

107TH CONGRESS
1ST SESSION

S. 323

To amend the Elementary and Secondary Education Act of 1965 to establish scholarships for inviting new scholars to participate in renewing education, and mentor teacher programs.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 14, 2001

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

A BILL

To amend the Elementary and Secondary Education Act of 1965 to establish scholarships for inviting new scholars to participate in renewing education, and mentor teacher 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. SCHOLARSHIPS.**

4 Title II of the Elementary and Secondary Education
5 Act of 1965 (20 U.S.C. 6601 et seq.) is amended—

6 (1) by redesignating part E as part G;

7 (2) by redesignating sections 2401 and 2402 as
8 sections 2601 and 2602, respectively; and

1 (3) by inserting after part D the following:

2 **“PART E—SCHOLARSHIPS FOR INVITING NEW**
 3 **SCHOLARS TO PARTICIPATE IN RENEWING**
 4 **EDUCATION**

5 **“SEC. 2401. SHORT TITLE; PURPOSE.**

6 “(a) SHORT TITLE.—This part may be cited as the
 7 ‘Inviting New Scholars to Participate in Renewing Edu-
 8 cation Act’.

9 “(b) PURPOSE.—The purpose of this part is to make
 10 available, through grants to the State educational agen-
 11 cies, scholarships to individuals who are outstanding stu-
 12 dents, who are in their final year of secondary school, at-
 13 tending an institution of higher education, or graduates
 14 of such an institution, and who demonstrate an interest
 15 in teaching children and youth, in order to enable and en-
 16 courage those individuals to pursue teaching careers in
 17 education at the preschool, elementary, or secondary level.

18 **“SEC. 2402. DEFINITIONS.**

19 “In this part:

20 “(1) ALTERNATIVE CERTIFICATION PRO-
 21 GRAM.—The term ‘alternative certification program’
 22 means a program to obtain teacher certification
 23 through an alternative route designated by the
 24 State.

1 “(2) ALTERNATIVE ROUTE.—The term ‘alter-
2 native route’, used with respect to certification,
3 means a route to certification that—

4 “(A) includes strong academic and peda-
5 gogical course work that provides a candidate
6 seeking to become a teacher with the subject
7 matter knowledge and teaching knowledge need-
8 ed to help students meet a State’s curriculum
9 standards;

10 “(B) provides intensive field experience in
11 the form of an internship, or student teaching,
12 under the direct daily supervision of an expert,
13 veteran teacher;

14 “(C) ensures that the candidate meets
15 standards that are at least as rigorous as the
16 State’s standards for subject matter knowledge
17 and teaching knowledge that are required for
18 traditional teacher certification or licensing (not
19 certification through such a route); and

20 “(D) is provided through a program that
21 meets all of the State’s quality standards for
22 program approval, including standards that per-
23 tain to teacher candidate test performance and
24 other outcomes.

1 “(3) HIGH-NEED.—The term ‘high-need’, used
 2 with respect to a school district, means a school dis-
 3 trict in which—

4 “(A) not less than 30 percent of the chil-
 5 dren served by the local educational agency for
 6 the school district are children eligible to be
 7 counted under section 1124(c)(2); and

8 “(B) the elementary schools and secondary
 9 schools—

10 “(i) have a higher teacher turnover
 11 rate than the corresponding rate for the
 12 State in which the school district is lo-
 13 cated;

14 “(ii) have a higher percentage of
 15 uncertified or unlicensed teachers than the
 16 corresponding percentage for the State; or

17 “(iii) have a higher percentage of sec-
 18 ondary school teachers not teaching in the
 19 academic subject in which the teachers
 20 were trained to teach, than the cor-
 21 responding percentage for the State,

22 as determined by the State.

23 “(4) SCHOLARSHIP.—The term ‘scholarship’
 24 means a scholarship awarded under this part.

1 **“SEC. 2403. ALLOTMENTS AND GRANTS TO STATES.**

2 “(a) GRANTS.—The Secretary may make grants to
3 States, from allotments determined under subsection (b),
4 to enable the State educational agencies for the States to
5 pay for the Federal share of the cost of awarding scholar-
6 ships in accordance with this part.

7 “(b) ALLOTMENTS.—From the sums appropriated to
8 carry out this part and not reserved under section 2409(c)
9 for any fiscal year, the Secretary shall allot to each eligible
10 State educational agency an amount that bears the same
11 relationship to the sums as the amount the State received
12 for the fiscal year under title I bears to the amount all
13 States received for the fiscal year under title I.

