

106TH CONGRESS
2^D SESSION

H. R. 4486

To make scholarships available to individuals who are outstanding secondary school graduates or exceptional certified leaders and who demonstrate a commitment to and capacity for the profession of teaching, in order to enable and encourage those individuals to pursue teaching careers in education at the preschool, elementary or secondary level or improve their teaching skills through further education.

IN THE HOUSE OF REPRESENTATIVES

MAY 17, 2000

Mrs. WILSON introduced the following bill; which was referred to the
Committee on Education and the Workforce

A BILL

To make scholarships available to individuals who are outstanding secondary school graduates or exceptional certified leaders and who demonstrate a commitment to and capacity for the profession of teaching, in order to enable and encourage those individuals to pursue teaching careers in education at the preschool, elementary or secondary level or improve their teaching skills through further education.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “21st Century Teaching
3 Scholarships Act”.

4 **SEC. 2. PURPOSE; DESIGNATION.**

5 (a) **PURPOSE.**—It is the purpose of this Act to make
6 available, through grants to the States, scholarships to in-
7 dividuals who are outstanding secondary school graduates
8 or exceptional certified teachers and who demonstrate a
9 commitment to and capacity for teaching, in order to en-
10 able and encourage those individuals to pursue teaching
11 careers in education at the preschool, elementary, or sec-
12 ondary level or improve their teaching skills through fur-
13 ther education.

14 (b) **DESIGNATION.**—Scholarships awarded under this
15 Act shall be referred to as the “21st Century Teaching
16 Scholarships”.

17 **SEC. 3. ALLOCATION AMONG STATES.**

18 (a) **ALLOCATION.**—From the sums appropriated for
19 this Act for any fiscal year, the Secretary shall allocate
20 to any State an amount based on the school-age popu-
21 lation in the State compared to the school-age population
22 in all States that apply for funds under this Act.

23 (b) **USE OF CENSUS DATA.**—For the purpose of this
24 section, the number of persons in a State and in all States
25 shall be determined by the most recently available data
26 from the Bureau of the Census.

1 **SEC. 4. GRANT APPLICATIONS.**

2 (a) SUBMISSION OF APPLICATIONS.—The Secretary
3 is authorized to make grants to States in accordance with
4 the provisions of this Act. In order to receive a grant
5 under this Act, a State shall submit an application at such
6 time or times, in such manner, and containing such infor-
7 mation as the Secretary may prescribe by regulation. Such
8 application shall set forth a program of activities for car-
9 rying out the purposes set forth in section 2 in such detail
10 as will enable the Secretary to determine the degree to
11 which such program will accomplish the purposes and re-
12 quirements of this Act.

13 (b) CONTENT OF APPLICATIONS.—The Secretary
14 shall approve an application under this Act only if the
15 application—

16 (1) describes the procedures to be used by the
17 State in the selection of scholarship recipients under
18 this Act;

19 (2) designates as the State agency responsible
20 for administering the grants received under this Act
21 the State agency which administers the program
22 under subpart 4 of part A of title IV of the Higher
23 Education Act of 1965 (20 U.S.C. 1070c et seq.)
24 (relating to the leveraging educational assistance
25 partnership program), the State agency with which
26 the Secretary has an agreement under section

1 428(b) of the Higher Education Act of 1965 (20
2 U.S.C. 1078), or another appropriate State agency
3 approved by the Secretary;

4 (3) describes the outreach effort the State
5 agency intends to use to publicize the availability of
6 21st Century Teaching Scholarships to secondary
7 school students and certified teachers in the State,
8 making particular efforts to attract qualified appli-
9 cants from low-income backgrounds; ethnic and ra-
10 cial minorities; individuals with disabilities; individ-
11 uals who express a willingness or desire to teach in
12 schools having less than average academic results or
13 serving large numbers of economically disadvantaged
14 students; or women or minorities who intend to pur-
15 sue teaching careers in mathematics and science and
16 who are underrepresented in such fields;

17 (4) describes how the State will inform recipi-
18 ents, upon receipt of the award, of current and pro-
19 jected teacher shortages and surpluses within the
20 State;

21 (5) provides assurances that each recipient eli-
22 gible under section 6(b) of this Act who receives a
23 21st Century Teaching Scholarship shall enter into
24 an agreement with the State agency under which the
25 recipient shall—

