

107TH CONGRESS
1ST SESSION

S. 438

To improve the quality of teachers in elementary and secondary schools.

IN THE SENATE OF THE UNITED STATES

MARCH 1, 2001

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

A BILL

To improve the quality of teachers in elementary and secondary schools.

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 “Teacher Quality Act
5 of 2001”.

6 **TITLE I—EISENHOWER NA-**
7 **TIONAL CLEARINGHOUSE IM-**
8 **PROVEMENT**

9 **SEC. 101. FINDINGS AND PURPOSE.**

10 (a) FINDINGS.—Congress makes the following find-
11 ings:

1 (1) The most important education tool in any
2 classroom is a qualified, highly trained teacher.

3 (2) The collection and effective dissemination of
4 best practices in education is a primary responsi-
5 bility of the Federal Government.

6 (3) The Eisenhower National Clearinghouse is
7 the Nation's repository of kindergarten through
8 grade 12 instructional materials in mathematics and
9 science education, and disseminates information
10 about these materials in a user-friendly format for
11 educators.

12 (4) The Eisenhower National Clearinghouse col-
13 laborates with the national network of Eisenhower
14 Regional Mathematics and Science Education Con-
15 sortia and the collaboration includes twelve dem-
16 onstration sites throughout the Nation.

17 (5) Since 1992, the Eisenhower National Clear-
18 inghouse has distributed 3,714,807 CD-ROM's and
19 print publications. Products are distributed to every
20 school building in the Nation, colleges of education,
21 and various education groups and professional orga-
22 nizations. The Eisenhower National Clearinghouse
23 has received over 40,000,000 hits to their web site
24 since the creation of the web site in 1994. In addi-
25 tion, the Eisenhower National Clearinghouse has es-

1 tablished over 100 access centers across the Nation
 2 to expand direct service to more teachers.

3 (b) PURPOSE.—The purpose of this title is—

4 (1) to expand the activities of the Eisenhower
 5 National Clearinghouse to include collecting and re-
 6 viewing instructional and professional development
 7 materials and programs for language arts and social
 8 studies; and

9 (2) to require the Eisenhower National Clear-
 10 inghouse to collect and analyze the materials and
 11 programs.

12 **SEC. 102. EXPANDED ACTIVITIES.**

13 (a) IN GENERAL.—Section 2102 of the Elementary
 14 and Secondary Education Act of 1965 (20 U.S.C.
 15 6622(b)) is amended—

16 (1) in subsection (a)(2), by striking “for Mathe-
 17 matics and Science”;

18 (2) in subsection (b)—

19 (A) in paragraph (3)—

20 (i) in subparagraph (A), by striking
 21 “and science” each place the term appears
 22 and inserting “, science, language arts,
 23 and social studies”;

1 (ii) in subparagraph (B), by striking
2 “and science” and inserting “, science, lan-
3 guage arts, and social studies”;

4 (iii) in subparagraph (D), by striking
5 “and science” and inserting “, science, lan-
6 guage arts, and social studies”; and

7 (iv) by amending subparagraph (F) to
8 read as follows:

9 “(F) gather (in consultation with the De-
10 partment, national teacher associations, profes-
11 sional associations, and other reviewers and de-
12 velopers of education materials and programs)
13 qualitative and evaluative materials and pro-
14 grams for the Clearinghouse, review the evalua-
15 tion of the materials and programs, rank the ef-
16 fectiveness of the materials and programs on
17 the basis of the evaluations, and distribute the
18 results of the reviews to teachers in an easily
19 accessible manner, except that nothing in this
20 subparagraph shall be construed to permit the
21 Clearinghouse to directly conduct an evaluation
22 of the materials or programs.”;

23 (B) in paragraph (4), by striking “or
24 science” and inserting “, science, language arts,
25 or social studies”; and

1 (C) by adding at the end the following:

2 “(9) EFFECTIVE USE OF TECHNOLOGY.—In re-
3 viewing evaluations of materials and programs under
4 this subsection the Clearinghouse shall give par-
5 ticular attention to the effective use of education
6 technology in mathematics, science, language arts,
7 and social studies.”.

8 (b) CONFORMING AMENDMENT.—Section 13302(10)
9 of the Elementary and Secondary Education Act of 1965
10 (20 U.S.C. 8672(10)) is amended by striking “Mathe-
11 matics and Science”.

12 **TITLE II—TEACHER MENTORING**

13 **SEC. 201. FINDINGS AND PURPOSE.**

14 (a) FINDINGS.—Congress makes the following find-
15 ings:

16 (1) The American teaching force is aging. The
17 average school teacher was 43 years old in academic
18 year 1993–1994, an increase of 3 years over the av-
19 erage age of school teachers in academic year 1987–
20 1998. Nearly a quarter of American teachers are
21 over 50 years old and nearing retirement.

