

108TH CONGRESS  
1ST SESSION

# S. 227

To amend the Higher Education Act of 1965 to extend loan forgiveness for certain loans to certified or licensed teachers, to provide for grants that promote teacher certification and licensing, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

JANUARY 28, 2003

Mrs. FEINSTEIN (for herself and Mr. REID) 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 amend the Higher Education Act of 1965 to extend loan forgiveness for certain loans to certified or licensed teachers, to provide for grants that promote teacher certification and licensing, 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 section may be cited as the “Loan Forgiveness  
5 for Certified Teachers Act of 2003”.

6 **SEC. 2. FINDINGS.**

7 Congress finds that—

1           (1) effective elementary schools and secondary  
2 schools require competent teachers and strong lead-  
3 ership;

4           (2) local educational agencies would benefit  
5 greatly by increasing the pool of qualified individuals  
6 from which to recruit teachers;

7           (3) many talented professionals who have dem-  
8 onstrated a high level of subject matter knowledge  
9 outside the education profession may wish to pursue  
10 careers in education, but have not fulfilled the re-  
11 quirements to be certified or licensed as teachers;  
12 and

13           (4) loan forgiveness programs and other pro-  
14 grams that encourage such professionals and other  
15 interested persons to become certified or licensed  
16 teachers would allow local educational agencies to  
17 utilize the expertise of such professionals and inter-  
18 ested persons, and improve the pool of qualified indi-  
19 viduals available to local educational agencies.

20 **SEC. 3. PURPOSE.**

21           The purpose of this Act is to improve the supply of  
22 well-qualified elementary school and secondary school  
23 teachers by encouraging and assisting interested persons  
24 in completing the teacher certification or licensing require-  
25 ments in their States.

1 **SEC. 4. LOAN FORGIVENESS FOR CERTIFIED TEACHERS.**

2 (a) FEDERAL FAMILY EDUCATION LOAN FORGIVE-  
3 NESS.—Section 428J of the Higher Education Act of  
4 1965 (20 U.S.C. 1078–10) is amended—

5 (1) in subsection (b), by striking paragraphs  
6 (1) and (2) and inserting the following:

7 “(1)(A)(i) has been employed as a full-time  
8 teacher for 5 consecutive complete school years in a  
9 school that qualifies under section 465(a)(2)(A) for  
10 loan cancellation for Perkins loan recipients who  
11 teach in such a school; and

12 “(ii)(I) if employed as a secondary school teach-  
13 er, is teaching a subject that is relevant to the bor-  
14 rower’s academic major, as certified by the chief ad-  
15 ministrative officer of the public or nonprofit private  
16 secondary school in which the borrower is employed;  
17 and

18 “(II) if employed as an elementary school  
19 teacher, has demonstrated, as certified by the chief  
20 administrative officer of the public or nonprofit pri-  
21 vate elementary school in which the borrower is em-  
22 ployed, knowledge and teaching skills in reading,  
23 writing, mathematics, and other areas of the elemen-  
24 tary school curriculum; and

25 “(B) is not in default on the loan for which the  
26 borrower seeks forgiveness; or

1 “(2) not later than September 1, 2006—

2 “(A)(i) has been employed as a full-time  
3 teacher for 5 consecutive complete school years  
4 in a school that qualifies under section  
5 465(a)(2)(A) for loan cancellation for Perkins  
6 loan recipients who teach in such a school;

7 “(ii)(I) if employed as a secondary school  
8 teacher, meets the standards described in sec-  
9 tion 9101(23)(B)(ii) of the Elementary and  
10 Secondary Education Act of 1965 (20 U.S.C.  
11 7801(23)(B)(ii)); and

12 “(II) if employed as an elementary school  
13 teacher, meets the standards described in sec-  
14 tion 9101(23)(B)(i) of the Elementary and Sec-  
15 ondary Education Act of 1965 (20 U.S.C.  
16 7801(23)(B)(i)); and

17 “(iii) meets the standards described in sec-  
18 tion 9101(23)(A) of the Elementary and Sec-  
19 ondary Education Act of 1965 (20 U.S.C.  
20 7801(23)(A)), or has obtained a 5th year teach-  
21 er certificate (or the equivalent); and

22 “(B) is not in default on the loan for  
23 which the borrower seeks forgiveness.”;

24 (2) in subsection (c)(1)—

1 (A) by striking “\$5,000” and inserting  
2 “\$5,000 (for a borrower described in subsection  
3 (b)(1)) or \$10,000 (for a borrower described in  
4 subsection (b)(2))”; and