14 “(c) FEDERAL SHARE.—

15 “(1) IN GENERAL.—The Federal share of the
16 cost described in subsection (a) is 80 percent.

17 “(2) NON-FEDERAL SHARE.—The non-Federal
18 share of the cost may be provided from State
19 sources in cash or in kind, fairly evaluated, including
20 plant, equipment, and services.

21 **“SEC. 2404. GRANT APPLICATIONS.**

22 “(a) SUBMISSION OF APPLICATIONS.—In order to re-
23 ceive a grant under this part, a State educational agency
24 shall submit an application to the Secretary at such time,
25 in such manner, and containing such information as the
26 Secretary may require.

1 “(b) CONTENT OF APPLICATIONS.—The application
2 shall contain information that—

3 “(1) describes the selection criteria and proce-
4 dures to be used by the State educational agency in
5 the selection of scholarship recipients under this
6 part;

7 “(2) designates the State educational agency as
8 the State agency responsible for administering the
9 grants received under this part;

10 “(3) describes the outreach effort the State
11 educational agency intends to use to publicize the
12 availability of the scholarships to eligible applicants
13 in the State;

14 “(4) describes how the State educational agency
15 will inform recipients, on receipt of the scholarship
16 awards, of current and projected teacher shortages
17 and surpluses within the State;

18 “(5) provides assurances that each recipient of
19 scholarship assistance will enter into an agreement
20 with the State educational agency under which the
21 recipient will—

22 “(A) complete the program of postsec-
23 ondary education or alternative certification
24 program, as described in section 2407(a)(1), for
25 which the scholarship was awarded;

1 “(B)(i) obtain certification or licensing as
2 a teacher (that is not temporary or emergency
3 certification or licensing); and

4 “(ii) teach in a private nonprofit or public
5 preschool, or a public elementary school or sec-
6 ondary school, in a high-need school district, for
7 a period of not less than 1 year for each \$5,000
8 of the assistance received;

9 “(C) provide to the Secretary evidence of
10 compliance with section 2407 as required by the
11 Secretary; and

12 “(D) repay all or part of a scholarship,
13 plus pay interest and, if applicable, reasonable
14 collection fees, in compliance with regulations
15 issued by the Secretary under section 2408(a),
16 in the event that the recipient does not comply
17 with the conditions described in subparagraphs
18 (A) and (B), except as provided for in section
19 2408(b) or procedures described in paragraph
20 (7);

21 “(6) provides that the agreement entered into
22 with recipients will fully disclose the terms and con-
23 ditions under which assistance is provided under this
24 part and under which repayment may be required,
25 including—

1 “(A) a description of the procedures re-
 2 quired to be established under paragraph (7);
 3 and

4 “(B) a description of the appeals proce-
 5 dures required to be established under para-
 6 graph (8);

7 “(7) provides for procedures under which a re-
 8 cipient of assistance under this part who teaches for
 9 less than the period required under paragraph
 10 (5)(B) will have the repayment requirements de-
 11 scribed in section 2408(a) reduced or eliminated,
 12 consistent with the provisions of section 2408(b);
 13 and

14 “(8) provides for appeals procedures under
 15 which a recipient may appeal any determination of
 16 noncompliance with any provision under this part.

17 **“SEC. 2405. AMOUNT AND DURATION OF AND RELATION TO**
 18 **OTHER ASSISTANCE.**

19 “(a) LIMITATIONS ON AMOUNT AND DURATION.—
 20 Subject to subsection (c), each scholarship recipient shall
 21 receive a scholarship for each academic year of postsec-
 22 ondary education or study in an alternative certification
 23 program described in section 2407(a) in preparation to be-
 24 come a preschool, elementary school, or secondary school
 25 teacher. No individual shall receive scholarship assistance

1 under this part for more than 4 years of such postsec-
2 ondary education or study, as determined by the State
3 educational agency, or a total amount of such assistance
4 that is greater than \$20,000.

5 “(b) CONSIDERATION OF AWARD IN OTHER PRO-
6 GRAMS.—Notwithstanding the provisions of title IV of the
7 Higher Education Act of 1965, scholarship assistance
8 awarded pursuant to this part shall be considered in deter-
9 mining eligibility for student assistance under such title
10 IV.

