(E) The development of skills in instruc-
23 tional and behavioral interventions derived from
24 empirically based practice, and where applica-
25 ble, scientifically valid research.

1 “(F) Faculty who—

2 “(i) model the integration of research
3 and practice in the classroom; and

4 “(ii) assist new teachers and prin-
5 cipals with the effective use and integra-
6 tion of technology in instruction.

7 “(G) Interdisciplinary collaboration among
8 exemplary teachers, principals, faculty, re-
9 searchers, other educators, and other staff who
10 prepare new teachers and principals with re-
11 spect to the learning process and the assess-
12 ment of learning.

13 “(H) Assistance with the understanding of
14 data, particularly student achievement data,
15 and the application of such data in classroom
16 instruction.

17 “(I) Regular, structured observation and
18 evaluation of new teachers by multiple eval-
19 uators, using valid and reliable measures of
20 teaching and leadership skills.”;

21 (7) by inserting after paragraph (21), as reded-
22 ignated by paragraph (2), the following:

23 “(22) RESIDENCY PROGRAM.—The term ‘resi-
24 dency program’ means a school-based educator prep-

1 aration program in which a prospective teacher,
2 principal, or other educator—

3 “(A) for 1 academic year, works alongside
4 a mentor teacher, principal, or other educator
5 who is the educator of record;

6 “(B) receives concurrent instruction during
7 the year described in subparagraph (A) from
8 the partner institution, which courses may be
9 taught by local educational agency personnel or
10 residency program faculty, in—

11 “(i) the teaching of the content area
12 in which the teacher will become certified
13 or licensed;

14 “(ii) pedagogical practices; and

15 “(iii) leadership, management, organi-
16 zational, and instructional skills necessary
17 to serve as a principal;

18 “(C) acquires effective teaching or leader-
19 ship skills; and

20 “(D) prior to completion of the program,
21 earns a master’s degree or other appropriate
22 advanced credential, attains full State teacher
23 or leader certification or licensure, and becomes
24 highly qualified (if applicable).”; and

1 (8) by inserting after paragraph (24), as redesi-
2 gnated by paragraph (2), the following:

3 “(25) TEACHER PERFORMANCE ASSESSMENT.—

4 The term ‘teacher performance assessment’ means
5 an assessment used to measure teacher performance
6 that is approved by the State and is—

7 “(A) based on professional teaching stand-
8 ards;

9 “(B) used to measure the effectiveness of
10 a teacher’s—

11 “(i) curriculum planning;

12 “(ii) instruction of students, including
13 appropriate plans and modifications for
14 students who are limited English proficient
15 and students who are children with disabili-
16 ties; and

17 “(iii) assessment of students, includ-
18 ing analysis of evidence of student learn-
19 ing;

20 “(C) validated based on professional as-
21 sessment standards;

22 “(D) reliably scored by trained evaluators,
23 with appropriate oversight of the process to en-
24 sure consistency; and

1 “(E) used to support continuous improve-
2 ment of educator practice.

3 “(26) TEACHER PREPARATION ENTITY.—The
4 term ‘teacher preparation entity’ means an institu-
5 tion of higher education, a nonprofit organization,
6 for-profit organization, or other organization that is
7 approved by the State to prepare teachers to be ef-
8 fective in the classroom.

9 “(27) TEACHER PREPARATION PROGRAM.—The
10 term ‘teacher preparation program’ means a pro-
11 gram offered by a teacher preparation entity that
12 leads to a specific State teacher certification.”.

13 **SEC. 102. EDUCATOR QUALITY ENHANCEMENT.**

14 Section 201 of the Higher Education Act of 1965 (20
15 U.S.C. 1022) is amended—

16 (1) in paragraph (2), by inserting “, principals,
17 and other educators” after “teachers” each place the
18 term appears;

19 (2) in paragraph (3), by striking “and” after
20 the semicolon;

21 (3) by striking paragraph (4) and inserting the
22 following:

23 “(4) recruit highly qualified individuals, includ-
24 ing minorities and individuals from other occupa-

1 tions, as teachers, principals, and other educators;
2 and”;

3 (4) by adding at the end the following:

4 “(5) meet the staffing needs of high-need local
5 educational agencies and high-need schools through
6 close partnerships with educator preparation pro-
7 grams within institutions of higher education.”.

8 **SEC. 103. PARTNERSHIP GRANTS.**

9 Section 202 of the Higher Education Act of 1965 (20
10 U.S.C. 1022a) is amended—

11 (1) in subsection (b)—

12 (A) in paragraph (1), by inserting “other
13 educators,” after “principals,”;

14 (B) by striking paragraph (2) and insert-
15 ing the following:

16 “(2) a description of the extent to which the
17 program to be carried out with grant funds, as de-
18 scribed in subsection (c), will prepare prospective
19 and new educators with strong teaching, leadership,
20 and other professional skills necessary to increase
21 learning and academic achievement;”;

22 (C) in paragraph (3), by inserting “, prin-
23 cipals, and other educators” after “teachers”;

24 (D) in paragraph (4)—

1 (i) in subparagraph (A), by inserting
2 “, principal, and other educator” after
3 “teacher”; and

4 (ii) in subparagraph (B), by striking
5 “teacher” and inserting “educator”;
6 (E) in paragraph (6)—

7 (i) by striking subparagraph (F) and
8 inserting the following:

9 “(F) how the partnership will prepare edu-
10 cators to teach and work with students with
11 disabilities, including training related to partici-
12 pation as a member of individualized education
13 program teams, as defined in section
14 614(d)(1)(B) of the Individuals with Disabil-
15 ities Education Act;”;

16 (ii) by striking subparagraph (G) and
17 inserting the following:

18 “(G) how the partnership will prepare edu-
19 cators to teach and work with students who are
20 limited English proficient;”;

21 (iii) by striking subparagraph (H) and
22 inserting the following:

23 “(H) how faculty at the partner institution
24 will work, during the term of the grant, with
25 mentor educators in the classrooms and admin-

1 istrators of high-need schools served by the
2 high-need local educational agency in the part-
3 nership to—

4 “(i) provide high-quality professional
5 development activities to strengthen the
6 content knowledge and teaching skills of
7 elementary school and secondary school
8 teachers and other educators, including
9 multi-tiered systems of support and uni-
10 versal design for learning;