1 (A) within the 10-year period after com-
2 pleting the postsecondary education for which
3 the 21st Century Teaching Scholarship was
4 awarded, teach for a period of not less than 2
5 years, on a full-time basis, for each year for
6 which full-time assistance was received or 1
7 year for each year for which part-time assist-
8 ance was received, but not to exceed 6 years for
9 any recipient, in a public or private licensed
10 preschool, elementary, or secondary school in
11 any State, except that, in the case of individuals
12 who teach in a shortage area established by the
13 Secretary pursuant to section 12, the require-
14 ments of this subparagraph shall be reduced by
15 one-half;

16 (B) provide the State agency evidence of
17 compliance with section 7 as required by the
18 State agency; and

19 (C) repay all or part of a 21st Century
20 Teaching Scholarship received under section 5
21 plus interest and, if applicable, reasonable col-
22 lection fees, in compliance with regulations
23 issued by the Secretary under section 8, in the
24 event that the conditions of subparagraph (A)

1 are not complied with, except as provided for
2 in section 9;

3 (6) provides that the agreement entered into
4 with recipients shall fully disclose the terms and con-
5 ditions under which assistance under this Act is pro-
6 vided and under which repayment may be required,
7 including—

8 (A) a description of the procedures re-
9 quired to be established under paragraph (7);
10 and

11 (B) a description of the appeals procedures
12 required to be established under paragraph (8)
13 under which a recipient may appeal a deter-
14 mination of noncompliance with any provision
15 under this Act;

16 (7) provides for procedures under which a re-
17 cipient of assistance received under this Act who
18 teaches for less than the period required under para-
19 graph (5)(A) will have the repayment requirements
20 reduced or eliminated consistent with the provisions
21 of sections 8 and 9;

22 (8) provides for appeals procedures under which
23 a recipient may appeal any determination of non-
24 compliance with any provision under this Act; and

1 (9) provides assurances that the selection panel
2 makes scholarship awards based solely on the selec-
3 tion criteria in section 6.

4 (c) SELECTION PROCEDURES.—The State edu-
5 cational agency, in cooperation with the State higher edu-
6 cation agency, and pursuant to scholarship selection cri-
7 teria included in section 6, shall establish procedures to
8 select 21st Century Teaching Scholarship recipients.
9 These procedures shall be intended to attract highly quali-
10 fied individuals into teaching, to ensure that these stu-
11 dents are enrolled or are accepted for enrollment in ap-
12 proved teacher education programs, and to meet the
13 present and projected needs of States in addressing teach-
14 er shortages, including—

15 (1) the demand for and supply of early child-
16 hood and elementary teachers in the State;

17 (2) the demand for and supply of secondary
18 teachers in the State;

19 (3) the demand for and supply of teachers with
20 training in specific academic disciplines in the State;

21 (4) the demand for and supply of teachers of
22 students with disabilities in the State;

23 (5) the demand for and supply of teachers for
24 limited English proficient students in the State;

1 (6) the demand for and supply of teachers for
2 preschool age children in the State; and

3 (7) the demand for and supply of teachers in
4 geographic areas of the State where there is a dem-
5 onstrated shortage of qualified teachers.

6 (d) SOLICITATION OF VIEWS ON SELECTION PROCE-
7 DURES.—In developing the selection procedures to be used
8 by the State, the State shall solicit the views of teachers,
9 the public, teacher education programs, local educational
10 agencies, private educational institutions, and other inter-
11 ested parties. Such views—

12 (1) shall be solicited by means of—

13 (A) written comments; and

14 (B) publication of proposed procedures in
15 final form for implementation; and

16 (2) may be solicited by means of—

17 (A) public hearings on the teaching needs
18 of elementary and secondary schools in the
19 State (including the number of new teachers
20 needed, the expected supply of new teachers,
21 and the shortages in the State of teachers with
22 specific preparation); or

23 (B) such other methods as the State may
24 determine to be appropriate to gather informa-
25 tion on such needs.

1 **SEC. 5. AMOUNT AND DURATION OF AND RELATION TO**
2 **OTHER ASSISTANCE.**

3 (a) **LIMITATIONS ON AMOUNT AND DURATION.**—
4 Subject to subsection (c) each 21st Century Teaching
5 Scholarship recipient shall receive a \$10,000 scholarship
6 for each academic year of full-time postsecondary edu-
7 cation for study in preparation to become a preschool, spe-
8 cial education, elementary, or secondary teacher or a
9 \$5,000 scholarship for each academic year of part-time
10 postsecondary education for those scholars who qualify for
11 part-time scholarships in accordance with section 7(1). No
12 individual shall receive scholarship assistance for more
13 than 5 years of full-time or part-time postsecondary edu-
14 cation, as determined by the State agency.