11 “(c) ASSISTANCE NOT TO EXCEED COST OF AT-
12 TENDANCE.—No individual shall receive assistance for a
13 scholarship under this part, in any academic year, that
14 exceeds the cost of attendance, as defined in section 472
15 of the Higher Education Act of 1965, at the institution
16 the individual is attending or such cost of attendance for
17 an alternative certification program. A scholarship award-
18 ed under this part shall not be reduced on the basis of
19 the student’s receipt of other forms of Federal student fi-
20 nancial assistance, but shall be taken into account in de-
21 termining the eligibility of the student for the other forms
22 of Federal student financial assistance.

23 “(d) SUPPLEMENT, NOT SUPPLANT.—Funds appro-
24 priated pursuant to the authority of this part shall be used
25 to supplement and not supplant other Federal, State, and

1 local public funds expended to provide services for eligible
2 individuals.

3 **“SEC. 2406. SELECTION OF SCHOLARSHIP RECIPIENTS.**

4 “(a) SELECTION CRITERIA AND PROCEDURES.—The
5 State educational agency shall establish criteria and proce-
6 dures for the selection of scholarship recipients. The cri-
7 teria shall be intended to attract highly qualified individ-
8 uals into teaching, and to meet the present and projected
9 needs of States in addressing teacher shortages, including
10 the demand for and supply of early childhood and elemen-
11 tary school teachers in the State, the demand for and sup-
12 ply of secondary school teachers in the State, and the de-
13 mand for teachers with training in specific academic sub-
14 jects in the State.

15 “(b) RESERVATION OF SCHOLARSHIP FUNDS.—In
16 awarding the funds made available to a State educational
17 agency under this part for scholarships, the State edu-
18 cational agency shall reserve not less than 30 percent of
19 the funds for scholarships to students that intend to teach
20 in an academic subject that the State educational agency
21 determines is a subject shortage area, such as mathe-
22 matics, science, or special education.

23 **“SEC. 2407. SCHOLARSHIP CONDITIONS.**

24 “(a) EVIDENCE OF ENROLLMENT.—An individual
25 who is a recipient of scholarship assistance under this part

1 shall continue to receive such scholarship assistance only
2 during such periods as the Secretary finds that the recipi-
3 ent is—

4 “(1)(A)(i) enrolled as a full-time student in a
5 program of postsecondary education at an accredited
6 institution of higher education that includes a teach-
7 er education program that is approved by the agen-
8 cy; and

9 “(ii) pursuing a major or minor in the academic
10 subject that the individual intends to teach;

11 “(B)(i) enrolled as a full-time student in a
12 graduate program of postsecondary education at an
13 institution described in subparagraph (A); and

14 “(ii) pursuing a degree in the academic subject
15 that the individual intends to teach; or

16 “(C) enrolled in an alternative certification pro-
17 gram;

18 “(2) pursuing a course of study leading to
19 teacher certification or licensing in the program of
20 postsecondary education or alternative certification
21 program involved; and

22 “(3) maintaining satisfactory progress, as de-
23 termined by the institution of higher education, or
24 the entity providing the alternative certification pro-
25 gram, that the recipient is attending.

1 “(b) EVIDENCE OF EMPLOYMENT.—An individual
 2 who is a recipient of scholarship assistance under this part
 3 shall supply to the Secretary, not later than 27 months
 4 after the date the recipient completes the program of post-
 5 secondary education or alternative certification program
 6 for which the scholarship was awarded, evidence of em-
 7 ployment as a teacher in a private nonprofit or public pre-
 8 school, or a public elementary school or secondary school.

9 “(c) TRACKING.—The Secretary shall conduct such
 10 oversight and evaluation as may be necessary to assure
 11 compliance with this section.

12 **“SEC. 2408. SCHOLARSHIP REPAYMENT PROVISIONS.**

13 “(a) REPAYMENT.—Recipients of scholarships who
 14 are found by the Secretary to be in violation of the agree-
 15 ment entered into under section 2404(b)(5) shall be
 16 required—

17 “(1) to repay a pro rata amount of the scholar-
 18 ship assistance received; and

19 “(2) to pay interest (but in no event at an in-
 20 terest rate higher than the rate applicable to loans
 21 in the applicable period under part B of title IV of
 22 the Higher Education Act of 1965), and, in applica-
 23 ble cases, to pay reasonable collection fees, on a
 24 schedule and at a rate of interest to be prescribed

1 by the Secretary in regulations issued pursuant to
2 this part.