11 “(ii) train other classroom teachers,
12 principals, school librarians, and other edu-
13 cators to implement literacy programs that
14 incorporate the essential components of
15 reading and writing instruction; and

16 “(iii) provide high-quality professional
17 development activities to strengthen the in-
18 structional and leadership skills of elemen-
19 tary school and secondary school principals
20 and district superintendents, if the partner
21 institution has a principal preparation pro-
22 gram;”;

23 (iv) in subparagraph (I), by striking
24 “teaching” and inserting “educator”; and

1 (v) in subparagraph (K), by striking
2 “teachers” and inserting “educators”; and
3 (F) by striking paragraph (7) and insert-
4 ing the following:

5 “(7) with respect to the induction program re-
6 quired as part of the activities carried out under this
7 section—

8 “(A) a description of how the schools and
9 departments within the institution of higher
10 education that are part of the induction pro-
11 gram will effectively prepare educators, includ-
12 ing providing content expertise and expertise in
13 teaching and leadership, as appropriate;

14 “(B) a description of the eligible partner-
15 ship’s capacity to use empirically based practice
16 and scientifically valid research on teaching and
17 learning;

18 “(C) a description of how the educator
19 preparation program will design and implement
20 an induction program to support all new edu-
21 cators who are prepared by the educator prepa-
22 ration program in the partnership and who are
23 employed in the high-need local educational
24 agency in the partnership, and, to the extent

1 practicable, all new educators who teach in such
2 high-need local educational agency; and

3 “(D) a description of how higher education
4 faculty involved in the induction program will
5 be able to substantially participate in an early
6 childhood education program or an elementary
7 school or secondary school classroom setting, as
8 applicable.”;

9 (2) by striking subsection (c) and inserting the
10 following:

11 “(c) USE OF GRANT FUNDS.—An eligible partner-
12 ship that receives a grant under this section—

13 “(1) shall use grant funds to carry out a pro-
14 gram for the pre-baccalaureate or post-baccalaureate
15 preparation of teachers under subsection (d), a
16 teaching or principal residency program under sub-
17 section (e), or a combination of such programs; and

18 “(2) may use funds to carry out other educator
19 development programs under subsection (f), based
20 upon the results of the needs assessment in sub-
21 section (b)(1).”;

22 (3) by striking subsection (e) and inserting the
23 following:

1 “(e) PARTNERSHIP GRANTS FOR THE ESTABLISH-
2 MENT OF TEACHING AND PRINCIPAL RESIDENCY PRO-
3 GRAMS.—

4 “(1) IN GENERAL.—An eligible partnership re-
5 ceiving a grant to carry out an effective teaching or
6 principal residency program shall carry out a pro-
7 gram that includes the following activities:

8 “(A) FOR TEACHING RESIDENCY PRO-
9 GRAMS.—An eligible partnership carrying out a
10 teaching residency program shall carry out both
11 of the following activities:

12 “(i) Supporting a teaching residency
13 program described in paragraph (2) for
14 high-need schools and in high-need sub-
15 jects and areas, as determined by the
16 needs of the high-need local educational
17 agency in the partnership.

18 “(ii) Placing graduates of the teach-
19 ing residency program in cohorts that fa-
20 cilitate professional collaboration, both
21 among graduates of the residency program
22 and between such graduates and mentor
23 teachers in the receiving school.

24 “(B) FOR PRINCIPAL RESIDENCY PRO-
25 GRAMS.—An eligible partnership carrying out a

1 principal residency program shall support a
2 program described in paragraph (3) for high-
3 need schools, as determined by the needs of the
4 high-need local educational agency in the part-
5 nership.

6 “(2) TEACHER RESIDENCY PROGRAMS.—

7 “(A) ESTABLISHMENT AND DESIGN.—A
8 teaching residency program under this para-
9 graph shall be a program based upon models of
10 successful teaching residencies that serves as a
11 mechanism to prepare teachers for success in
12 high-need schools in the eligible partnership and
13 shall be designed to include the following char-
14 acteristics of successful programs:

15 “(i) The integration of pedagogy,
16 classroom practice and teacher mentoring.

17 “(ii) Engagement of teaching resi-
18 dents in rigorous graduate-level coursework
19 to earn a master’s degree while under-
20 taking a guided teaching apprenticeship.

21 “(iii) Experience and learning oppor-
22 tunities alongside a trained and experi-
23 enced mentor teacher—

24 “(I) whose teaching shall com-
25 plement the residency program so that

1 school-based clinical practice is tightly
2 aligned with coursework;

3 “(II) who shall have extra re-
4 sponsibilities as a teacher leader of
5 the teaching residency program, as a
6 mentor for residents, and as a teacher
7 coach during the induction program
8 for new teachers, and for establishing,
9 within the program, a learning com-
10 munity in which all individuals are ex-
11 pected to continually improve their ca-
12 pacity to advance student learning;
13 and

14 “(III) who may be relieved from
15 teaching duties or may be offered a
16 stipend as a result of such additional
17 responsibilities.

18 “(iv) The establishment of clear cri-
19 teria for the selection of mentor teachers
20 based on the appropriate subject area
21 knowledge and measures of teacher effec-
22 tiveness, which shall be based on, but not
23 limited to, observations of the following:

24 “(I) Planning and preparation,
25 including demonstrated knowledge of

1 content, pedagogy, and assessment,
2 including the use of formative,
3 summative, and diagnostic assess-
4 ments to improve student learning.

5 “(II) Appropriate instruction
6 that engages all students.

7 “(III) Collaboration with col-
8 leagues to improve instruction.

9 “(IV) Analysis of evidence of stu-
10 dent learning.

11 “(v) The development of admissions
12 goals and priorities—

13 “(I) that are aligned with the
14 hiring objectives of the local edu-
15 cational agency partnering with the
16 program, as well as the instructional
17 initiatives and curriculum of such
18 agency to hire qualified graduates
19 from the teaching residency program;
20 and

21 “(II) which may include consider-
22 ation of applicants who reflect the
23 communities in which they will teach
24 as well as consideration of individuals

1 from underrepresented populations in
2 the teaching profession.

3 “(vi) Support for residents once such
4 residents are hired as the teachers of
5 record, through an induction program, pro-
6 fessional development, and networking op-
7 portunities to support the residents
8 through not less than the residents’ first 2
9 years of teaching.