15 (b) **CONSIDERATION OF AWARD IN OTHER PRO-**
16 **GRAMS.**—Notwithstanding the provisions of title IV of the
17 Higher Education Act of 1965, scholarship funds awarded
18 pursuant to this Act shall be considered in determining
19 eligibility for student assistance under title IV of the
20 Higher Education Act of 1965.

21 (c) **ASSISTANCE NOT TO EXCEED COST OF ATTEND-**
22 **ANCE.**—No individual shall receive an award under the
23 21st Century Teaching Scholarship established under this
24 Act, in any academic year, which exceeds the cost of at-
25 tendance, as defined in section 472 of the Higher Edu-
26 cation Act of 1965 (20 U.S.C. 1087ll), at the institution

1 the individual is attending. A scholarship awarded under
2 this Act shall not be reduced on the basis of the student's
3 receipt of other forms of Federal student financial assist-
4 ance, but shall be taken into account in determining the
5 eligibility of the student for those other forms of Federal
6 student financial assistance.

7 **SEC. 6. SELECTION OF 21ST CENTURY TEACHING SCHOL-**
8 **ARS.**

9 (a) SELECTION BY STATEWIDE PANELS.—21st Cen-
10 tury Teaching Scholars shall be selected by a 7-member
11 statewide panel appointed by the chief State elected offi-
12 cial, acting in consultation with the State educational
13 agency, or by an existing grant agency or panel designated
14 by the chief State elected official and approved by the Sec-
15 retary. The statewide panel shall include community lead-
16 ers, business leaders, principals, teachers, parents, and,
17 after 2005, former scholarship recipients. The panel shall
18 not include elected officials with responsibility for edu-
19 cation, including State legislators, employees of State edu-
20 cation agencies or local education authorities other than
21 principals or teachers, teachers union officials, or employ-
22 ees of the chief State elected official.

23 (b) ELIGIBILITY FOR SELECTION.—To be eligible for
24 selection, an applicant shall—

1 (1) be a citizen of the United States or a per-
2 manent legal resident of the United States;

3 (2) be no less than 17 years old and no more
4 than 35 years old on September 1 of the year in
5 which they commence their scholarship;

6 (3) be a resident of the State of application or
7 a dependent of an active duty service member who
8 had a permanent duty station in the State of appli-
9 cation within the last 5 years; and

10 (4) have a high school degree or equivalent
11 thereof or have completed home schooling through
12 grade 12 by the end of the semester before begin-
13 ning the scholarship.

14 (c) CRITERIA FOR SELECTION.—Panels shall select
15 the best qualified applicants based on academic and schol-
16 arly achievement and aptitude for and commitment to the
17 profession of teaching. In making their selections, panels
18 may consider high school and college transcripts and grade
19 point averages, standardized test scores, class standing,
20 extracurricular activities, work experience, awards and
21 honors, letters of reference, the applicant’s expression of
22 interest in teaching and planned program of study, as ex-
23 pressed in an essay written by the applicant, and, at the
24 discretion of the panel, interviews with the candidates. Up
25 to 35 percent of the scholarships awarded may be des-

1 ignated for applicants who commit to programs of study
2 that will address teacher shortages in the areas identified
3 by the State in accordance with section 4(c) of this Act.
4 Panels shall not consider financial need, race, gender, eth-
5 nicity, religious preference, political or union affiliation,
6 college preference, or geographic distribution within the
7 State when determining the best qualified applicants.

8 (d) AVAILABILITY OF APPLICATIONS.—The State
9 educational agency shall make applications available to
10 public and private secondary schools and colleges, local
11 education authority human resource departments, and in
12 other locations convenient to potential applicants, parents,
13 and others.

14 **SEC. 7. SCHOLARSHIP CONDITIONS.**

15 Recipients of scholarship assistance under this Act
16 shall continue to receive such scholarship payments only
17 during such periods that the State agency finds that the
18 recipient is—

19 (1) enrolled as a full-time student in an accred-
20 ited postsecondary institution or, if the scholar is a
21 certified teacher, a classroom teacher who is not so
22 certified and is teaching under a waiver authorized
23 in State law, or an educational assistant working
24 full-time in the classroom, enrolled as a part-time
25 student in an accredited postsecondary institution;

1 (2) pursuing a course of study leading to teach-
2 er certification or pursuing a postgraduate course of
3 study leading to a higher degree or a second bach-
4 elors degree for teachers who are already certified;
5 and

6 (3) maintaining satisfactory progress as deter-
7 mined by the postsecondary institution the recipient
8 is attending.