3 “(b) DEFERRAL DURING CERTAIN PERIODS.—A re-
4 cipient shall not be considered to be in violation of the
5 agreement entered into under section 2404(b)(5) during
6 any period during which—

7 “(1) the recipient is enrolled in, pursuing an
8 appropriate course of study in, and maintaining sat-
9 isfactory progress in, a program of postsecondary
10 education or an alternative certification program, as
11 described in section 2407(a);

12 “(2) the recipient is seeking and unable to find
13 full-time employment as a teacher in a private non-
14 profit or public preschool, or a public elementary
15 school or secondary school, for a single period of not
16 to exceed 27 months;

17 “(3) repayment would pose particular hardship
18 for the recipient, as determined by the Secretary; or

19 “(4) the recipient satisfies the provisions of ad-
20 ditional repayment exceptions that may be pre-
21 scribed by the Secretary in regulations issued pursu-
22 ant to this part.

23 **“SEC. 2409. EVALUATION.**

24 “(a) IN GENERAL.—The Secretary shall conduct, by
25 grant or contract, an independent evaluation of the schol-

1 arship assistance program carried out under this part,
 2 which shall summarize and evaluate the State activities
 3 assisted under this part and the performance of such pro-
 4 gram. The evaluation shall assess the impact of the schol-
 5 arship program assisted under this part to determine
 6 whether such program has brought into teaching a signifi-
 7 cant number of highly able individuals who otherwise
 8 would not have entered teaching.

9 “(b) EVALUATION REPORTS.—The Secretary shall
 10 submit to the President, the Committee on Education and
 11 the Workforce of the House of Representatives, and the
 12 Committee on Health, Education, Labor, and Pensions of
 13 the Senate—

14 “(1) such interim evaluation reports as may be
 15 appropriate; and

16 “(2) not later than September 30, 2006, a final
 17 report containing the results of the evaluation.

18 “(c) FUNDING.—The Secretary shall reserve, from
 19 the amounts appropriated pursuant to section 2610 for
 20 fiscal years 2002 through 2006, the minimum amount
 21 necessary to carry out this section.

22 **“SEC. 2410. AUTHORIZATION OF APPROPRIATIONS.**

23 “(a) IN GENERAL.—There is authorized to be appro-
 24 priated to carry out this part \$100,000,000 for each of
 25 fiscal years 2002 through 2006.

1 “(b) AVAILABILITY.—Any amounts appropriated
 2 pursuant to the authority of subsection (a) shall remain
 3 available until expended.”.

4 **SEC. 2. MENTOR TEACHER PROGRAMS.**

5 Title II of the Elementary and Secondary Education
 6 Act of 1965 (20 U.S.C. 6601 et seq.), as amended in sec-
 7 tion 1, is further amended by inserting after part E the
 8 following:

9 **“PART F—MENTOR TEACHER PROGRAM**

10 **“SEC. 2501. PURPOSES.**

11 “The purposes of this part are to give local edu-
 12 cational agencies the resources to establish mentor teacher
 13 programs to enable experienced teachers to train, support,
 14 and mentor novice teachers.

15 **“SEC. 2502. DEFINITIONS.**

16 “In this part:

17 “(1) BOARD CERTIFIED.—The term ‘board cer-
 18 tified’ means successful completion of all require-
 19 ments to be certified by the National Board for Pro-
 20 fessional Teaching Standards in the academic sub-
 21 ject in which a teacher is teaching.

22 “(2) MENTOR TEACHER.—The term ‘mentor
 23 teacher’ means a teacher who—

24 “(A) is fully certified or licensed;

1 “(B) has demonstrated mastery of peda-
 2 gogical and subject matter skills (such as by be-
 3 coming board certified); and

4 “(C) has provided evidence of superior
 5 teaching abilities and interpersonal relationship
 6 characteristics.

7 “(3) NOVICE TEACHER.—The term ‘novice
 8 teacher’ means a teacher who has been teaching not
 9 more than 3 years at a public elementary school or
 10 secondary school.