10 “(B) SELECTION OF INDIVIDUALS AS
11 TEACHER RESIDENTS.—

12 “(i) ELIGIBLE INDIVIDUAL.—In order
13 to be eligible to be a teacher resident in a
14 teacher residency program under this para-
15 graph, an individual shall—

16 “(I) be a recent graduate of a
17 four-year institution of higher edu-
18 cation or a mid-career professional
19 possessing strong content knowledge
20 of a record of professional accomplish-
21 ment; and

22 “(II) submit an application to
23 the residency program.

24 “(ii) SELECTION CRITERIA.—An eligi-
25 ble partnership carrying out a teaching

1 residency program under this subsection
2 shall establish criteria for the selection of
3 eligible individuals to participate in the
4 teaching residency program based on the
5 following characteristics:

6 “(I) Strong content knowledge or
7 record of accomplishment in the field
8 or subject area to be taught.

9 “(II) Strong verbal and written
10 communication skills, which may be
11 demonstrated by performance on ap-
12 propriate assessments.

13 “(III) Other attributes linked to
14 effective teaching, which may be de-
15 termined by interviews or performance
16 assessments, as specified by the eligi-
17 ble partnership.

18 “(3) PRINCIPAL RESIDENCY PROGRAMS.—

19 “(A) ESTABLISHMENT AND DESIGN.—A
20 principal residency program under this para-
21 graph shall be a program based upon models of
22 successful principal residencies that serve as a
23 mechanism to prepare principals for success in
24 high-need schools in the eligible partnership and

1 shall be designed to include the following char-
2 acteristics of successful programs:

3 “(i) Engagement of principal resi-
4 dents in rigorous graduate-level coursework
5 to earn an appropriate advanced credential
6 while undertaking a guided principal ap-
7 prenticeship.

8 “(ii) Experience and learning opportu-
9 nities alongside a trained and experienced
10 mentor principal—

11 “(I) whose mentoring shall be
12 based on standards of effective men-
13 toring practice and shall complement
14 the residence program so that school-
15 based clinical practice is tightly
16 aligned with coursework; and

17 “(II) who may be relieved from
18 some portion of principal duties or
19 may be offered a stipend as a result
20 of such additional responsibilities.

21 “(iii) The establishment of clear cri-
22 teria for the selection of mentor principals,
23 which may be based on observations of the
24 following:

1 “(I) Demonstrating awareness of,
2 and having experience with, the
3 knowledge, skills, and attitudes to—

4 “(aa) establish and maintain
5 a professional learning commu-
6 nity that effectively extracts in-
7 formation from data to improve
8 the school culture and personalize
9 instruction for all students to re-
10 sult in improved student achieve-
11 ment;

12 “(bb) create and maintain a
13 learning culture within the school
14 that provides a climate conducive
15 to the development of all mem-
16 bers of the school community, in-
17 cluding one of continuous learn-
18 ing for adults tied to student
19 learning and other school goals;

20 “(cc) engage in continuous
21 professional development, uti-
22 lizing a combination of academic
23 study, developmental simulation
24 exercises, self-reflection, mentor-
25 ship, and internship;

1 “(dd) understand youth de-
2 velopment appropriate to the age
3 level served by the school, and
4 use this knowledge to set high ex-
5 pectations and standards for the
6 academic, social, emotional, and
7 physical development of all stu-
8 dents; and

9 “(ee) actively engage the
10 community to create shared re-
11 sponsibility for student academic
12 performance and successful de-
13 velopment.

14 “(II) Planning and articulating a
15 shared and coherent schoolwide direc-
16 tion and policy for achieving high
17 standards of student performance.

18 “(III) Identifying and imple-
19 menting the activities and rigorous
20 curriculum necessary for achieving
21 such standards of student perform-
22 ance.

23 “(IV) Supporting a culture of
24 learning, collaboration, and profes-

1 sional behavior and ensuring quality
2 measures of instructional practice.

3 “(V) Communicating and engag-
4 ing parents, families, and other exter-
5 nal communities.

6 “(VI) Collecting, analyzing, and
7 utilizing data and other evidence of
8 student learning and evidence of class-
9 room practice to guide decisions and
10 actions for continuous improvement
11 and to ensure performance account-
12 ability.

13 “(iv) The development of admissions
14 goals and priorities—

15 “(I) that are aligned with the
16 hiring objectives of the local edu-
17 cational agency partnering with the
18 program, as well as the instructional
19 initiatives and curriculum of such
20 agency to hire qualified graduates
21 from the principal residency program;
22 and

23 “(II) which may include consider-
24 ation of applicants who reflect the
25 communities in which they will serve

1 as well as consideration of individuals
2 from underrepresented populations in
3 school leadership positions.

4 “(v) Support for residents once such
5 residents are hired as principals, through
6 an induction program, professional devel-
7 opment to support the knowledge and skills
8 of the principal in a continuum of learning
9 and content expertise in developmentally
10 appropriate or age-appropriate educational
11 practices, and networking opportunities to
12 support the residents through not less than
13 the residents’ first 2 years of serving as
14 principal of a school.

15 “(B) SELECTION OF INDIVIDUALS AS
16 PRINCIPAL RESIDENTS.—

17 “(i) ELIGIBLE INDIVIDUAL.—In order
18 to be eligible to be a principal resident in
19 a principal residency program under this
20 paragraph, an individual shall—

21 “(I) have prior prekindergarten
22 through grade 12 teaching experience;

23 “(II) have experience as an effec-
24 tive leader, manager, and written and
25 oral communicator; and

1 “(III) submit an application to
2 the residency program.

3 “(ii) SELECTION CRITERIA.—An eligi-
4 ble partnership carrying out a principal
5 residency program under this subsection
6 shall establish criteria for the selection of
7 eligible individuals to participate in the
8 principal residency program based on the
9 following characteristics:

10 “(I) Strong instructional leader-
11 ship skills in an elementary school or
12 secondary school setting.

13 “(II) Strong verbal and written
14 communication skills, which may be
15 demonstrated by performance on ap-
16 propriate assessments.

17 “(III) Other attributes linked to
18 effective leadership, such as sound
19 judgment, organizational capacity, col-
20 laboration, and openness to contin-
21 uous learning, which may be deter-
22 mined by interviews or performance
23 assessment, as specified by the eligible
24 partnership.

