

106TH CONGRESS  
1ST SESSION

# S. 1173

To provide for a teacher quality enhancement and incentive program.

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IN THE SENATE OF THE UNITED STATES

MAY 27, 1999

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

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## A BILL

To provide for a teacher quality enhancement and incentive program.

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. PURPOSE.**

4       The purpose of this Act is—

5               (1) to encourage the best and brightest can-  
6       didates to teach in public elementary and secondary  
7       schools serving disadvantaged populations; and

8               (2) to encourage high achieving candidates to  
9       enter the teaching profession who would otherwise  
10      not consider a career in teaching.

1 **SEC. 2. GRANTS AUTHORIZED.**

2 (a) IN GENERAL.—The Secretary is authorized to  
3 award grants to at least 50 local educational agencies for  
4 a fiscal year to enable the local educational agencies to  
5 award bonuses to highly qualified individuals who agree  
6 to teach in elementary schools or secondary schools that  
7 are served by the local educational agency and located in  
8 high poverty areas, for a period of not less than 4 years.

9 (b) LOCAL EDUCATIONAL AGENCY ELIGIBILITY.—A  
10 local educational agency shall be eligible for a grant under  
11 this Act if—

12 (1) not less than 20 percent of children in the  
13 schools served by the local educational agency are el-  
14 igible to be counted under section 1124(c) of the El-  
15 ementary and Secondary Education Act of 1965 (20  
16 U.S.C. 6333(c)); or

17 (2) the local educational agency is eligible to be  
18 counted under section 10952 of the Elementary and  
19 Secondary Education Act of 1965 (20 U.S.C. 8272).

20 (c) REQUIREMENT.—The Secretary shall award a  
21 grant under subsection (a) to at least 1 eligible local edu-  
22 cational agency in each State.

23 (d) AMOUNT.—Grants under this section shall be  
24 awarded based on the number of students enrolled in  
25 schools under the jurisdiction of the local educational

1 agency involved. With respect to a local educational agency  
 2 with an enrollment of—

3 (1) 1,500 or fewer students, the amount of a  
 4 grant shall be \$22,500;

5 (2) at least 1,501 but less than 5,001 students,  
 6 the amount of a grant shall be \$112,500;

7 (3) at least 5,001 but less than 15,001 stu-  
 8 dents, the amount of a grant shall be \$150,000; and

9 (4) at least 15,001 students, the amount of a  
 10 grant shall be \$300,000.

11 (e) BONUSES NOT TAXED.—For purposes of the In-  
 12 ternal Revenue Code of 1986, a bonus awarded under this  
 13 Act shall not be includable in the gross income of the indi-  
 14 vidual awarded the bonus.

15 (f) COLLABORATION.—The Secretary shall collabo-  
 16 rate with local educational agencies, local boards of edu-  
 17 cation, and local offices of student financial assistance in  
 18 carrying out the program assisted under this section.

19 (g) DEFINITION.—The definitions in section 14101  
 20 of the Elementary and Secondary Education Act of 1965  
 21 (20 U.S.C. 8801) shall apply to this Act.

## 22 **SEC. 3. LOCAL REQUIREMENTS.**

23 (a) LOCAL USES.—Each local educational agency re-  
 24 ceiving a grant under this Act shall use the funds made  
 25 available under this Act to—

1           (1) award bonuses to highly qualified individ-  
2           uals who agree to teach in elementary schools or sec-  
3           ondary schools in which at least 40 percent of the  
4           children are eligible to be counted under section  
5           1124(c) of the Elementary and Secondary Education  
6           Act of 1965 (20 U.S.C. 6333(c));

7           (2) award the bonuses in accordance with sub-  
8           section (b) on a competitive basis taking into  
9           consideration—

10                 (A) objective measures such as test scores,  
11                 grade point average or class rank, and such  
12                 other criteria as the local educational agency  
13                 may determine appropriate; and

14                 (B) recommendations received under sub-  
15                 section (c); and

16           (3) award the bonuses in the amount of  
17           \$15,000 with \$7,500 paid after the first year of  
18           such teaching and \$7,500 paid after the second year  
19           of such teaching.

20           (b) BONUSES.—With respect to bonuses under sub-  
21           section (a)(2), the local educational agency shall, with re-  
22           spect to a local educational agency with an enrollment  
23           of—

1           (1) 1,500 or fewer students, award bonuses to  
2       not more than 3 highly qualified individuals in the  
3       fiscal year involved;

4           (2) at least 1,501 but less than 5,001 students,  
5       award bonuses to not more than 15 highly qualified  
6       individuals;

7           (3) at least 5,001 but less than 15,001 stu-  
8       dents, award bonuses to not more than 20 highly  
9       qualified individuals; and

10          (4) at least 15,001 students, award bonuses to  
11       not more than 40 highly qualified individuals.

12       (c) PROHIBITION.—Each local educational agency re-  
13       ceiving a grant under this Act shall not use the grant  
14       funds to offset the salary of a teacher awarded a bonus  
15       under this Act.

16       (d) RECOMMENDATIONS.—Each local educational  
17       agency receiving a grant under this Act shall establish a  
18       system for receiving a limited number of recommendations  
19       from institutions of higher education for individuals to re-  
20       ceive bonus awards under this Act.

21       **SEC. 4. ELIGIBILITY.**

22       To be eligible to receive a bonus award under this  
23       Act an individual—

24           (1) shall enter into an agreement with the local  
25       educational agency to work in a school described in

1 section 3(a)(1) for not less than 4 years or repay the  
 2 bonus in accordance with section 6;

3 (2) shall pass all State certification examina-  
 4 tions required to teach in an elementary school or  
 5 secondary school in the State;

6 (3) shall have graduated with a 3.5 grade point  
 7 average from an institution of higher education, or  
 8 have graduated in the top 15 percent of the individ-  
 9 ual's graduating class at an institution of higher  
 10 education, with a bachelor's degree;

11 (4) shall submit an application to the local edu-  
 12 cational agency in accordance with section 5(a).

13 **SEC. 5. APPLICATIONS; NOTIFICATION.**

14 (a) APPLICATION.—Each individual desiring a bonus  
 15 award under this Act shall submit an application to a local  
 16 educational agency not later than January 15 of each year  
 17 containing such information as the local educational agen-  
 18 cy may require.

19 (b) NOTIFICATION.—A local educational agency shall  
 20 notify individuals of their bonus awards by May 1 of each  
 21 year.

22 **SEC. 6. REPAYMENT.**

23 Each individual who receives a bonus award under  
 24 this Act and does not comply with the terms of the agree-  
 25 ment described in section 4(1) within 6 years of receiving

1 the first bonus award payment under this Act, without an  
2 excuse that is acceptable to the local educational agency,  
3 shall repay to the local educational agency the amount of  
4 the bonus awards received plus interest. Repayment shall  
5 begin not later than 2 years after the local educational  
6 agency determines the individual is in noncompliance with  
7 the agreement.

8 **SEC. 7. AUTHORIZATION OF APPROPRIATIONS.**

9       There is authorized to be appropriated to carry out  
10 this Act \$15,000,000 for each of the fiscal years 2000  
11 through 2004.