22 (2) On average public school teachers have
23 slightly more than 15 years teaching experience, and
24 over a third of the public school teachers have 20 or
25 more years of teaching experience.

1 (3) The experience of America's veteran teach-
2 ers should be utilized to help introduce beginning
3 teachers to the profession and to their new school.

4 (4) Retention of beginning teachers is a grow-
5 ing problem, with approximately 25 percent of be-
6 ginning teachers leaving the teaching profession
7 within their first 3 years in the classroom.

8 (b) PURPOSE.—The purpose of this title is to in-
9 crease teacher retention and improve the support and per-
10 formance of teachers by encouraging and assisting States
11 to develop and operate mentoring programs for beginning
12 teachers.

13 **SEC. 202. DEFINITIONS.**

14 The terms used in this title have the meanings given
15 the terms in section 14101 of the Elementary and Sec-
16 ondary Education Act of 1965 (20 U.S.C. 8801).

17 **SEC. 203. GRANT PROGRAM.**

18 (a) IN GENERAL.—The Secretary is authorized to
19 award grants to State educational agencies to enable the
20 State educational agencies to carry out mentoring pro-
21 grams under which public elementary school or secondary
22 school teachers with more than 3 years teaching experi-
23 ence serve as mentor teachers to public elementary school
24 or secondary school teachers with less than 3 years teach-
25 ing experience.

1 (b) AMOUNT.—Each State educational agency having
2 an application approved under subsection (d) for a fiscal
3 year shall receive a grant in an amount that bears the
4 same relation to the amount appropriated under sub-
5 section (f) for the fiscal year as the number of elementary
6 school and secondary school students in the State for the
7 fiscal year bears to the number of such students in all
8 States for the fiscal year.

9 (c) REALLOCATION.—The amount of a State edu-
10 cational agency's grant that will not be used by the State
11 educational agency for a fiscal year shall be reallocated to
12 the other State educational agency in the same manner
13 as grants are awarded under subsection (b).

14 (d) APPLICATION.—Each State educational agency
15 that desires a grant under this section shall submit an
16 application to the Secretary at such time, in such manner
17 and accompanied by such information as the Secretary
18 may require. Each such application shall—

19 (1) describe the activities and services for which
20 assistance is sought;

21 (2) contain an assurance that funds provided
22 under this title will be used to supplement and not
23 supplant State or local public funds available for
24 teacher mentoring programs; and

1 (3) contain an assurance that the State edu-
 2 cational agency consulted with local educational
 3 agencies, school superintendents, school boards, par-
 4 ents, and institutions of higher education in the de-
 5 sign and implementation of the teacher mentoring
 6 program to be assisted.

7 (e) AUTHORIZATION OF APPROPRIATIONS.—There
 8 are authorized to be appropriated to carry out this title
 9 \$5,000,000 for each of the fiscal years 2002 and 2003.

10 **TITLE III—ALTERNATIVE CER-** 11 **TIFICATION AND LICENSURE** 12 **OF TEACHERS**

13 **SEC. 301. FINDINGS AND PURPOSE.**

14 (a) FINDINGS.—Congress finds that—

15 (1) the measure of a good teacher is how much
 16 and how well the teacher's students learn;

17 (2) the main teacher quality problem in 1998
 18 was the lack of subject matter knowledge;

19 (3) knowledgeable and eager individuals of
 20 sound character and various professional back-
 21 grounds should be encouraged to enter the kinder-
 22 garten through grade 12 classrooms as teachers;

23 (4) many talented professionals who have dem-
 24 onstrated a high level of subject area competence
 25 outside the education profession may wish to pursue

1 careers in education, but have not fulfilled the tradi-
 2 tional requirements to be certified or licensed as
 3 teachers;

4 (5) States should have maximum flexibility and
 5 incentives to create alternative teacher certification
 6 and licensure programs in order to recruit well-edu-
 7 cated people into the teaching profession; and

8 (6) alternative routes can enable qualified indi-
 9 viduals to fulfill State teacher certification or licen-
 10 sure requirements and will allow school systems to
 11 utilize the expertise of professionals and improve the
 12 pool of qualified individuals available to local edu-
 13 cational agencies as teachers.

14 (b) PURPOSE.—It is the purpose of this title to im-
 15 prove the supply of well-qualified elementary school and
 16 secondary school teachers by encouraging and assisting
 17 States to develop and implement programs for alternative
 18 routes to teacher certification or licensure requirements.

