

105TH CONGRESS  
1ST SESSION

# H. R. 2228

To increase the number of qualified teachers.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 23, 1997

Mr. MILLER of California (for himself, Mr. MARTINEZ, Mr. FORD, Mr. STARK, Mr. OBERSTAR, and Mr. FALEOMAVAEGA) introduced the following bill; which was referred to the Committee on Education and the Workforce

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## A BILL

To increase the number of qualified teachers.

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 “Teaching Excellence  
5       for All Children Act of 1997”.

6       **SEC. 2. STATEMENT OF POLICY; FINDINGS.**

7       (a) STATEMENT OF POLICY.—The Congress declares  
8       it to be the policy of the United States that each student  
9       shall have a competent and qualified teacher.

10       (b) FINDINGS.—Congress finds the following:

1           (1) The number of elementary and secondary  
2 school students is expected to increase each succes-  
3 sive year between now and the year 2006, at which  
4 time total enrollment will reach 54,600,000.

5           (2) As the number of students increases, the  
6 need for qualified teachers will increase. Increases in  
7 enrollment and teacher retirements together will cre-  
8 ate demand for 2,000,000 new teachers by the year  
9 2006.

10          (3) The lack of qualified teachers to meet this  
11 demand is a significant barrier to students receiving  
12 an appropriate education.

13          (4) The National Commission on Teaching and  
14 America's Future has found that one-quarter of the  
15 nation's classroom teachers are not fully qualified to  
16 teach in their subject areas. Unless corrective action  
17 is taken at the local, State, and Federal levels, the  
18 additional demand for teachers is likely to result in  
19 a further decline in teacher quality.

20          (5) Now is the time to redouble efforts to en-  
21 sure that teachers are properly prepared and quali-  
22 fied and receive the ongoing support and profes-  
23 sional development they need to be effective edu-  
24 cators.

## 1       **TITLE I—PARENTAL RIGHTS**

### 2   **SEC. 101. PARENTAL RIGHT TO KNOW.**

3       Part E of title XIV of the Elementary and Secondary  
4   Education Act of 1965 is amended by inserting after sec-  
5   tion 14514 (20 U.S.C. 8904) the following new section:

#### 6   **“SEC. 14515. TEACHER QUALIFICATIONS.**

7       “Any public elementary or secondary school that re-  
8   ceives funds under this Act shall make available to the  
9   parents of each student information regarding the quali-  
10   fications of each of the student’s teachers, both generally  
11   and with regard to the content area or areas in which each  
12   teacher provides instruction.”.

## 13   **TITLE II—QUALIFIED TEACHERS**

### 14   **SEC. 201. ENSURING A QUALIFIED TEACHER IN EVERY** 15                   **CLASSROOM.**

16       To be eligible to receive funds under the Elementary  
17   and Secondary Education Act of 1965, each State shall  
18   ensure that—

19           (1) each teacher in a public elementary or sec-  
20   ondary school in the State has demonstrated the  
21   subject matter knowledge, teaching knowledge, and  
22   teaching skill necessary to teach effectively in the  
23   content area or areas in which the teacher provides  
24   instruction;

1           (2) each teacher in the State for whom such  
2           qualifications have been waived temporarily to re-  
3           spond to emergency teacher shortages or other cir-  
4           cumstances must, not later than 3 years after such  
5           waiver, demonstrate the subject matter knowledge,  
6           teaching knowledge, and teaching skill necessary to  
7           teach effectively in the content area or areas in  
8           which the teacher provides instruction;

9           (3) no student will be taught for more than 2  
10          consecutive years by a teacher who does not meet  
11          the criteria under paragraph (1);

12          (4) the State provides incentives for teachers to  
13          pursue and achieve advanced teaching and subject  
14          area content standards;

15          (5) the State has in place an effective mecha-  
16          nism to remove incompetent or unqualified teachers;  
17          and

18          (6) the State aggressively helps schools, par-  
19          ticularly those in high need areas, recruit and retain  
20          qualified teachers.

