

107TH CONGRESS
2^D SESSION

S. 1918

To expand the teacher loan forgiveness programs under the guaranteed and direct student loan programs for highly qualified teachers of mathematics, science, and special education, and for other purposes.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 7, 2002

Ms. COLLINS (for herself, Mr. FRIST, Mr. LIEBERMAN, Mr. DEWINE, Mr. ROBERTS, Mr. SESSIONS, Mr. CARPER, and Mr. BREAUX) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To expand the teacher loan forgiveness programs under the guaranteed and direct student loan programs for highly qualified teachers of mathematics, science, and special education, and for other purposes.

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 “Mathematics, Science,
5 and Special Education Teacher Recruitment Act of 2002”.

1 **SEC. 2. REVISION OF TEACHER LOAN FORGIVENESS PRO-**
2 **GRAMS.**

3 (a) GUARANTEED STUDENT LOANS.—Part B of title
4 IV of the Higher Education Act of 1965 (20 U.S.C. 1071
5 et seq.) is amended by inserting after section 428K the
6 following:

7 **“SEC. 428L. EXPANDED LOAN FORGIVENESS FOR HIGHLY**
8 **QUALIFIED TEACHERS OF MATHEMATICS,**
9 **SCIENCE, AND SPECIAL EDUCATION.**

10 “(a) PURPOSE.—It is the purpose of this section to—

11 “(1) expand, subject to the availability of ap-
12 propriations, the eligibility of certain highly qualified
13 teachers to qualify for loan forgiveness beyond that
14 available under section 428J; and

15 “(2) provide additional incentives for highly
16 qualified teachers of mathematics, science, and spe-
17 cial education in high-need schools to enter and con-
18 tinue in the teaching profession.

19 “(b) PROGRAM AUTHORIZED.—

20 “(1) IN GENERAL.—The Secretary is authorized
21 to carry out a program, through the holder of the
22 loan, of assuming the obligation to repay a qualified
23 loan amount for a loan made under section 428 or
24 428H, in accordance with subsection (c), for any
25 borrower who—

1 “(A) is a highly qualified, full-time teacher
2 of mathematics, science, or special education at
3 a high-need school, and has been so employed
4 for not less than 5 consecutive complete school
5 years;

6 “(B) had mathematics, life or physical
7 sciences, technology, engineering, or special
8 education as an undergraduate academic major
9 or minor, or has a graduate degree in any such
10 field, as certified by the chief administrative of-
11 ficer of the public or nonprofit private school in
12 which the borrower is employed; and

13 “(C) is not in default on a loan for which
14 the borrower seeks forgiveness.

15 “(2) SELECTION OF RECIPIENTS.—The Sec-
16 retary shall promulgate regulations to ensure fair-
17 ness and equality for applicants in the selection of
18 borrowers for loan repayment under this section,
19 based on the amount appropriated to carry out this
20 section.

21 “(c) QUALIFIED LOAN AMOUNTS.—

22 “(1) IN GENERAL.—The Secretary is authorized
23 to repay not more than \$17,500 in the aggregate of
24 the loan obligation on 1 or more loans made under
25 section 428 or 428H that are outstanding after the

1 completion of the fifth complete school year of teach-
2 ing described in subsection (b)(1)(A).

3 “(2) TREATMENT OF CONSOLIDATION LOANS.—

4 A loan amount for a loan made under section 428C
5 may be a qualified loan amount for the purposes of
6 this subsection only to the extent that such loan
7 amount was used to repay a Federal Direct Stafford
8 Loan, a Federal Direct Unsubsidized Stafford Loan,
9 or a loan made under section 428 or 428H for a
10 borrower who meets the requirements of subsection
11 (b), as determined in accordance with regulations
12 prescribed by the Secretary.

13 “(d) REGULATIONS.—The Secretary is authorized to
14 issue such regulations as may be necessary to carry out
15 the provisions of this section.