5 (B) by striking “(b)(1)” and inserting  
6 “(b)”;  
7 (3) in subsection (g)(1)(A)—

8 (A) by striking “Any teacher” and insert-  
9 ing “Subject to subsection (j), any teacher”;  
10 and

11 (B) by striking “subsection (b)(1)(A)” and  
12 inserting “paragraph (1)(A)(i) or (2)(A)(i) of  
13 subsection (b)”;

14 (4) by adding at the end the following:

15 “(i) AUTHORIZATION OF APPROPRIATIONS.—There  
16 are authorized to be appropriated such sums as may be  
17 necessary for fiscal years 2004 through 2006 to carry out  
18 loan repayment under this section for borrowers described  
19 in subsection (b)(2).

20 “(j) TERMINATION OF AUTHORITY.—The authority  
21 provided by subsection (b)(2) terminates effective October  
22 1, 2006.”.

23 (b) DIRECT STUDENT LOAN CANCELLATION.—Sec-  
24 tion 460 of the Higher Education Act of 1965 (20 U.S.C.  
25 1087j) is amended—

1           (1) in subsection (b)(1), by striking subpara-  
2           graphs (A) and (B) and inserting the following:

3           “(A)(i)(I) has been employed as a full-time  
4           teacher for 5 consecutive complete school years in a  
5           school that qualifies under section 465(a)(2)(A) for  
6           loan cancellation for Perkins loan recipients who  
7           teach in such a school; and

8           “(II)(aa) if employed as a secondary school  
9           teacher, is teaching a subject that is relevant to the  
10          borrower’s academic major, as certified by the chief  
11          administrative officer of the public or nonprofit pri-  
12          vate secondary school in which the borrower is em-  
13          ployed; and

14          “(bb) if employed as an elementary school  
15          teacher, has demonstrated, as certified by the chief  
16          administrative officer of the public or nonprofit pri-  
17          vate elementary school in which the borrower is em-  
18          ployed, knowledge and teaching skills in reading,  
19          writing, mathematics, and other areas of the elemen-  
20          tary school curriculum; and

21          “(ii) is not in default on the loan for which the  
22          borrower seeks forgiveness; or

23          “(B) not later than September 1, 2006—

24                 “(i)(I) has been employed as a full-time  
25                 teacher for 5 consecutive complete school years

1 in a school that qualifies under section  
2 465(a)(2)(A) for loan cancellation for Perkins  
3 loan recipients who teach in such a school;

4 “(II)(aa) if employed as a secondary school  
5 teacher, meets the standards described in sec-  
6 tion 9101(23)(B)(ii) of the Elementary and  
7 Secondary Education Act of 1965 (20 U.S.C.  
8 7801(23)(B)(ii)); and

9 “(bb) if employed as an elementary school  
10 teacher, meets the standards described in sec-  
11 tion 9101(23)(B)(i) of the Elementary and Sec-  
12 ondary Education Act of 1965 (20 U.S.C.  
13 7801(23)(B)(i)); and

14 “(III) meets the standards described in  
15 section 9101(23)(A) of the Elementary and  
16 Secondary Education Act of 1965 (20 U.S.C.  
17 7801(23)(A)), or has obtained a 5th year teach-  
18 er certificate (or the equivalent); and

19 “(ii) is not in default on the loan for which  
20 the borrower seeks forgiveness.”;

21 (2) in subsection (c)(1)—

22 (A) by striking “\$5,000” and inserting  
23 “\$5,000 (for a borrower described in subsection  
24 (b)(1)(A)) or \$10,000 (for a borrower described  
25 in subsection (b)(1)(B))”; and

1 (B) by striking “(b)(1)(A)” and inserting  
 2 “(b)(1)”;

3 (3) in subsection (g)(1)(A)—

4 (A) by striking “Any teacher” and insert-  
 5 ing “Subject to subsection (j), any teacher”;  
 6 and

7 (B) by striking “subsection (b)(1)(A)” and  
 8 inserting “subparagraph (A)(i)(I) or (B)(i)(I)  
 9 of subsection (b)(1)”;

10 (4) by adding at the end the following:

11 “(i) AUTHORIZATION OF APPROPRIATIONS.—There  
 12 are authorized to be appropriated such sums as may be  
 13 necessary for fiscal years 2004 through 2006 to carry out  
 14 loan repayment under this section for borrowers described  
 15 in subsection (b)(1)(B).

16 “(j) TERMINATION OF AUTHORITY.—The authority  
 17 provided by subsection (b)(1)(B) terminates effective Oc-  
 18 tober 1, 2006.”.