1 **TITLE III—FEDERAL FUNDS**  
2 **USED IN THE PREPARATION**  
3 **OF TEACHERS**

4 **SEC. 301. MINIMUM TEACHER TRAINING STANDARDS.**

5 Title V of the Higher Education Act of 1965 is  
6 amended by inserting after section 500 (20 U.S.C. 1101)  
7 the following new section:

8 **“SEC. 500A. MINIMUM TEACHER TRAINING STANDARDS.**

9 “(a) GENERAL REQUIREMENT.—Any institution of  
10 higher education that receives, directly or indirectly, any  
11 funds appropriated pursuant to this or any other Federal  
12 law for the purpose of preparing or training teachers  
13 shall—

14 “(1) meet nationally recognized professional  
15 standards for accreditation; or

16 “(2) demonstrate to the Secretary that at least  
17 90 percent of the graduates of such institution who  
18 enter the field of teaching take, and pass on their  
19 first attempt, the State teacher qualification assess-  
20 ment for new teachers.

21 “(b) AUTHORITY OF SECRETARY TO WAIVE.—The  
22 Secretary may issue a one-time waiver, for a duration of  
23 no more than 5 years, in any case in which an institution  
24 of higher education can demonstrate a bona fide commit-

1 ment to, and demonstrate measurable progress toward,  
 2 meeting the requirements of subsection (a).”.

3 **TITLE IV—INCENTIVES FOR IN-**  
 4 **CREASING THE SUPPLY OF**  
 5 **QUALIFIED TEACHERS**

6 **SEC. 401. LOAN FORGIVENESS.**

7 (a) GUARANTEED LOANS.—Section 437 of the Act is  
 8 amended—

9 (1) in the section heading, by striking out the  
 10 period at the end thereof and inserting in lieu there-  
 11 of a semicolon and “**LOAN FORGIVENESS FOR**  
 12 **TEACHING**”;

13 (2) by amending the heading for subsection (c)  
 14 to read as follows: “DISCHARGE RELATED TO  
 15 SCHOOL CLOSURE OR FALSE CERTIFICATION.—”;  
 16 and

17 (3) by adding at the end thereof the following  
 18 new subsection:

19 “(e) CANCELLATION OF LOANS FOR TEACHING.—(1)  
 20 The Secretary shall discharge the liability of a borrower  
 21 of a loan made under section 428, 428H, or 428C (to the  
 22 extent that a loan made under section 428C repays a loan  
 23 made under section 428 or 428H) on or after the date  
 24 of enactment of the Teaching Excellence for All Children  
 25 Act of 1997, to students who have not previously borrowed

1 under any of such sections, by repaying the amount owed  
2 on the loan, to the extent specified in paragraph (3), for  
3 service described in paragraph (2) as a full time teacher  
4 who has demonstrated, in accordance with State teacher  
5 certification or licensing law, the subject matter knowl-  
6 edge, teaching knowledge, and teaching skill necessary to  
7 teach effectively in the content area or areas for which  
8 the borrower provides instruction.

9 “(2)(A) A loan shall be discharged under paragraph  
10 (1) for service by the borrower as a full-time teacher for  
11 1 or more academic years in a public elementary or sec-  
12 ondary school—

13 “(i)(I) in the school district of a local edu-  
14 cational agency that is eligible in that academic year  
15 for assistance under title I of the Elementary and  
16 Secondary Education Act of 1965; and

17 “(II) that, for that academic year, has been de-  
18 termined by the Secretary to be a school in which  
19 the enrollment of children counted under section  
20 1124(c) of that Act exceeds 30 percent of the total  
21 enrollment of that school; or

22 “(ii) in an academic subject matter area in  
23 which the State or local educational agency deter-  
24 mines to the satisfaction of the Secretary that there  
25 is a shortage of qualified teachers.

1       “(B) A loan shall be discharged under paragraph (1)  
2 at the rate provided in paragraph (3)(B) for service de-  
3 scribed in clause (i) or (ii) of subparagraph (A) by the  
4 borrower as a full-time teacher for 1 or more academic  
5 years if such borrower—

6               “(i) has engaged in such service for each of the  
7 5 preceding academic years; and

8               “(ii) has pursued and achieved advanced teach-  
9 ing credentials.