9 **SEC. 8. SCHOLARSHIP REPAYMENT PROVISIONS.**

10 Recipients found by the State agency to be in non-
11 compliance with the agreement entered into under section
12 4(b)(5) of this Act shall be required to repay a pro rata
13 amount of the scholarship awards received, plus interest
14 (but in no event at an interest rate higher than the rate
15 applicable to loans in the applicable period under part B
16 of title IV of the Higher Education Act of 1965 (20 U.S.C.
17 1071 et seq.)) and, where applicable, reasonable collection
18 fees, on a schedule and at a rate of interest to be pre-
19 scribed by the Secretary by regulations issued pursuant
20 to this Act.

21 **SEC. 9. EXCEPTIONS TO REPAYMENT PROVISIONS.**

22 (a) DEFERRAL DURING CERTAIN PERIODS.—A re-
23 cipient shall not be considered in violation of the agree-
24 ment entered into pursuant to section 4(b)(5)(C) during
25 any period in which the recipient—

1 (1) is pursuing a full-time course of study re-
2 lated to the field of teaching at an eligible institu-
3 tion;

4 (2) is serving, not in excess of 3 years, as a
5 member of the armed services of the United States;

6 (3) is temporarily totally disabled for a period
7 of time not to exceed 3 years as established by
8 sworn affidavit of a qualified physician;

9 (4) is unable to secure employment for a period
10 not to exceed 12 months by reason of the care re-
11 quired by a spouse who is disabled;

12 (5) is seeking and unable to find full-time em-
13 ployment for a single period not to exceed 12
14 months;

15 (6) is seeking and unable to find full-time em-
16 ployment as a teacher in a public or private pre-
17 school, elementary or secondary school, or education
18 program for a single period not to exceed 27
19 months; or

20 (7) satisfies the provisions of additional repay-
21 ment exceptions that may be prescribed by the Sec-
22 retary in regulations issued pursuant to this Act.

23 (b) **FORGIVENESS IF PERMANENTLY TOTALLY DIS-**
24 **ABLED.**—A recipient shall be excused from repayment of
25 any scholarship assistance received under this Act if the

1 recipient becomes permanently totally disabled as estab-
2 lished by sworn affidavit of a qualified physician.

3 **SEC. 10. FEDERAL ADMINISTRATION OF STATE PROGRAMS;**

4 **JUDICIAL REVIEW.**

5 (a) DISAPPROVAL HEARING REQUIRED.—The Sec-
6 retary shall not finally disapprove any application for a
7 State program submitted under section 4, or any modifica-
8 tion thereof, without first affording the State agency sub-
9 mitting the program reasonable notice and opportunity for
10 a hearing.

11 (b) SUSPENSION OF ELIGIBILITY.—Whenever the
12 Secretary, after reasonable notice and opportunity for a
13 hearing to the State agency administering a State pro-
14 gram approved under this Act, finds—

15 (1) that the State program has been so changed
16 that it no longer complies with the provisions of this
17 Act, or

18 (2) that in the administration of the program
19 there is a failure to comply substantially with any
20 such provisions,

21 the Secretary shall notify such State agency that the State
22 will not be regarded as eligible to participate in the pro-
23 gram under this Act until the Secretary is satisfied that
24 there is no longer any such failure to comply.

25 (c) COURT REVIEW.—

1 (1) IN GENERAL.—If any State is dissatisfied
2 with the Secretary’s final action under paragraph
3 (1) or (2) of subsection (b), such State may appeal
4 to the United States court of appeals for the circuit
5 in which such State is located. The summons and
6 notice of appeal may be served at any place in the
7 United States. The Secretary shall forthwith certify
8 and file in the court the transcript of the pro-
9 ceedings and the record on which the action was
10 based.

11 (2) FINDINGS.—The findings of fact by the
12 Secretary, if supported by substantial evidence, shall
13 be conclusive; but the court, for good cause shown,
14 may remand the case to the Secretary to take fur-
15 ther evidence, and the Secretary may thereupon
16 make new or modified findings of fact and may mod-
17 ify any previous action, and shall certify to the court
18 the transcript and record of further proceedings.
19 Such new or modified findings of fact shall likewise
20 be conclusive if supported by substantial evidence.