11 **“SEC. 2503. PROGRAM AUTHORIZED.**

12 “(a) AUTHORITY.—

13 “(1) IN GENERAL.—The Secretary is authorized
 14 to award grants, on a competitive basis, to local edu-
 15 cational agencies to develop and implement mentor
 16 teacher programs as described in subsection (d).

17 “(2) DURATION.—The Secretary shall award
 18 grants under this subsection for periods of not more
 19 than 5 years.

20 “(b) GEOGRAPHIC DISTRIBUTION.—To the maximum
 21 extent practicable, the Secretary shall award the grants
 22 so that the grants are distributed among the local edu-
 23 cational agencies with higher percentages of new teachers,
 24 or lower percentages of certified or licensed teachers, than

1 the corresponding percentages for the States in which the
2 agencies are located.

3 “(c) AMOUNT.—The amount of each grant shall be
4 determined based on—

5 “(1) the total amount appropriated for a fiscal
6 year under section 2508 and made available to carry
7 out this part; and

8 “(2) the extent of the concentration of novice
9 teachers in the school district involved.

10 “(d) AUTHORIZED ACTIVITIES.—

11 “(1) ALLOCATION BY ACTIVITY.—A local edu-
12 cational agency that receives a grant under sub-
13 section (a) for a mentor teacher program shall use—

14 “(A) not less than 75 percent of the funds
15 made available through the grant to pay for the
16 Federal share of the cost of obtaining the serv-
17 ices of the mentor teachers; and

18 “(B) not more than 25 percent of the
19 funds to pay for other costs related to the de-
20 velopment and implementation of the mentor
21 teacher program.

22 “(2) TRAINING.—The mentor teacher program
23 shall provide training to novice teachers on effective
24 teaching techniques (including techniques relating to
25 class discipline and curriculum development)

1 through observation, instruction, coaching, and men-
 2 toring by mentor teachers.

3 “(3) FEDERAL SHARE.—

4 “(A) IN GENERAL.—The Federal share of
 5 the cost described in paragraph (1)(A) is 75
 6 percent.

7 “(B) NON-FEDERAL SHARE.—The non-
 8 Federal share of the cost may be provided from
 9 State sources in cash or in kind, fairly evalu-
 10 ated, including plant, equipment, and services.

11 “(e) SUPPLEMENT, NOT SUPPLANT.—Funds appro-
 12 priated pursuant to the authority of this part shall be used
 13 to supplement and not supplant other Federal, State, and
 14 local public funds expended to provide services for eligible
 15 individuals.

16 **“SEC. 2504. APPLICATIONS.**

17 “A local educational agency desiring a grant under
 18 section 2503 shall submit an application to the Secretary
 19 at such time, in such manner, and accompanied by such
 20 information as the Secretary may reasonably require.

21 **“SEC. 2505. PAYMENTS.**

22 “(a) IN GENERAL.—Grant payments shall be made
 23 under this part on an annual basis.

24 “(b) ADMINISTRATIVE COSTS.—Each local edu-
 25 cational agency that receives a grant under section 2503

1 shall use not more than 2 percent of the amount awarded
 2 under the grant for administrative costs.

3 “(c) DENIAL OF GRANT.—If the Secretary deter-
 4 mines that a local educational agency has failed to make
 5 substantial progress in attaining such performance objec-
 6 tives and goals as the Secretary may require the agency
 7 to establish, such an agency shall not be eligible for a
 8 grant payment under this part in the next succeeding year.

9 **“SEC. 2506. REPORTS.**

10 “The Secretary shall prepare and submit to the Com-
 11 mittee on Health, Education, Labor, and Pensions of the
 12 Senate and the Committee on Education and the Work-
 13 force of the House of Representatives a report of program
 14 activities funded under this part.

15 **“SEC. 2507. MATCHING REQUIREMENT.**

16 “The Secretary may not award a grant to a local edu-
 17 cational agency under section 2503 unless the local edu-
 18 cational agency agrees that, with respect to costs to be
 19 incurred by the agency in carrying out activities for which
 20 the grant was awarded, the agency shall provide (directly
 21 or through donations from public or private entities) in
 22 non-Federal contributions an amount equal to 25 percent
 23 of the amount of the grant awarded to the agency.

1 **“SEC. 2508. AUTHORIZATION OF APPROPRIATIONS.**

2 “There is authorized to be appropriated to carry out
3 this part \$50,000,000 for each of fiscal years 2002
4 through 2006.”.

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