16 “(e) CONSTRUCTION.—Nothing in this section shall
17 be construed to authorize any refunding of any repayment
18 of a loan.

19 “(f) ADDITIONAL ELIGIBILITY PROVISIONS.—

20 “(1) CONTINUED ELIGIBILITY.—A highly quali-
21 fied teacher shall be eligible for loan forgiveness pur-
22 suant to subsection (b), if the teacher performs serv-
23 ice in a school that—

1 “(A) meets the definition of a high-need
2 school under subsection (g) in any year during
3 such service; and

4 “(B) in a subsequent year, fails to meet
5 the definition of a high-need school under sub-
6 section (g).

7 “(2) PREVENTION OF DOUBLE BENEFITS.—

8 “(A) NATIONAL SERVICE POSITIONS.—No
9 borrower may, for the same service, receive a
10 benefit under both this section and subtitle D
11 of title I of the National and Community Serv-
12 ice Act of 1990 (42 U.S.C. 12601 et seq.).

13 “(B) LOAN FORGIVENESS AND CANCELLA-
14 TION PROVISIONS FOR TEACHERS.—

15 “(i) FORGIVENESS.—No borrower
16 may receive a reduction of loan obligations
17 under both this section and section 428J.

18 “(ii) CANCELLATION.—No borrower
19 may receive loan forgiveness under this
20 section and loan cancellation under section
21 460 or section 460A that exceeds, in the
22 aggregate, \$17,500.

23 “(g) DEFINITIONS.—In this section:

24 “(1) HIGHLY QUALIFIED.—The term ‘highly
25 qualified’ has the meaning given the term in section

1 9101 of the Elementary and Secondary Education
2 Act of 1965 (Public Law 107–110).

3 “(2) HIGH-NEED SCHOOL.—The term ‘high-
4 need school’ has the meaning given the term in sec-
5 tion 2304(d) of the Elementary and Secondary Edu-
6 cation Act of 1965 (Public Law 107–110).

7 “(3) YEAR.—The term ‘year’, where applied to
8 service as a teacher, means an academic year as de-
9 fined by the Secretary.

10 “(h) AUTHORIZATION OF APPROPRIATIONS.—There
11 is authorized to be appropriated to carry out this section
12 such sums as may be necessary for the period of fiscal
13 years 2003 through 2008.”.

14 (b) DIRECT STUDENT LOANS.—Part D of title IV of
15 the Higher Education Act of 1965 (20 U.S.C. 1087a) is
16 amended by inserting after section 460 the following:

17 **“SEC. 460A. EXPANDED LOAN CANCELLATION FOR HIGHLY**
18 **QUALIFIED TEACHERS OF MATHEMATICS,**
19 **SCIENCE, AND SPECIAL EDUCATION.**

20 “(a) PURPOSE.—It is the purpose of this section to—

21 “(1) expand, subject to the availability of ap-
22 propriations, the eligibility of certain highly qualified
23 teachers to qualify for loan cancellation beyond that
24 available under section 460; and

1 “(2) provide additional incentives for highly
2 qualified teachers of mathematics, science, and spe-
3 cial education in high-need schools to enter and con-
4 tinue in the teaching profession.

5 “(b) PROGRAM AUTHORIZED.—

6 “(1) IN GENERAL.—The Secretary is authorized
7 to cancel the obligation to repay a qualified loan
8 amount in accordance with subsection (c) for Fed-
9 eral Direct Stafford Loans and Federal Direct Un-
10 subsidized Stafford Loans made under this part for
11 any borrower who—

12 “(A) is a highly qualified, full-time teacher
13 of mathematics, science, or special education at
14 a high-need school, and has been so employed
15 for not less than 5 consecutive complete school
16 years;

17 “(B) had mathematics, life or physical
18 sciences, technology, engineering, or special
19 education as an undergraduate academic major
20 or minor, or has a graduate degree in any such
21 field, as certified by the chief administrative of-
22 ficer of the public or nonprofit private school in
23 which the borrower is employed; and

24 “(C) is not in default on a loan for which
25 the borrower seeks forgiveness.