1 “(4) STIPENDS OR SALARIES; APPLICATIONS;
2 AGREEMENTS; REPAYMENTS.—

3 “(A) STIPENDS OR SALARIES.—A teaching
4 or principal residency program under this sub-
5 section—

6 “(i) shall provide a 1-year living sti-
7 pend or salary to teaching or principal
8 residents during the 1-year teaching or
9 principal residency program; and

10 “(ii) may provide a stipend to a men-
11 tor teacher or mentor principal.

12 “(B) APPLICATIONS FOR STIPENDS OR
13 SALARIES.—Each teacher or principal residency
14 candidate desiring a stipend or salary during
15 the period of residency shall submit an applica-
16 tion to the eligible partnership at such time,
17 and containing such information and assur-
18 ances, as the eligible partnership may require.

19 “(C) AGREEMENTS TO SERVE.—Each ap-
20 plication submitted under subparagraph (B)
21 shall contain or be accompanied by an agree-
22 ment that the applicant will—

23 “(i) serve as a full-time teacher or
24 principal for a total of not less than 3 aca-
25 demic years immediately after successfully

1 completing the 1-year teaching or principal
2 residency program;

3 “(ii) fulfill the requirement under
4 clause (i)—

5 “(I) by teaching or serving as a
6 principal in a high-need school served
7 by the high-need local educational
8 agency in the eligible partnership and,
9 if a teacher, teaching a subject or
10 area that is designated as high need
11 by the partnership; or

12 “(II) if there is no appropriate
13 position available in a high-need
14 school served by the high-need local
15 educational agency in the eligible
16 partnership, by teaching or serving as
17 a principal in any other high-need
18 school;

19 “(iii) provide to the eligible partner-
20 ship a certificate, from the chief adminis-
21 trative officer of the local educational
22 agency in which the resident is employed,
23 of the employment required under clauses
24 (i) and (ii) at the beginning of, and upon

1 completion of, each year or partial year of
2 service;

3 “(iv) for teacher residents, meet the
4 requirements to be a highly qualified
5 teacher, as defined in section 9101 of the
6 Elementary and Secondary Education Act
7 of 1965, or section 602 of the Individuals
8 with Disabilities Education Act, when the
9 applicant begins to fulfill the service obli-
10 gation under this clause; and

11 “(v) comply with the requirements set
12 by the eligible partnership under subpara-
13 graph (D) if the applicant is unable or un-
14 willing to complete the service obligation
15 required by this subparagraph.

16 “(D) REPAYMENTS.—

17 “(i) IN GENERAL.—An eligible part-
18 nership carrying out a teaching or prin-
19 cipal residency program under this sub-
20 section shall require a recipient of a sti-
21 pend or salary under subparagraph (A)
22 who does not complete, or who notifies the
23 partnership that the recipient intends not
24 to complete, the service obligation required
25 by subparagraph (C) to repay such stipend

1 or salary to the eligible partnership, to-
2 gether with interest, at a rate specified by
3 the partnership in the agreement, and in
4 accordance with such other terms and con-
5 ditions specified by the eligible partnership,
6 as necessary.

7 “(ii) OTHER TERMS AND CONDI-
8 TIONS.—Any other terms and conditions
9 specified by the eligible partnership may
10 include reasonable provisions for prorata
11 repayment of the stipend or salary de-
12 scribed in subparagraph (A) or for deferral
13 of a teaching resident’s service obligation
14 required by subparagraph (C), on grounds
15 of health, incapacitation, inability to secure
16 employment in a school served by the eligi-
17 ble partnership, being called to active duty
18 in the Armed Forces of the United States,
19 or other extraordinary circumstances.

20 “(iii) USE OF REPAYMENTS.—An eli-
21 gible partnership shall use any repayment
22 received under this subparagraph to carry
23 out additional activities that are consistent
24 with the purposes of this section.”;

1 (4) by striking subsection (f) and inserting the
2 following:

3 “(f) PARTNERSHIP GRANTS FOR EDUCATOR DEVELOPMENT.—An eligible partnership that receives a grant
4 under this section may carry out effective educator development programs for other educators besides teachers and
5 principals based on the needs identified in subsection
6 (b)(1) that may include the following activities:
7

8 “(1) Implementing curriculum changes that improve, evaluate, and assess how well prospective and
9 new educators develop instructional skills.
10

11 “(2) Preparing educators to use empirically based practice and scientifically valid research,
12 where applicable.
13

14 “(3) Providing pre-service clinical experience.
15

16 “(4) Creating induction programs for new educators.
17

18 “(5) Aligning recruitment and admissions goals and priorities with the hiring objectives of the high-
19 need local educational agency in the eligible partnership.
20

21 “(6) Professional development and training for mentor teachers and principals.”; and
22

23 (5) by adding at the end the following:
24

1 “(1) CONTINUATION OF AWARDS.—Notwithstanding
2 any other provision of law, from funds appropriated to
3 carry out this part, the Secretary shall continue to fund
4 any multiyear grant awarded under this part (as such pro-
5 visions were in effect on the day before the date of enact-
6 ment of the Educator Preparation Reform Act), for the
7 duration of such multiyear grant in accordance with its
8 terms.”.

9 **SEC. 104. ADMINISTRATIVE PROVISIONS.**

10 Section 203 of the Higher Education Act of 1965 (20
11 U.S.C. 1022b) is amended—

12 (1) in subsection (a), by striking paragraph (2)
13 and inserting the following:

14 “(2) NUMBER OF AWARDS.—An eligible part-
15 nership may not receive more than 1 grant during
16 a 5-year period, except such partnership may receive
17 an additional grant during such period if such grant
18 is used to establish a teacher or principal residency
19 program if such residency program was not estab-
20 lished with the prior grant. Nothing in this title
21 shall be construed to prohibit an individual member,
22 that can demonstrate need, of an eligible partnership
23 that receives a grant under this title from entering
24 into another eligible partnership consisting of new
25 members and receiving a grant with such other eligi-

1 ble partnership before the 5-year period described in
 2 the preceding sentence applicable to the eligible
 3 partnership with which the individual member has
 4 first partnered has expired.”; and

5 (2) in subsection (b)(2)(A), by striking “teacher
 6 preparation program” and inserting “teacher edu-
 7 cation program or educator development program”.