10       “(3)(A) Loans shall be discharged under paragraph  
11 (1) for service described in paragraph (2)(A) at the rate  
12 of—

13               “(i) 20 percent for the first or second complete  
14 academic year of such service, which amount for  
15 each year shall not exceed \$6,000;

16               “(ii) 25 percent for the third complete year of  
17 such service, which amount shall not exceed \$7,500;  
18 and

19               “(iii) 35 percent for the fourth complete year of  
20 such service, which amount shall not exceed  
21 \$10,500;

22 except that the total amount for all such academic years  
23 shall not exceed \$30,000.

24       “(B) Loans shall be discharged under paragraph (1)  
25 for service described in paragraph (2)(B) at the rate of



1 50 percent for each complete academic year of such serv-  
2 ice, except that the total amount discharged shall not ex-  
3 ceed \$5,000 for any borrower.

4 “(C) If a portion of a loan is discharged under sub-  
5 paragraph (A) or (B) for any year, the entire amount of  
6 interest on that loan that accrues for that year shall also  
7 be discharged by the Secretary.

8 “(D) Nothing in this section shall be construed to au-  
9 thorize refunding of any repayment of a loan.

10 “(4) The amount of a loan, and interest on a loan,  
11 that is canceled under this subsection shall not be consid-  
12 ered income for purposes of the Internal Revenue Code  
13 of 1986.

14 “(5) No borrower may, for the same volunteer serv-  
15 ice, receive a benefit under both this subsection and sub-  
16 title D of title I of the National and Community Service  
17 Act of 1990 (42 U.S.C. 12571 et seq.).

18 “(6) The Secretary shall specify in regulations the  
19 manner in which lenders shall be reimbursed for loans  
20 made under this part, or portions thereof, that are dis-  
21 charged under this subsection.

22 “(7) If the list of schools in which a teacher may per-  
23 form service pursuant to paragraph (2) is not available  
24 before May 1 of any year, the Secretary may use the list

1 for the year preceding the year for which the determina-  
 2 tion is made to make such service determination.

3 “(8) Any teacher who performs service in a school  
 4 which—

5 “(A) meets the requirements of paragraph (2)  
 6 in any year during such service; and

7 “(B) in a subsequent year fails to meet the re-  
 8 quirements of such subsection,  
 9 may continue to teach in such school and shall be eligible  
 10 for loan cancellation pursuant to paragraph (1) with re-  
 11 spect to such subsequent years.”.

12 (b) DIRECT LOANS.—Part D of title IV of the Act  
 13 is amended by inserting after section 458 (20 U.S.C.  
 14 1087h) the following new section:

15 **“SEC. 459. CANCELLATION OF LOANS FOR CERTAIN PUBLIC**  
 16 **SERVICE.**

17 “(a) CANCELLATION OF PERCENTAGE OF DEBT  
 18 BASED ON YEARS OF QUALIFYING SERVICE.—

19 “(1) IN GENERAL.—The percent specified in  
 20 paragraph (3) of the total amount of any loan made  
 21 under this part after the date of enactment of the  
 22 Teaching Excellence for All Children Act of 1997, to  
 23 students who have not previously borrowed under  
 24 this part, shall be canceled for each complete year  
 25 of service after such date by the borrower under cir-

1        cumstances described in paragraph (2) for service as  
2        a full time teacher who has demonstrated, in accord-  
3        ance with State teacher certification or licensing law,  
4        the subject matter knowledge, teaching knowledge,  
5        and teaching skill necessary to teach effectively in  
6        the content area or areas for which the borrower  
7        provides instruction.

8            “(2) QUALIFYING SERVICE.—

9            “(A) IN GENERAL.—A loan shall be dis-  
10          charged under paragraph (1) for service by the  
11          borrower as a full-time teacher for 1 or more  
12          academic years in a public elementary or sec-  
13          ondary school—

14            “(i)(I) in the school district of a local  
15            educational agency that is eligible in that  
16            academic year for assistance under title I  
17            of the Elementary and Secondary Edu-  
18            cation Act of 1965; and

19            “(II) that, for that academic year, has  
20            been determined by the Secretary to be a  
21            school in which the enrollment of children  
22            counted under section 1124(c) of that Act  
23            exceeds 30 percent of the total enrollment  
24            of that school; or

1 “(ii) in an academic subject matter  
2 area in which the State or local edu-  
3 cational agency determines to the satisfac-  
4 tion of the Secretary that there is a short-  
5 age of qualified teachers.

