

108TH CONGRESS  
2D SESSION

# H. R. 4410

To increase the amount of student loans that may be forgiven for highly qualified teachers in mathematics, science, and special education and for reading specialists.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 20, 2004

Mr. WILSON of South Carolina (for himself, Mr. BOEHNER, Mr. McKEON, Mr. ISAKSON, Mr. GREENWOOD, Mr. EHLERS, Mr. PLATTS, Mr. TIBERI, Mr. KELLER, Mr. COLE, Mr. PORTER, Mr. BAKER, Mr. BRADLEY of New Hampshire, Ms. GINNY BROWN-WAITE of Florida, Mr. FATTAH, Mr. GARRETT of New Jersey, Mr. GRAVES, Mr. HOBSON, Mr. JENKINS, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. KOLBE, Mr. NUNES, Mr. SHIMKUS, Mr. SIMMONS, Mr. SOUDER, and Mrs. WILSON of New Mexico) introduced the following bill; which was referred to the Committee on Education and the Workforce

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## A BILL

To increase the amount of student loans that may be forgiven for highly qualified teachers in mathematics, science, and special education and for reading specialists.

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 Shortage Re-  
5 sponse Act of 2004”.

1 **SEC. 2. INCREASED QUALIFIED LOAN AMOUNTS.**

2 (a) FFEL LOANS.—Section 428J(c) of the Higher  
3 Education Act of 1965 (20 U.S.C. 1078–10(c)) is amend-  
4 ed by adding at the end the following new paragraph:

5 “(3) INCREASED AMOUNTS FOR TEACHERS IN  
6 MATHEMATICS, SCIENCE, OR SPECIAL EDUCATION.—

7 “(A) SERVICE QUALIFYING FOR IN-  
8 CREASED AMOUNTS.—Notwithstanding the  
9 amount specified in paragraph (1), the aggre-  
10 gate amount that the Secretary shall repay  
11 under this section shall not be more than  
12 \$17,500 in the case of—

13 “(i) a secondary school teacher—

14 “(I) who meets the requirements  
15 of subsection (b), subject to subpara-  
16 graph (D) of this paragraph; and

17 “(II) whose qualifying employ-  
18 ment for purposes of such subsection  
19 has been teaching mathematics or  
20 science on a full-time basis;

21 “(ii) an elementary or secondary  
22 school teacher—

23 “(I) who meets the requirements  
24 of subsection (b), subject to subpara-  
25 graph (D) of this paragraph;

1 “(II) whose qualifying employ-  
2 ment for purposes of such subsection  
3 has been as a special education teach-  
4 er whose primary responsibility is to  
5 provide special education to children  
6 with disabilities (as those terms are  
7 defined in section 602 of the Individ-  
8 uals with Disabilities Act); and

9 “(III) who, as certified by the  
10 chief administrative officer of the pub-  
11 lic or nonprofit private elementary or  
12 secondary school in which the bor-  
13 rower is employed, is teaching chil-  
14 dren with disabilities that correspond  
15 with the borrower’s special education  
16 training and has demonstrated knowl-  
17 edge and teaching skills in the content  
18 areas of the elementary or secondary  
19 school curriculum that the borrower is  
20 teaching; and

21 “(iii) an elementary or secondary  
22 school teacher who primarily teaches read-  
23 ing and—

1 “(I) who meets the requirements  
2 of subsection (b), subject to subpara-  
3 graph (D) of this paragraph;

4 “(II) who has obtained a sepa-  
5 rate reading instruction credential  
6 from the State in which the teacher is  
7 employed; and

8 “(III) who is certified by the  
9 chief administrative officer of the pub-  
10 lic or nonprofit private elementary or  
11 secondary school in which the bor-  
12 rower is employed to teach reading—

13 “(aa) as being proficient in  
14 teaching the essential compo-  
15 nents of reading instruction as  
16 defined in section 1208 of the El-  
17 elementary and Secondary Edu-  
18 cation Act of 1965; and

19 “(bb) as having such creden-  
20 tial.

21 “(B) ACCELERATED PAYMENT.—Notwith-  
22 standing the requirements of subsection (b)(1)  
23 and paragraph (1) of this subsection that 5  
24 consecutive complete years of service have been  
25 completed prior to the receipt of loan forgive-

1           ness, in the case of service described in sub-  
2           paragraph (A) of this paragraph, the Secretary  
3           shall repay a portion of a borrower's loan obli-  
4           gation outstanding at the commencement of the  
5           qualifying service under this subsection, not to  
6           exceed a total of \$17,500, in the following in-  
7           crements:

8                   “(i) up to \$1,750, or 10 percent of  
9                   such outstanding loan obligation, which-  
10                  ever is less, at the completion of the second  
11                  year of such service;

12                  “(ii) up to \$2,625, or 15 percent of  
13                  such outstanding loan obligation, which-  
14                  ever is less, at the completion of the third  
15                  year of such service;

16                  “(iii) up to \$4,375, or 25 percent of  
17                  such outstanding loan obligation, which-  
18                  ever is less, at the completion of the fourth  
19                  year of such service; and

20                  “(iv) up to \$8,750, or 50 percent of  
21                  such outstanding loan obligation, which-  
22                  ever is less, at the completion of the fifth  
23                  year of such service.