8 **SEC. 105. ACCOUNTABILITY AND EVALUATION.**

9 Section 204(a) of the Higher Education Act of 1965
 10 (20 U.S.C. 1022c(a)) is amended to read as follows

11 “(a) **ELIGIBLE PARTNERSHIP EVALUATION.**—Each
 12 eligible partnership submitting an application for a grant
 13 under this part shall establish, and include in such appli-
 14 cation, an evaluation plan that includes strong and meas-
 15 urable performance objectives. The plan shall include ob-
 16 jectives and measures for—

17 “(1) achievement for all prospective and new
 18 educators as measured by the eligible partnership;

19 “(2) educator retention in the first 3 years;

20 “(3) pass rates and scaled scores for initial
 21 State certification or licensure of teachers or pass
 22 rates and average scores on valid and reliable teach-
 23 er performance assessments; and

24 “(4)(A) the percentage of highly qualified
 25 teachers, principals, and other educators hired by

1 the high-need local educational agency participating
2 in the eligible partnership;

3 “(B) the percentage of highly qualified teach-
4 ers, principals, and other educators hired by the
5 high-need local educational agency who are members
6 of underrepresented groups;

7 “(C) the percentage of highly qualified teachers
8 hired by the high-need local educational agency who
9 teach high-need academic subject areas (such as
10 reading, mathematics, science, and foreign language,
11 including less commonly taught languages and crit-
12 ical foreign languages);

13 “(D) the percentage of highly qualified teachers
14 hired by the high-need local educational agency who
15 teach in high-need areas (including special edu-
16 cation, language instruction educational programs
17 for limited English proficient students, and early
18 childhood education);

19 “(E) the percentage of highly qualified teachers
20 and other educators hired by the high-need local
21 educational agency who teach in high-need schools,
22 disaggregated by the elementary school and sec-
23 ondary school levels;

24 “(F) as applicable, the percentage of early
25 childhood education program classes in the geo-

1 graphic area served by the eligible partnership
 2 taught by early childhood educators who are highly
 3 competent; and

4 “(G) as applicable, the percentage of educators
 5 trained to—

6 “(i) integrate technology effectively into
 7 curricula and instruction, including technology
 8 consistent with the principles of universal de-
 9 sign for learning; and

10 “(ii) use technology effectively to collect,
 11 manage, and analyze data to improve teaching
 12 and learning for the purpose of improving stu-
 13 dent learning outcomes.”.

14 **SEC. 106. ACCOUNTABILITY FOR PROGRAMS THAT PRE-**
 15 **PARE TEACHERS.**

16 Section 205 of the Higher Education Act of 1965 (20
 17 U.S.C. 1022d) is amended—

18 (1) in subsection (a)—

19 (A) by striking the subsection heading and
 20 inserting “TEACHER PREPARATION ENTITY
 21 REPORT CARDS”; and

22 (B) by striking paragraph (1) and insert-
 23 ing the following:

24 “(1) REPORT CARD.—Each teacher preparation
 25 entity approved to operate teacher preparation pro-

1 grams in the State and that receives or enrolls stu-
2 dents receiving Federal assistance shall report annu-
3 ally to the State and the general public, in a uniform
4 and comprehensible manner that conforms with the
5 definitions and methods established by the Sec-
6 retary, the following:

7 “(A) GOALS AND ASSURANCES.—

8 “(i) For the most recent year for
9 which the information is available for the
10 entity whether the goals set under section
11 206 have been met.

12 “(ii) A description of the steps the en-
13 tity is taking to improve its performance in
14 meeting the annual goals set under section
15 206.

16 “(iii) A description of the activities
17 the entity has implemented to meet the as-
18 surances provided under section 206.

19 “(B) PASS RATES AND SCALED SCORES.—

20 For the most recent year for which the informa-
21 tion is available the following:

22 “(i) Except as provided in clause (ii),
23 for those students who took the assess-
24 ments used for teacher certification or li-
25 censure by the State in which the program

1 is located and are enrolled in the teacher
2 preparation program or, and for those who
3 have taken such assessments and have
4 completed the teacher preparation program
5 during the two-year period preceding such
6 year, for each of such assessments—

7 “(I) the percentage of all stu-
8 dents who passed such assessment;

9 “(II) the percentage of students
10 who have taken such assessment who
11 enrolled in and completed the teacher
12 preparation program; and

13 “(III) the average scaled score
14 for all students who took such assess-
15 ment.

16 “(ii) In the case of an entity that re-
17 quires a valid and reliable teacher perform-
18 ance assessment in order to complete the
19 preparation program, the entity is not re-
20 quired to submit the information described
21 in clause (i) but shall submit the pass rate
22 and average score of students taking the
23 teacher performance assessment, disaggre-
24 gated by subject area, race, ethnicity, and
25 gender, except that such disaggregation

1 shall not be required in a case in which the
2 result would reveal personally identifiable
3 information about an individual student.

4 “(C) PROGRAM INFORMATION.—A descrip-
5 tion of the following:

6 “(i) The median grade point average
7 and range of grade point averages for ad-
8 mitted students.

9 “(ii) The average score and range of
10 scores on standardized admissions tests for
11 students admitted to the program.

12 “(iii) The number of students in the
13 program (disaggregated by subject area,
14 race, ethnicity, and gender).

15 “(iv) The number of hours and types
16 of supervised clinical preparation required.

17 “(v) The total number of students
18 who have completed programs for certifi-
19 cation or licensure (disaggregated by sub-
20 ject area, race, ethnicity, and gender).

21 “(D) ACCREDITATION.—Whether the pro-
22 gram is accredited by a specialized accrediting
23 agency recognized by the Secretary for accredi-
24 tation of professional teacher education pro-
25 grams.

1 “(E) DESIGNATION AS LOW-PER-
2 FORMING.—Whether the program has been des-
3 ignated as low-performing by the State under
4 section 207(a).

5 “(F) OUTCOME DATA.—A description of
6 the availability of outcome data for graduates of
7 the teacher preparation entity’s programs, and,
8 where available, the results of such data, in-
9 cluding the following:

10 “(i) The academic performance of the
11 elementary school and secondary school
12 students, including students with disabil-
13 ities and limited English proficient stu-
14 dents, taught by graduates of the teacher
15 preparation entity by subject area and
16 grade.

17 “(ii) Job placement of graduates with-
18 in 12 months of program completion.

19 “(iii) Retention of graduates after 3
20 years.