6 “(B) ACCELERATED DISCHARGE.—A loan  
7 shall be discharged under paragraph (1) at the  
8 rate provided in paragraph (3)(B) for service  
9 described in clause (i) or (ii) of subparagraph  
10 (A) by the borrower as a full-time teacher for  
11 1 or more academic years if such borrower—

12 “(i) has engaged in such service for  
13 each of the 5 preceding academic years;  
14 and

15 “(ii) has pursued and achieved ad-  
16 vanced teaching credentials.

17 “(3) PERCENTAGE OF CANCELLATION.—

18 “(A) IN GENERAL.—Loans shall be dis-  
19 charged under paragraph (1) for service de-  
20 scribed in paragraph (2)(A) at the rate of—

21 “(i) 20 percent for the first or second  
22 complete academic year of such service,  
23 which amount for each year shall not ex-  
24 ceed \$6,000;

1                   “(ii) 25 percent for the third complete  
2                   year of such service, which amount shall  
3                   not exceed \$7,500; and

4                   “(iii) 35 percent for the fourth com-  
5                   plete year of such service, which amount  
6                   shall not exceed \$10,500;

7                   except that the total amount for all such aca-  
8                   demic years shall not exceed \$30,000.

9                   “(B) ACCELERATED DISCHARGE.—Loans  
10                  shall be discharged under paragraph (1) for  
11                  service described in paragraph (2)(B) at the  
12                  rate of 50 percent for each complete academic  
13                  year of such service, except that the total  
14                  amount discharged shall not exceed \$5,000 for  
15                  any borrower.

16                  “(C) TREATMENT OF INTEREST.—If a  
17                  portion of a loan is discharged under subpara-  
18                  graph (A) or (B) for any year, the entire  
19                  amount of interest on that loan that accrues for  
20                  that year shall also be discharged by the Sec-  
21                  retary.

22                  “(D) REFUNDING PROHIBITED.—Nothing  
23                  in this section shall be construed to authorize  
24                  refunding of any repayment of a loan.

1           “(4) DEFINITION.—For the purpose of this sec-  
2           tion, the term ‘year’ where applied to service as a  
3           teacher means an academic year as defined by the  
4           Secretary.

5           “(5) TREATMENT OF CANCELED AMOUNTS.—  
6           The amount of a loan, and interest on a loan, which  
7           is canceled under this section shall not be considered  
8           income for purposes of the Internal Revenue Code of  
9           1986.

10          “(6) PREVENTION OF DOUBLE BENEFITS.—No  
11          borrower may, for the same volunteer service, receive  
12          a benefit under both this section and subtitle D of  
13          title I of the National and Community Service Act  
14          of 1990 (42 U.S.C. 12571 et seq.).

15          “(b) SPECIAL RULES.—

16               “(1) LIST.—If the list of schools in which a  
17               teacher may perform service pursuant to subsection  
18               (a)(2)(A) is not available before May 1 of any year,  
19               the Secretary may use the list for the year preceding  
20               the year for which the determination is made to  
21               make such service determination.

22               “(2) CONTINUING ELIGIBILITY.—Any teacher  
23               who performs service in a school which—

24                       “(A) meets the requirements of subsection  
25                       (a)(2)(A) in any year during such service; and

1                   “(B) in a subsequent year fails to meet the  
 2                   requirements of such subsection,  
 3           may continue to teach in such school and shall be  
 4           eligible for loan cancellation pursuant to subsection  
 5           (a)(1) with respect to such subsequent years.”.