19 **SEC. 302. ALLOTMENTS.**

20 (a) ALLOTMENTS TO STATES.—

21 (1) IN GENERAL.—From the amount appro-
 22 priated to carry out this title for each fiscal year,
 23 the Secretary shall allot to each State the lesser of—

24 (A) the amount the State applies for under
 25 section 303; or

1 (B) an amount that bears the same rela-
 2 tion to the amount so appropriated as the total
 3 population of children ages 5 through 17 in the
 4 State bears to the total population of such chil-
 5 dren in all the States (based on the most recent
 6 data available that is satisfactory to the Sec-
 7 retary).

8 (2) REALLOCATION.—If a State does not apply
 9 for the State’s allotment, or the full amount of the
 10 State’s allotment, under paragraph (1), the Sec-
 11 retary may reallocate the excess funds to 1 or more
 12 other States that demonstrate, to the satisfaction of
 13 the Secretary, a current need for the funds.

14 (b) SPECIAL RULE.—Notwithstanding section 421(b)
 15 of the General Education Provisions Act (20 U.S.C.
 16 1225(b)), funds awarded under this title shall remain
 17 available for obligation by a recipient for a period of 2
 18 calendar years from the date of the grant.

19 **SEC. 303. STATE APPLICATIONS.**

20 (a) IN GENERAL.—Any State desiring to receive an
 21 allotment under this title shall, through the State edu-
 22 cational agency, submit an application at such time, in
 23 such manner, and containing such information, as the Sec-
 24 retary may reasonably require.

25 (b) REQUIREMENTS.—Each application shall—

1 (1) describe the programs, projects, and activi-
2 ties to be undertaken with assistance provided under
3 this title; and

4 (2) contain such assurances as the Secretary
5 considers necessary, including assurances that—

6 (A) assistance provided to the State edu-
7 cational agency under this title will be used to
8 supplement, and not to supplant, any State or
9 local funds available for the development and
10 implementation of programs to provide alter-
11 native routes to fulfilling teacher certification or
12 licensure requirements;

13 (B) the State educational agency has, in
14 developing and designing the application, con-
15 sulted with—

16 (i) representatives of local educational
17 agencies, including superintendents and
18 school board members (including rep-
19 resentatives of their professional organiza-
20 tions if appropriate);

21 (ii) elementary school and secondary
22 school teachers, including representatives
23 of their professional organizations;

1 (iii) schools or departments of edu-
 2 cation within institutions of higher edu-
 3 cation;

4 (iv) parents; and

5 (v) other interested individuals and
 6 organizations; and

7 (C) the State educational agency will sub-
 8 mit to the Secretary, at such time as the Sec-
 9 retary may specify, a final report describing the
 10 activities carried out with assistance provided
 11 under this title and the results achieved with
 12 respect to such activities.

13 (c) GEPA PROVISIONS INAPPLICABLE.—Sections
 14 441 and 442 of the General Education Provisions Act (20
 15 U.S.C. 1232d and 1232e), except to the extent that such
 16 sections relate to fiscal control and fund accounting proce-
 17 dures, shall not apply to this title.

18 **SEC. 304. USE OF FUNDS.**

19 (a) USE OF FUNDS.—

20 (1) IN GENERAL.—A State educational agency
 21 shall use funds provided under this title to support
 22 programs, projects, or activities that develop and im-
 23 plement new, or expand and improve existing, pro-
 24 grams that enable individuals to move to a teaching
 25 career in elementary or secondary education from

1 another occupation through an alternative route to
2 teacher certification or licensure.

3 (2) TYPES OF ASSISTANCE.—A State edu-
4 cational agency may carry out such programs,
5 projects, or activities directly, through contracts, or
6 through grants to local educational agencies, inter-
7 mediate educational agencies, institutions of higher
8 education, or consortia of such agencies or institu-
9 tions.

10 (b) USES.—Funds received under this title may be
11 used for—

12 (1) the design, development, implementation,
13 and evaluation of programs that enable qualified
14 professionals who have demonstrated a high level of
15 subject area competence outside the education pro-
16 fession and are interested in entering the education
17 profession to fulfill State teacher certification or li-
18 censure requirements;

19 (2) the establishment of administrative struc-
20 tures necessary for the development and implemen-
21 tation of programs to provide alternative routes to
22 fulfilling State teacher certification or licensure re-
23 quirements;

24 (3) training of staff, including the development
25 of appropriate support programs, such as mentor

1 programs, for teachers entering the school system
 2 through alternative routes to teacher certification or
 3 licensure;

4 (4) the development of recruitment strategies;

5 (5) the development of reciprocity agreements
 6 between or among States for the certification or li-
 7 censure of teachers; or

8 (6) other programs, projects, and activities
 9 that—

10 (A) are designed to meet the purpose of
 11 this title; and

12 (B) the Secretary determines appropriate.