21 “(iv) Other outcome indicators, such
22 as average results from teacher evalua-
23 tions.”; and

24 (2) in subsection (b)—

25 (A) in paragraph (1)—

1 (i) in subparagraph (A), by inserting
2 “, including teacher performance assess-
3 ments” after “State”;

4 (ii) by striking subparagraph (D) and
5 inserting the following:

6 “(D)(i) Except as provided in clause (ii),
7 for each of the assessments used by the State
8 for teacher certification or licensure—

9 “(I) the percentage of all such stu-
10 dents at all such programs and entities
11 who have taken the assessment who pass
12 such assessment;

13 “(II) the percentage of students who
14 have taken the assessment who enrolled in
15 and completed a teacher preparation pro-
16 gram; and

17 “(III) the average scaled score of indi-
18 viduals participating in such a program, or
19 who have completed such a program dur-
20 ing the two-year period preceding the first
21 year for which the annual State report
22 card is provided, who took each such as-
23 sessment.

24 “(ii) In the case of a State that has imple-
25 mented a valid and reliable teacher performance

1 assessment, the State is not required to submit
2 the information described in clause (i) but shall
3 submit the pass rate and average score of stu-
4 dents taking the teacher performance assess-
5 ment, disaggregated by subject area, race, eth-
6 nicity, and gender, except that such disaggrega-
7 tion shall not be required in a case in which the
8 result would reveal personally identifiable infor-
9 mation about an individual student.”;

10 (iii) by striking subparagraph (G) and
11 inserting the following:

12 “(G) For each teacher preparation pro-
13 gram in the State the following:

14 “(i) The average grade point average
15 and range of grade point averages for ad-
16 mitted students.

17 “(ii) The average score and range of
18 scores on standardized admissions tests for
19 students admitted to the program.

20 “(iii) The number of students in the
21 program (disaggregated by race, ethnicity,
22 and gender).

23 “(iv) The number of hours and types
24 of supervised clinical preparation re-
25 quired.”;

1 (iv) by striking subparagraph (H) and
2 inserting the following:

3 “(H) For the State as a whole, and for
4 each teacher preparation entity in the State,
5 the number of teachers prepared, in the aggregate and reported separately by the following:
6

7 “(i) Area of certification or licensure.

8 “(ii) Academic major.

9 “(iii) Subject area for which the
10 teacher has been prepared to teach.

11 “(iv) The relationship of the subject
12 area and grade span of teachers graduated
13 by the teacher preparation entity to the
14 teacher workforce needs of the State.”;

15 (v) by striking subparagraphs (I), (J),
16 (K), and (L); and

17 (vi) by adding at the end the following:
18

19 “(I) The capacity of the statewide longitudinal data system to report outcome data on
20 the graduates of teacher preparation entities in
21 the State and where available the results of
22 such data on the following:
23

24 “(i) The academic performance of the
25 elementary school and secondary school

1 students, including students with disabili-
 2 ties and limited English proficient stu-
 3 dents, taught by graduates of teacher
 4 preparation entities in the State by subject
 5 area and grade.

6 “(ii) Job placement of program
 7 completers within 12 months of gradua-
 8 tion.

9 “(iii) Retention of program completers
 10 in teaching after 3 years.

11 “(iv) Other outcome indicators, such
 12 as average results from teacher evalua-
 13 tions.”; and

14 (B) by adding at the end the following:

15 “(3) NO REQUIREMENT FOR REPORTING ON
 16 STUDENTS NOT RESIDING IN THE STATE.—Nothing
 17 in this section shall require a State to report data
 18 on program completers who do not reside in such
 19 State.”.

20 **SEC. 107. TEACHER DEVELOPMENT.**

21 Section 206 of the Higher Education Act of 1965 (20
 22 U.S.C. 1022e) is amended—

23 (1) in subsection (a), by striking “Each institu-
 24 tion” and all that follows through “under this Act,”
 25 and inserting “Each teacher preparation entity that

1 enrolls students receiving Federal assistance under
2 this Act, or receives other Federal funding to sup-
3 port its teacher preparation programs,”;

4 (2) in subsection (b)—

5 (A) in the matter preceding paragraph (1),
6 by striking “institution” and inserting “entity”;

7 (B) in paragraph (1), by striking “institu-
8 tion’s” and inserting “entity’s”; and

9 (C) by striking paragraph (3) and insert-
10 ing the following:

11 “(3) prospective teachers receive—

12 “(A) coursework and training in providing
13 instruction in core academic subjects;

14 “(B) training in providing instruction to
15 diverse populations, including children with dis-
16 abilities, limited English proficient students,
17 and children from low-income families; and

18 “(C) training on how to effectively teach in
19 urban and rural schools, as applicable.”; and

20 (3) in subsection (c), by striking “institution”
21 and inserting “entity”.

22 **SEC. 108. STATE FUNCTIONS.**

23 Section 207 of the Higher Education Act of 1965 (20
24 U.S.C. 1022f) is amended to read as follows:

1 **“SEC. 207. STATE FUNCTIONS.**

2 “(a) STATE ASSESSMENT.—

3 “(1) IN GENERAL.—In order to receive funds
4 under this Act, a State shall conduct an assessment
5 to identify low-performing teacher preparation pro-
6 grams in the State and to assist such programs
7 through the provision of technical assistance.

8 “(2) PROVISION OF LOW PERFORMING LIST.—

9 Each State described in paragraph (1) shall—

10 “(A) provide the Secretary with an annual
11 list of low-performing teacher preparation pro-
12 grams and an identification of those programs
13 at risk of being placed on such list, as applica-
14 ble;

15 “(B) report any teacher preparation pro-
16 gram that has been closed and the reasons for
17 such closure; and

18 “(C) describe the assessment, described in
19 paragraph (1), in the report under section
20 205(b).

21 “(3) DETERMINATION OF AT RISK AND LOW-
22 PERFORMING PROGRAMS.—The levels of perform-
23 ance and the criteria for meeting those levels for
24 purposes of the assessment under paragraph (1)
25 shall be determined solely by the State in consulta-
26 tion with a representative group of community

1 stakeholders, including, at a minimum, representa-
2 tives of leaders and faculty of traditional and alter-
3 native route teacher preparation programs, pre-kin-
4 dergarten through 12th grade leaders and instruc-
5 tional staff, current teacher candidates participating
6 in traditional and alternative route teacher prepara-
7 tion programs, the State’s standards board or other
8 appropriate standards body, and other stakeholders
9 identified by the State.