24                  “(C) PROMISE TO COMPLETE SERVICE RE-  
25                  QUIRED FOR ACCELERATED PAYMENT.—Any

1           borrower who receives accelerated payment  
2           under this paragraph shall enter into an agree-  
3           ment to continue in the qualifying service for  
4           not less than 5 consecutive complete school  
5           years, or, upon a failure to complete such 5  
6           years, to repay the United States, in accordance  
7           with regulations prescribed by the Secretary,  
8           the amount of the loans repaid by the Secretary  
9           under this paragraph, together with interest  
10          thereon and, to the extent required in such reg-  
11          ulations, the reasonable costs of collection. Such  
12          regulations may provide for waiver by the Sec-  
13          retary of such repayment obligations upon proof  
14          of economic hardship as specified in such regu-  
15          lations.

16               “(D) HIGHER POVERTY ENROLLMENT RE-  
17          QUIRED.—In order to qualify for an increased  
18          repayment amount under this paragraph, sec-  
19          tion 465(a)(2)(A) shall, for purposes of sub-  
20          section (b)(1)(A) of this section, be applied by  
21          substituting ‘40 percent of the total enrollment’  
22          for ‘30 percent of the total enrollment’.”.

23          (b) DIRECT LOANS.—Section 460(c) of the Higher  
24          Education Act of 1965 (20 U.S.C. 1087j(c)) is amended  
25          by adding at the end the following new paragraph:

1           “(3) INCREASED AMOUNTS FOR TEACHERS IN  
2 MATHEMATICS, SCIENCE, OR SPECIAL EDUCATION.—

3           “(A) SERVICE QUALIFYING FOR IN-  
4 CREASED AMOUNTS.—Notwithstanding the  
5 amount specified in paragraph (1), the aggre-  
6 gate amount that the Secretary shall repay  
7 under this section shall not be more than  
8 \$17,500 in the case of—

9           “(i) a secondary school teacher—

10                   “(I) who meets the requirements  
11 of subsection (b)(1), subject to sub-  
12 paragraph (D) of this paragraph; and

13                   “(II) whose qualifying employ-  
14 ment for purposes of such subsection  
15 has been teaching mathematics or  
16 science on a full-time basis;

17           “(ii) an elementary or secondary  
18 school teacher—

19                   “(I) who meets the requirements  
20 of subsection (b)(1), subject to sub-  
21 paragraph (D) of this paragraph;

22                   “(II) whose qualifying employ-  
23 ment for purposes of such subsection  
24 has been as a special education teach-  
25 er whose primary responsibility is to

1 provide special education to children  
2 with disabilities (as those terms are  
3 defined in section 602 of the Individ-  
4 uals with Disabilities Act); and

5 “(III) who, as certified by the  
6 chief administrative officer of the pub-  
7 lic or nonprofit private elementary or  
8 secondary school in which the bor-  
9 rower is employed, is teaching chil-  
10 dren with disabilities that correspond  
11 with the borrower’s special education  
12 training and has demonstrated knowl-  
13 edge and teaching skills in the content  
14 areas of the elementary or secondary  
15 school curriculum that the borrower is  
16 teaching; and

17 “(iii) an elementary or secondary  
18 school teacher who primarily teaches read-  
19 ing and—

20 “(I) who meets the requirements  
21 of subsection (b), subject to subpara-  
22 graph (D) of this paragraph;

23 “(II) who has obtained a sepa-  
24 rate reading instruction credential



1 from the State in which the teacher is  
2 employed; and

3 “(III) who is certified by the  
4 chief administrative officer of the pub-  
5 lic or nonprofit private elementary or  
6 secondary school in which the bor-  
7 rower is employed to teach reading—

8 “(aa) as being proficient in  
9 teaching the essential compo-  
10 nents of reading instruction as  
11 defined in section 1208 of the El-  
12 elementary and Secondary Edu-  
13 cation Act of 1965; and

14 “(bb) as having such creden-  
15 tial.