1 “(2) SELECTION OF RECIPIENTS.—The Sec-
2 retary shall promulgate regulations to ensure fair-
3 ness and equality for applicants in the selection of
4 borrowers for loan cancellation under this section,
5 based on the amount appropriated to carry out this
6 section.

7 “(c) QUALIFIED LOAN AMOUNTS.—

8 “(1) IN GENERAL.—The Secretary is authorized
9 to cancel not more than \$17,500 in the aggregate of
10 the loan obligation on 1 or more Federal Direct
11 Stafford Loans or 1 or more Federal Direct Unsub-
12 sidized Stafford Loans that are outstanding after
13 the completion of the fifth complete school year of
14 teaching described in subsection (b)(1)(A).

15 “(2) TREATMENT OF CONSOLIDATION LOANS.—
16 A loan amount for a Federal Direct Consolidation
17 Loan may be a qualified loan amount for the pur-
18 poses of this subsection only to the extent that such
19 loan amount was used to repay a Federal Direct
20 Stafford Loan, a Federal Direct Unsubsidized Staf-
21 ford Loan, or a loan made under section 428 or
22 428H for a borrower who meets the requirements of
23 subsection (b), as determined in accordance with
24 regulations prescribed by the Secretary.

1 “(d) REGULATIONS.—The Secretary is authorized to
2 issue such regulations as may be necessary to carry out
3 the provisions of this section.

4 “(e) CONSTRUCTION.—Nothing in this section shall
5 be construed to authorize any refunding of any canceled
6 loan.

7 “(f) ADDITIONAL ELIGIBILITY PROVISIONS.—

8 “(1) CONTINUED ELIGIBILITY.—A highly quali-
9 fied teacher shall be eligible for loan forgiveness pur-
10 suant to subsection (b), if the teacher performs serv-
11 ice in a school that—

12 “(A) meets the definition of a high-need
13 school under subsection (g) in any year during
14 such service; and

15 “(B) in a subsequent year, fails to meet
16 the definition of a high-need school under sub-
17 section (g).

18 “(2) PREVENTION OF DOUBLE BENEFITS.—

19 “(A) NATIONAL SERVICE POSITIONS.—No
20 borrower may, for the same service, receive a
21 benefit under both this section and subtitle D
22 of title I of the National and Community Serv-
23 ice Act of 1990 (42 U.S.C. 12601 et seq.).

24 “(B) LOAN FORGIVENESS AND CANCELLA-
25 TION PROVISIONS FOR TEACHERS.—

1 “(i) CANCELLATION.—No borrower
2 may receive a reduction of loan obligations
3 under both this section and section 460.

4 “(ii) FORGIVENESS.—No borrower
5 may receive loan cancellation under this
6 section and loan forgiveness under section
7 428J or section 428L that exceeds, in the
8 aggregate, \$17,500.

9 “(g) DEFINITIONS.—In this section:

10 “(1) HIGHLY QUALIFIED.—The term ‘highly
11 qualified’ has the meaning given the term in section
12 9101 of the Elementary and Secondary Education
13 Act of 1965 (Public Law 107–110).

14 “(2) HIGH-NEED SCHOOL.—The term ‘high-
15 need school’ has the meaning given the term in sec-
16 tion 2304(d) of the Elementary and Secondary Edu-
17 cation Act of 1965 (Public Law 107–110).

18 “(3) YEAR.—The term ‘year’, where applied to
19 service as a teacher, means an academic year as de-
20 fined by the Secretary.

21 “(h) AUTHORIZATION OF APPROPRIATIONS.—There
22 is authorized to be appropriated to carry out this section
23 such sums as may be necessary for the period of fiscal
24 years 2003 through 2008.”.

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