19 (c) NO INTERFERENCE WITH EXISTING PROVI-  
 20 SIONS.—The Secretary of Education shall ensure that the  
 21 implementation of the amendments made by this section  
 22 shall not interfere with, and shall be coordinated with, the  
 23 implementation of student loan forgiveness provisions ad-  
 24 ministered by the States and in existence on the date of  
 25 enactment of this Act.

1 **SEC. 5. GRANTS TO PROMOTE TEACHER CERTIFICATION**  
2 **AND LICENSING.**

3 Title II of the Higher Education Act of 1965 (20  
4 U.S.C. 1021 et seq.) is amended by adding at the end  
5 the following:

6 **“PART C—PROMOTING TEACHER CERTIFICATION**  
7 **AND LICENSING**

8 **“SEC. 231. GRANTS.**

9 “The Secretary may make grants to institutions of  
10 higher education to enable the institutions to carry out  
11 programs, projects, and activities to encourage profes-  
12 sionals and other interested persons to become certified  
13 or licensed teachers.

14 **“SEC. 232. APPLICATIONS.**

15 “(a) IN GENERAL.—An institution of higher edu-  
16 cation desiring to receive a grant under this part shall sub-  
17 mit an application to the Secretary at such time, in such  
18 manner, and containing such information as the Secretary  
19 may reasonably require.

20 “(b) REQUIREMENTS.—The application shall con-  
21 tain—

22 “(1) a description of the programs, projects,  
23 and activities to be undertaken by the institution  
24 with funds made available through the grant; and

25 “(2) such assurances as the Secretary considers  
26 to be necessary, including assurances that—

1           “(A) funds made available to the institu-  
2           tion under this part will be used to develop ap-  
3           propriate curricula and support programs for  
4           students entering teacher preparation programs  
5           that lead to a teaching certificate or license;  
6           and

7           “(B) the institution will submit to the Sec-  
8           retary, at such time as the Secretary may speci-  
9           fy, a final report describing the programs,  
10          projects, and activities carried out with the  
11          funds, and the results achieved through the pro-  
12          grams, projects, and activities.

13          “(c) PREFERENCE.—In awarding grants under this  
14          part, the Secretary shall give preference to an institution  
15          that submits an application containing a plan to develop  
16          appropriate curricula and support programs to address  
17          the needs of underserved communities (as such needs are  
18          determined by the State educational agency in the State  
19          in which the institution is located, in conjunction with the  
20          institution).

21          **“SEC. 233. USE OF FUNDS.**

22          “(a) PERMITTED USES.—An institution of higher  
23          education that receives a grant under this part may use  
24          the funds made available through the grant for programs,  
25          projects, and activities to develop and implement new, or

1 expand and improve existing, programs that enable indi-  
2 viduals to make progress toward meeting teacher certifi-  
3 cation or licensing requirements, including—

4           “(1) developing appropriate curricula and sup-  
5 port programs for students entering teacher certifi-  
6 cation or licensing programs;

7           “(2) developing recruitment strategies necessary  
8 to encourage more individuals to become certified or  
9 licensed teachers; and

10           “(3) carrying out other appropriate programs,  
11 projects, and activities designed to meet the objec-  
12 tives of this part.

13           “(b) PROHIBITED USES.—The institution may not  
14 use the funds made available through the grant for con-  
15 struction.

16 **“SEC. 234. NOTIFICATION REQUIREMENT.**

17           “(a) STATE EDUCATIONAL AGENCIES AND LOCAL  
18 EDUCATIONAL AGENCIES.—

19           “(1) STATE EDUCATIONAL AGENCIES.—Each  
20 institution receiving a grant under this part shall  
21 provide notice of the programs, projects, and activi-  
22 ties funded with such grant to the State educational  
23 agency in the State in which the institution is lo-  
24 cated.

1           “(2) LOCAL EDUCATIONAL AGENCIES.—Each  
2           State educational agency receiving the notification  
3           described in paragraph (1) shall transmit the infor-  
4           mation received in such notification to the appro-  
5           priate local educational agencies.

6           “(b) STUDENTS.—Each institution receiving a grant  
7           under this part shall provide notice of the programs,  
8           projects, and activities funded with such grant to the stu-  
9           dents of such institution.

10   **“SEC. 235. AUTHORIZATION OF APPROPRIATIONS.**

11           “‘There are authorized to be appropriated to carry out  
12           this part such sums as may be necessary for each of fiscal  
13           years 2004 through 2008.’”.

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