13 **SEC. 305. DEFINITIONS.**

14 In this title:

15 (1) ELEMENTARY SCHOOL; LOCAL EDU-
 16 CATIONAL AGENCY; SECONDARY SCHOOL; SEC-
 17 RETARY; AND STATE EDUCATIONAL AGENCY.—The
 18 terms “elementary school”, “local educational agen-
 19 cy”, “secondary school”, “Secretary”, and “State
 20 educational agency” have the meanings given the
 21 terms in section 14101 of the Elementary and Sec-
 22 ondary Education Act of 1965 (20 U.S.C. 8801).

23 (2) INSTITUTION OF HIGHER EDUCATION.—The
 24 term “institution of higher education” has the

1 meaning given the term in section 101 of the Higher
 2 Education Act of 1965 (20 U.S.C. 1001).

3 (3) STATE.—The term “State” means each of
 4 the several States of the United States, the District
 5 of Columbia, the Commonwealth of Puerto Rico, the
 6 United States Virgin Islands, Guam, American
 7 Samoa, and the Commonwealth of the Northern
 8 Mariana Islands.

9 **SEC. 306. AUTHORIZATION OF APPROPRIATIONS.**

10 There are authorized to be appropriated to carry out
 11 this title \$15,000,000 for fiscal year 2002 and each of
 12 the 4 succeeding fiscal years.

13 **TITLE IV—TEACHER QUALITY**

14 **SEC. 401. FINDINGS AND PURPOSE.**

15 (a) FINDINGS.—Congress finds that—

16 (1) individuals entering a classroom should have
 17 a sound grasp of the subject the individuals intend
 18 to teach, and the individuals should know how to
 19 teach;

20 (2) the quality of teachers impacts student
 21 achievement;

22 (3) people who enter the teaching profession
 23 through alternative certification programs can ben-
 24 efit from having the opportunity to attend a teacher
 25 training facility;

1 (4) teachers need to increase their subject mat-
2 ter knowledge;

3 (5) less than 40 percent of the individuals
4 teaching the core subjects (English, mathematics,
5 science, social studies, and foreign languages) ma-
6 jored or minored in the core subjects; and

7 (6) according to the Third International Mathe-
8 matics and Science Study, American high school
9 seniors finished near the bottom of the study in both
10 science and mathematics.

11 (b) PURPOSE.—The purpose of this title is to
12 strengthen teacher training programs by establishing a
13 private and public partnership to create the best teacher
14 training facilities in the world to ensure that teachers re-
15 ceive unlimited access to the most updated technology and
16 skills training in education, so that students can benefit
17 from the teachers' knowledge and experience.

18 **SEC. 402. DEFINITIONS.**

19 In this title:

20 (1) LOCAL EDUCATIONAL AGENCY.—The term
21 “local educational agency” has the meaning given
22 the term in section 14101 of the Elementary and
23 Secondary Education Act of 1965 (20 U.S.C. 8801).

24 (2) SECRETARY.—The term “Secretary” means
25 the Secretary of Education.

1 **SEC. 403. GRANTS.**

2 (a) IN GENERAL.—From amounts appropriated
3 under section 404 for a fiscal year the Secretary shall
4 award grants to local educational agencies to enable the
5 local educational agencies to establish teacher training fa-
6 cilities for elementary and secondary school teachers.

7 (b) COMPETITIVE BASIS.—The Secretary shall award
8 grants under this title on a competitive basis.

9 (c) PARTNERSHIP CONTRACT REQUIRED.—In order
10 to receive a grant under this title, a local educational agen-
11 cy shall enter into a contract with a nongovernmental or-
12 ganization to establish a teacher training facility.

13 (d) APPLICATIONS.—Each local educational agency
14 desiring a grant under this title shall submit to the Sec-
15 retary an application at such time, in such manner, and
16 accompanied by such information as the Secretary may
17 require. Each such application shall contain an assurance
18 that the local educational agency—

19 (1) will raise matching funds, from public or
20 private sources, for the support of the teacher train-
21 ing facility in an amount equal to the amount of
22 funds provided under the grant;

23 (2) will train the teachers employed by the local
24 educational agency at the teacher training facility
25 for a period of 10 years after the date the agency

1 enters into the contract described in subsection (c);
2 and

3 (3) will spend not less than 0.5 percent of the
4 local educational agency's total school budget for
5 each fiscal year to support the teacher training facil-
6 ity.

7 (e) AMOUNT.—The Secretary shall award each grant
8 under this section in an amount that is not less than
9 \$1,000,000 and not more than \$4,000,000.

10 **SEC. 404. AUTHORIZATION OF APPROPRIATIONS.**

11 There are authorized to be appropriated to carry out
12 this title \$8,000,000 for fiscal year 2002, \$12,000,000 for
13 fiscal year 2003, \$12,000,000 for fiscal year 2004, and
14 \$16,000,000 for fiscal year 2005.

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