21 (3) JURISDICTION.—The court shall have juris-
22 diction to affirm the action of the Secretary or to set
23 it aside, in whole or in part. The judgment of the
24 court shall be subject to review by the Supreme
25 Court of the United States upon certiorari or certifi-

1 cation as provided in section 1254 of title 28, United
2 States Code.

3 **SEC. 11. EVALUATION.**

4 (a) IN GENERAL.—The Secretary shall conduct, by
5 grant or contract, an independent evaluation of recipients
6 of scholarship assistance under this Act, which shall sum-
7 marize and evaluate the State activities assisted under this
8 Act and the performance of such recipients. The evalua-
9 tion shall assess the impact of the scholarship program
10 assisted under this Act to determine whether such pro-
11 gram has brought into teaching a significant number of
12 highly able individuals who otherwise would not have en-
13 tered teaching, or retained in teaching a significant num-
14 ber of highly qualified individuals who otherwise would
15 have left teaching. The evaluation shall also assess the im-
16 pact of the scholarship on improving the quality and quali-
17 fications of teachers and the impact of the scholarships
18 on reducing teacher shortages.

19 (b) CONTENTS.—The evaluation described in sub-
20 section (a) shall include—

21 (1) a description of the characteristics, includ-
22 ing the educational preparation and achievement, of
23 recipients of scholarship assistance under this Act
24 compared to similar students participating in teach-
25 er training who do not receive such scholarships;

1 (2) the rate at which such recipients success-
2 fully complete academic training and go on to teach-
3 ing careers in preschool, elementary, or secondary
4 education, compared to such rate for similar individ-
5 uals who do not receive scholarship assistance under
6 this Act;

7 (3) the extent to which it is possible to deter-
8 mine objectively that the receipt of scholarship as-
9 sistance under this Act was the primary reason for
10 an individual's choice of a teaching education and
11 career;

12 (4) the extent to which such recipients comply
13 with the provisions of this Act;

14 (5) the length of time such recipients remain in
15 teaching careers, compared to similar teachers who
16 do not receive scholarships;

17 (6) the barriers to the effectiveness of the pro-
18 gram assisted under this Act;

19 (7) the cost-effectiveness of such program in
20 improving teacher quality and quantity; and

21 (8) the impact of the program on the quantity
22 and quality of applicants to colleges of education.

23 (c) EVALUATION REPORTS.—The Secretary shall
24 submit such interim evaluation reports to the President

1 and the Congress as may be appropriate, and shall submit
2 a final report on or before January 1, 2003.

3 (d) FUNDING.—The Secretary shall reserve a total of
4 not more than \$1,000,000 from the amounts appropriated
5 pursuant to the authority of section 13 in fiscal years
6 2001 through 2004 to carry out this section.

7 **SEC. 12. DEFINITIONS.**

8 For the purposes of this Act:

9 (1) SHORTAGE AREAS.—(A) The term “short-
10 age areas” means—

11 (i) geographic areas of the State in which
12 there is a shortage of elementary and secondary
13 school teachers;

14 (ii) an area of shortage of elementary and
15 secondary school teachers in specific grade lev-
16 els and in specific academic, instructional, sub-
17 ject matter, and discipline classifications; and

18 (iii) any school that, in accordance with
19 the accountability statute of the State, is under
20 a program of corrective action for failure to
21 meet minimum State performance standards.

22 (B) Such shortage areas shall be prescribed by
23 the Secretary, in consultation with the chief State
24 school officer. In carrying out the provisions of this
25 paragraph, the Secretary shall give special consider-

1 ation to areas in which emergency certification or
2 waivers of certification of individuals in a State is
3 being used to correct teacher shortages and to
4 States which have retirement laws permitting early
5 retirement.

6 (2) SECRETARY.—The term “Secretary” means
7 the Secretary of Education.

8 (3) CERTIFIED TEACHER.—The term “certified
9 teacher” means a teacher who has obtained State
10 certification as a teacher or has passed a State
11 teacher licensing exam and holds a license to teach
12 in such State.

13 **SEC. 13. AUTHORIZATION OF APPROPRIATIONS.**

14 (a) IN GENERAL.—There are authorized to be appro-
15 priated \$260,000,000 for fiscal year 2001 and such sums
16 as may be necessary for each of the 4 succeeding fiscal
17 years to carry out this Act.

18 (b) LIMITATION ON USE OF FUNDS FOR ADMINIS-
19 TRATIVE PURPOSES.—All of the funds appropriated under
20 this Act shall be distributed to the States in accordance
21 with section 3. No more than 5 percent of the funds ap-
22 propriated under this Act may be used by the State for
23 program administration.

○