16 “(B) ACCELERATED PAYMENT.—Notwith-  
17 standing the requirements of subsection  
18 (b)(1)(A) and paragraph (1) of this subsection  
19 that 5 consecutive complete years of service  
20 have been completed prior to the receipt of loan  
21 forgiveness, in the case of service described in  
22 subparagraph (A) of this paragraph, the Sec-  
23 retary shall repay a portion of a borrower’s loan  
24 obligation outstanding at the commencement of  
25 the qualifying service under this subsection, not

1 to exceed a total of \$17,500, in the following in-  
2 crements:

3 “(i) up to \$1,750, or 10 percent of  
4 such outstanding loan obligation, which-  
5 ever is less, at the completion of the second  
6 year of such service;

7 “(ii) up to \$2,625, or 15 percent of  
8 such outstanding loan obligation, which-  
9 ever is less, at the completion of the third  
10 year of such service;

11 “(iii) up to \$4,375, or 25 percent of  
12 such outstanding loan obligation, which-  
13 ever is less, at the completion of the fourth  
14 year of such service; and

15 “(iv) up to \$8,750, or 50 percent of  
16 such outstanding loan obligation, which-  
17 ever is less, at the completion of the fifth  
18 year of such service.

19 “(C) PROMISE TO COMPLETE SERVICE RE-  
20 QUIRED FOR ACCELERATED PAYMENT.—Any  
21 borrower who receives accelerated payment  
22 under this paragraph shall enter into an agree-  
23 ment to continue in the qualifying service for  
24 not less than 5 consecutive complete school  
25 years, or, upon a failure to complete such 5

years, to repay the United States, in accordance with regulations prescribed by the Secretary, the amount of the loans repaid by the Secretary under this paragraph, together with interest thereon and, to the extent required in such regulations, the reasonable costs of collection. Such regulations may provide for waiver by the Secretary of such repayment obligations upon proof of economic hardship as specified in such regulations.

“(D) HIGHER POVERTY ENROLLMENT REQUIRED.—In order to qualify for an increased repayment amount under this paragraph, section 465(a)(2)(A) shall, for purposes of subsection (b)(1)(A)(i) of this section, be applied by substituting ‘40 percent of the total enrollment’ for ‘30 percent of the total enrollment’.”.

**SEC. 3. IMPLEMENTING HIGHLY QUALIFIED TEACHER REQUIREMENTS.**

(a) AMENDMENTS.—

(1) FFEL LOANS.—Section 428J(b)(1) of the Higher Education Act of 1965 (20 U.S.C. 1078–10(b)(1)) is amended—

(A) by inserting “and” after the semicolon at the end of subparagraph (A); and

1 (B) by striking subparagraphs (B) and (C)  
 2 and inserting the following:

3 “(B) if employed as an elementary or sec-  
 4 ondary school teacher, is highly qualified as de-  
 5 fined in section 9101(23) of the Elementary  
 6 Secondary Education Act of 1965; and”.

7 (2) DIRECT LOANS.—Section 460(b)(1)(A) of  
 8 such Act (20 U.S.C. 1087j(b)(1)(A)) is amended—  
 9 (A) by inserting “and” after the semicolon  
 10 at the end of clause (i); and

11 (B) by striking clauses (ii) and (iii) and in-  
 12 serting the following:

13 “(ii) if employed as an elementary or  
 14 secondary school teacher, is highly quali-  
 15 fied as defined in section 9101(23) of the  
 16 Elementary Secondary Education Act of  
 17 1965; and”.

18 (b) TRANSITION RULE.—

19 (1) RULE.—The amendments made by sub-  
 20 section (a) of this section to sections 428J(b)(1) and  
 21 460(b)(1)(A) of the Higher Education Act of 1965  
 22 shall not be applied to disqualify any individual who,  
 23 before the date of enactment of this Act, commenced  
 24 service that met and continues to meet the require-

1       ments of such sections as in effect before such date  
2       of enactment.

3               (2) RULE NOT APPLICABLE TO INCREASED  
4       QUALIFIED LOAN AMOUNTS.—Paragraph (1) of this  
5       subsection shall not apply for purposes of obtaining  
6       increased qualified loan amounts under sections  
7       428J(b)(3) and 460(b)(3) of the Higher Education  
8       Act of 1965 as added by section 2 of this Act.

9   **SEC. 4. INFORMATION ON BENEFITS TO RURAL SCHOOL**  
10               **DISTRICTS.**

11       The Secretary shall—

12               (1) notify local educational agencies eligible to  
13       participate in the Small Rural Achievement Program  
14       authorized under subpart 1 of part B of title VI of  
15       the Elementary and Secondary Education Act of  
16       1965 of the benefits available under the amendments  
17       made by this Act; and

18               (2) encourage such agencies to notify their  
19       teachers of such benefits.

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