10 “(b) REPORTING AND IMPROVEMENT.—In order to
11 receive funds under this Act, a State shall—

12 “(1) report any programs described in sub-
13 section (a) to the Secretary;

14 “(2) establish a period of improvement and re-
15 design (as established by the State) for programs
16 designated as low performing under subsection (a);
17 and

18 “(3) subject programs described in paragraph
19 (2) (after such period of improvement and redesign)
20 to the provisions described in subsection (c) (as de-
21 termined by the State).

22 “(c) TERMINATION OF ELIGIBILITY.—Any educator
23 preparation program from which the State has withdrawn
24 the State’s approval, or terminated the State’s financial

1 support, due to the low performance of the program based
2 upon the State assessment described in subsection (a)—

3 “(1) shall be ineligible for any funding for pro-
4 fessional development activities awarded by the De-
5 partment;

6 “(2) may not be permitted to accept or enroll
7 any student who receives aid under title IV or an
8 education award through the Corporation for Na-
9 tional and Community Service in the institution’s
10 teacher preparation program;

11 “(3) shall provide transitional support, includ-
12 ing remedial services if necessary, for students en-
13 rolled at the institution at the time of termination
14 of financial support or withdrawal of approval; and

15 “(4) shall be reinstated upon demonstration of
16 improved performance, as determined by the State.

17 “(d) APPLICATION OF THE REQUIREMENTS.—The
18 requirements of this section shall apply to both traditional
19 teacher preparation programs and alternative routes to
20 State certification and licensure programs.”.

21 **SEC. 109. AUTHORIZATION OF APPROPRIATIONS.**

22 Section 209 of the Higher Education Act of 1965 (20
23 U.S.C. 1022h) is amended—

24 (1) by striking “2009” and inserting “2013”;
25 and

1 (2) by striking “two” and inserting “5”.

2 **TITLE II—PARTNERSHIPS WITH**
 3 **HIGHER EDUCATION TO IM-**
 4 **PROVE TEACHER PREPARA-**
 5 **TION PROGRAMS**

6 **SEC. 201. STATE USE OF FUNDS.**

7 Section 2113 of the Elementary and Secondary Edu-
 8 cation Act of 1965 (20 U.S.C. 6613) is amended—

9 (1) in subsection (a)(2) by striking “to make
 10 subgrants” and all that follows and inserting “for
 11 activities consistent with subpart 3; and”; and

12 (2) by adding at the end the following:

13 “(g) **ADDITIONAL ACTIVITIES.**—The State edu-
 14 cational agency for a State that receives a grant under
 15 section 2111 shall assist the State higher education agen-
 16 cy (if the State higher education agency is not the State
 17 educational agency) in conducting the activities described
 18 under subpart 3.

19 “(h) **ACTIVITIES RELATED TO THE HIGHER EDU-**
 20 **CATION ACT.**—A State that receives a grant under section
 21 2111 shall—

22 “(1) apply the requirements of section 207 of
 23 the Higher Education Act of 1965 to all teacher
 24 preparation programs in the State, including pro-
 25 grams operated by institutions of higher education

1 (whether such institutions are public, private, or for-
2 profit), and any other program in the State which
3 provides teacher preparation; and

4 “(2) develop and solicit public comment on cri-
5 teria used to assess or identify low-performing teach-
6 er preparation programs under section 207 of the
7 Higher Education Act of 1965 (including any cri-
8 teria in existence on the day before the date of en-
9 actment of the Educator Preparation Reform Act)
10 and make any such criteria publicly available.

11 “(i) CRITERIA.—The criteria described under sub-
12 section (h)(2) shall include multiple measures of perform-
13 ance of individual teachers, such as teacher and principal
14 evaluation, student satisfaction, and evidence of student
15 learning.

16 “(j) WITHHOLDING OF STATE ADMINISTRATIVE
17 FUNDS.—The Secretary may withhold administrative
18 funds provided to States under this Act if a State fails
19 to develop, implement, and publicly disclose its criteria for
20 low-performing and at-risk teacher preparation pro-
21 grams.”.

22 **SEC. 202. STATE AGENCY FOR HIGHER EDUCATION.**

23 Subpart 3 of part A of title II of the Elementary and
24 Secondary Education Act of 1965 (20 U.S.C. 6631 et
25 seq.) is amended to read as follows:

1 **“Subpart 3—State Educational Agency or State**
2 **Agency for Higher Education Grants**

3 **“SEC. 2131. GRANTS.**

4 “(a) IN GENERAL.—The State agency for higher edu-
5 cation for a State that receives a grant under section
6 2111, working in conjunction with the State educational
7 agency (if such agencies are separate), shall use the funds
8 reserved under section 2113(a)(2) to carry out the activi-
9 ties described in section 2133, either directly or through
10 subgrants to eligible entities, as described in this subpart.

11 “(b) DISTRIBUTION.—In making subgrants to eligi-
12 ble entities under this subpart, the State agency for higher
13 education shall ensure that such subgrants are equitably
14 distributed by geographic area within the State.

15 **“SEC. 2132. APPLICATIONS.**

16 “‘If the State agency for higher education makes sub-
17 grants under this subpart to carry out the activities de-
18 scribed in section 2133, to be eligible to receive a
19 subgrant, an eligible entity shall submit an application to
20 the State agency for higher education at such time, in
21 such manner, and containing such information as the
22 agency may require.

23 **“SEC. 2133. USE OF FUNDS AND WITHHOLDING.**

24 “(a) IN GENERAL.—In using the funds reserved
25 under section 2113(a)(2), the State agency for higher edu-

1 cation shall, directly or through subgrants to eligible enti-
2 ties, use such funds for the following activities:

3 “(1) Developing and implementing a teacher
4 performance assessment for use by—

5 “(A) institutions of higher education and
6 other providers of teacher preparation in the
7 State in assessing the effectiveness of graduates
8 of teacher preparation programs;

9 “(B) a State educational agency (or other
10 State agency if such agency is responsible
11 under State law for certification or licensure of
12 teachers in such State) in determining any cer-
13 tification or licensure, including certification
14 through alternative routes and full State certifi-
15 cation or licensure; or

16 “(C) a local educational agency to inform
17 hiring decisions, induction, and mentoring pro-
18 grams, and to facilitate the alignment of such
19 performance assessments to the criteria used in
20 teacher evaluations.