## 6   **TITLE V—BEGINNING TEACHER** 7   **RECRUITMENT AND SUPPORT**

### 8   **SEC. 501. PROGRAM ESTABLISHED.**

9           Title V of the Higher Education Act of 1965 is  
 10   amended by adding at the end the following new part:

### 11   **“PART G—BEGINNING TEACHER RECRUITMENT** 12                                   **AND SUPPORT**

#### 13   **“SEC. 599A. PROGRAM AUTHORIZED.**

14           “(a) GRANTS BY THE SECRETARY.—The Secretary  
 15   shall use funds pursuant to this subpart to make grants,  
 16   on a competitive basis, to Beginning Teacher Recruitment  
 17   and Support partnerships for the purpose of recruiting,  
 18   training, and supporting qualified entry-level teachers.

19           “(b) DURATION.—Grants shall be awarded for a pe-  
 20   riod of 3 years, of which no more than 1 year may be  
 21   used for planning and preparation.

22           “(c) BEGINNING TEACHER RECRUITMENT AND SUP-  
 23   PORT PARTNERSHIP.—For the purposes of this subpart,  
 24   the term ‘Beginning Teacher Recruitment and Support  
 25   Partnership’ means a partnership consisting of—

1           “(1) a local educational agency, a subunit of  
2           such agency, or a consortium of such agencies; and

3           “(2) 1 or more nonprofit organizations, includ-  
4           ing institutions of higher education—

5                   “(A) each of which must have a dem-  
6                   onstrated record of success in teacher prepara-  
7                   tion and staff development;

8                   “(B) which must have expertise and a  
9                   demonstrated record of success, either collec-  
10                  tively or individually, in providing teachers with  
11                  the subject matter knowledge, teaching knowl-  
12                  edge, and teaching skills necessary for them to  
13                  teach effectively in each and every content area  
14                  in which they plan to prepare teachers to pro-  
15                  vide instruction under a grant made under this  
16                  subpart; and

17                  “(C) which include at least 1 teacher prep-  
18                  aration institution that has met the criteria  
19                  under section 500A (as added by section 301 of  
20                  the Teaching Excellence for All Children Act of  
21                  1997).

22       These entities shall jointly develop and submit their pro-  
23       posal to the Department of Education.

24       “(d) BEGINNING TEACHER RECRUITMENT AND SUP-  
25       PORT SCHOOL.—For the purpose of this subpart, a ‘Be-



1 ginning Teacher Recruitment and Support School’ is de-  
 2 fined as a public elementary or secondary school—

3 “(1)(A) in a school district that is eligible for  
 4 assistance under title I of the Elementary and Sec-  
 5 ondary Education Act of 1965; and

6 “(B) that has been determined by the Secretary  
 7 to be a school in which the enrollment of children  
 8 counted under section 1124(c) of that Act exceeds  
 9 30 percent of the total enrollment of the school; or  
 10 “(2) where the State or local educational agen-  
 11 cy determines to the satisfaction of the Secretary  
 12 that there is a shortage of qualified teachers.

13 **“SEC. 599B. USES OF FUNDS.**

14 “(a) BEGINNING TEACHER RECRUITMENT AND SUP-  
 15 PORT PARTNERSHIPS.—Each partnership receiving a  
 16 grant under this subpart shall use funds to—

17 “(1) recruit and screen teaching applicants;

18 “(2) establish and conduct intensive summer  
 19 preplacement professional development seminars for  
 20 participating Beginning Teacher Recruitment and  
 21 Support teachers;

22 “(3) establish and conduct ongoing and inten-  
 23 sive professional development and support programs  
 24 for Beginning Teacher Recruitment and Support  
 25 members for their first 2 years of service; and

1           “(4) annually evaluate the performance of Be-  
2           ginning Teacher Recruitment and Support teachers  
3           to determine whether they meet standards for con-  
4           tinued participation.

5           “(b) CRITERIA.—

6           “(1) IN GENERAL.—The partnership shall select  
7           participating Beginning Teacher Recruitment and  
8           Support teachers according to criteria designed to—

9                   “(A) attract highly qualified individuals to  
10           teaching, including individuals with post-college  
11           employment experience who plan to enter teach-  
12           ing from another occupational field; and

13                   “(B) meet the needs of participating  
14           schools in addressing shortages of qualified  
15           teachers in specific academic subject areas.

16           “(2) SPECIFIC CRITERIA.—Such criteria shall  
17           include that each Beginning Teacher Recruitment  
18           and Support applicant selected has demonstrated the  
19           ability to attain the subject matter knowledge, teach-  
20           ing knowledge, and teaching skills necessary to teach  
21           effectively in the content area or areas in which he  
22           or she will provide instruction.

23           “(3) SPECIAL CONSIDERATION.—Particular ef-  
24           fort should be made to recruit individuals who are  
25           members of populations that are underrepresented

1 in the teaching profession, especially in the curricu-  
2 lar areas in which such individuals are preparing to  
3 teach.

4 “(4) MINIMUM NUMBER OF TEACHERS PER  
5 SCHOOL.—The partnership must ensure that the  
6 number of beginning teachers is equal to no less  
7 than 3 percent of the faculty of the schools to which  
8 they are assigned, except that in no circumstance  
9 shall fewer than 2 beginning teachers be assigned to  
10 each school.

11 **“SEC. 599C. PARTNERSHIP APPLICATION.**

12 “In order to receive funds under this subpart, a part-  
13 nership shall submit an application to the Secretary at  
14 such time, in such manner, and containing such informa-  
15 tion as the Secretary may reasonably require. Each appli-  
16 cation shall—

17 “(1) describe how the partnership shall select  
18 Beginning Teacher Recruitment and Support mem-  
19 bers;

20 “(2) describe how recruitment will meet the  
21 needs of participating Beginning Teacher Recruit-  
22 ment and Support Schools, especially with regard to  
23 the particular academic subject areas in which there  
24 is a shortage of qualified teachers;

1           “(3) describe how the partnership will advance  
2           the subject matter knowledge, teaching knowledge,  
3           and teaching skill of all Beginning Teacher Recruit-  
4           ment and Support members in the Summer Insti-  
5           tutes and in ongoing professional development and  
6           support activities;

7           “(4) describe how existing school faculty will be  
8           involved in the planning and execution of the Sum-  
9           mer Institutes and ongoing professional development  
10          and support activities, including paired mentorships  
11          between Beginning Teacher Recruitment and Sup-  
12          port members and experienced classroom teachers;

13          “(5) provide assurances that Beginning Teacher  
14          Recruitment and Support members are paid at rates  
15          comparable to other entry level teachers in the  
16          school district where the Beginning Teacher Recruit-  
17          ment and Support member is assigned;

18          “(6) describe how the Beginning Teacher Re-  
19          cruitment and Support Partnership will monitor,  
20          and report not less than annually on, the progress  
21          of Beginning Teacher Recruitment and Support  
22          members, including—

23                 “(A) the retention rate for Beginning  
24                 Teacher Recruitment and Support teachers in  
25                 comparison with other teachers in the same

1 schools in which Beginning Teacher Recruit-  
2 ment and Support members teach; and

3 “(B) the academic achievement of students  
4 served by Beginning Teacher Recruitment and  
5 Support teachers, in comparison to those stu-  
6 dents taught by other entry-level teachers; and

7 “(7) describe direct and indirect contributions  
8 to the overall cost of the program by the State and  
9 local educational agency, and the extent to which the  
10 Beginning Teacher Recruitment and Support Part-  
11 nership activities will be integrated with other pro-  
12 fessional development and educational reform ef-  
13 forts.”.

14 **TITLE VI—GENERAL**  
15 **PROVISIONS**

16 **SEC. 601. GENERAL PROVISION REGARDING NONRECIP-**  
17 **IENT NONPUBLIC SCHOOLS.**

18 Nothing in this Act shall be construed to permit,  
19 allow, encourage, or authorize any Federal control over  
20 any aspect of any private or religious school that does not  
21 receive Federal funds or does not participate in Federal  
22 programs or services under the Elementary and Secondary  
23 Education Act of 1965.

1 **SEC. 602. APPLICABILITY TO HOME SCHOOLS.**

2       Nothing in this Act shall be construed to affect home  
3 schools.

○