21 “(2) Providing technical assistance to and clos-
22 ing low-performing teacher preparation programs, as
23 identified under section 207 of the Higher Edu-
24 cation Act of 1965, under which the State agency
25 for higher education shall—

1 “(A) assist teacher preparation programs
2 that are at risk of being identified as low per-
3 forming, or have been identified as low per-
4 forming, under such section, through—

5 “(i) technical assistance designed to
6 identify the reasons such programs are at
7 risk of being identified, or have been iden-
8 tified, as low performing;

9 “(ii) the development of an improve-
10 ment plan to address the reasons identified
11 under clause (i);

12 “(iii) technical assistance to imple-
13 ment the plan described under clause (ii);
14 and

15 “(iv) other such assistance that re-
16 sponds to the reasons for such identifica-
17 tion; and

18 “(B) if such a program described under
19 subparagraph (A) is identified as low per-
20 forming after such technical assistance and a
21 period of time for program improvement (as de-
22 termined by the State), terminate the eligibility
23 of such a program as described in section 207
24 of the Higher Education Act of 1965 or if the
25 State agency for higher education does not

1 oversee such program, assisting such other
2 State agency in terminating such eligibility.

3 “(3) Developing a system for assessing the
4 quality and effectiveness of professional development
5 offered throughout the State (in conjunction with
6 the appropriate State agency, if an agency other
7 than the State agency for higher education is re-
8 sponsible for professional development of teachers in
9 such State).

10 “(b) WITHHOLDING.—In any fiscal year, if a State
11 does not meet the requirements of section 207 of the
12 Higher Education Act of 1965, including any require-
13 ments described under this part related to such section
14 207, the Secretary shall withhold a portion of the adminis-
15 trative funds that would be allocated to such State under
16 this Act.

17 **“SEC. 2134. RULE OF CONSTRUCTION.**

18 “Nothing in this subpart shall be construed to alter
19 or otherwise affect the rights, remedies, and procedures
20 afforded to the employees of local educational agencies
21 under Federal, State, or local laws (including applicable
22 regulations or court orders) or under the terms of collec-
23 tive bargaining agreements, memoranda of understanding,
24 or other agreements between such employees and their em-
25 ployers.

1 **“SEC. 2135. DEFINITION OF ELIGIBLE ENTITY.**

2 “In this subpart, the term ‘eligible entity’ means—

3 “(1) an institution of higher education, as de-
4 fined in section 101(a) of the Higher Education Act
5 of 1965;

6 “(2) a local educational agency;

7 “(3) a school or college of education;

8 “(4) a nonprofit organization; or

9 “(5) a partnership of any of the entities de-
10 scribed in paragraphs (1) through (4).”.

11 **TITLE III—AMENDMENTS TO**
12 **THE TEACH GRANTS**

13 **SEC. 301. DEFINITIONS.**

14 Section 420L(1) of the Higher Education Act of
15 1965 (20 U.S.C. 1070g(1)) is amended—

16 (1) in the matter preceding subparagraph (A),
17 by striking “the Secretary determines”; and

18 (2) by striking subparagraph (A) and inserting
19 the following:

20 “(A) offers a teacher preparation program
21 that is not identified as low performing or at
22 risk of being identified as low performing by the
23 State under section 207;”.

1 **SEC. 302. PROGRAM ESTABLISHED.**

2 Section 420M of the Higher Education Act of 1965
3 (20 U.S.C. 1070g-1) is amended by adding at the end
4 the following:

5 “(e) LOW-PERFORMING OR AT-RISK INSTITU-
6 TIONS.—

7 “(1) LOW-PERFORMING INSTITUTIONS.—An in-
8 stitution of higher education that offers a teacher
9 preparation program that is identified as low per-
10 forming under section 207 for a year shall not
11 award TEACH grants for such year.

12 “(2) AT-RISK INSTITUTIONS.—

13 “(A) PROHIBITION AGAINST AWARDING
14 NEW GRANTS.—An institution of higher edu-
15 cation that offers a teacher preparation pro-
16 gram that is at risk of being identified as low
17 performing by the State under section 207 for
18 a year shall not award new TEACH grants for
19 such year.

20 “(B) CONTINUATION AWARDS.—An insti-
21 tution described in subparagraph (A) that was
22 an eligible institution for a previous year and
23 awarded TEACH Grants for such year to stu-
24 dents in attendance at the institution may con-
25 tinue to provide TEACH Grants to such stu-

1 dents under this subpart if the institution dis-
2 closes to such students that the institution—

3 “(i) has lost eligibility for making new
4 TEACH Grants; and

5 “(ii) may be at risk for losing eligi-
6 bility to make continuation TEACH
7 Grants.

8 “(3) LOSS OF ELIGIBILITY AND SERVICE RE-
9 QUIREMENT.—In the case of a student who has re-
10 ceived a TEACH Grant, is in attendance at an insti-
11 tution of higher education that has lost its eligibility
12 for making new or continuation TEACH Grants,
13 and has 1 or more years before such student com-
14 pletes the course of study for which the applicant re-
15 ceived a TEACH Grant, such student shall not be
16 obligated to complete the service agreement with re-
17 spect to such TEACH Grant.”.

18 **SEC. 303. APPLICATIONS; ELIGIBILITY.**

19 Section 420N of the Higher Education Act of 1965
20 (20 U.S.C. 1070g–2) is amended—

21 (1) in subsection (a)(2)—

22 (A) in subparagraph (A), by striking
23 clause (iii) and inserting the following:

24 “(iii) the student is completing the
25 third, fourth, or fifth year of a program of

1 undergraduate education necessary to
2 begin a career in teaching; or”;

3 (B) in subparagraph (B), by striking
4 clause (ii) and inserting the following:

5 “(ii) the applicant is or was a teacher
6 who is using alternative certification routes
7 that have not been identified as low per-
8 forming or at risk by the State.”;

9 (2) in subsection (b), by striking paragraph (2)
10 and inserting the following:

11 “(2) in the event that the applicant is deter-
12 mined to have failed or refused to carry out such
13 service obligation, the sum of the amounts of any
14 TEACH Grants received by such applicant, pro-
15 rated by the percentage of service obligation that
16 has not been met, will be treated as a loan and col-
17 lected from the applicant in accordance with sub-
18 section (c) and regulations thereunder; and”.

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