

108TH CONGRESS
2D SESSION

H. R. 4002

To amend the Elementary and Secondary Education Act of 1965 with respect to teacher qualifications, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 18, 2004

Mr. MATHESON introduced the following bill; which was referred to the Committee on Education and the Workforce

A BILL

To amend the Elementary and Secondary Education Act of 1965 with respect to teacher qualifications, 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 Act may be cited as the “No Qualified Teacher
5 Left Behind Act of 2004”.

6 **SEC. 2. AMENDMENTS TO ESEA RELATING TO TEACHER**
7 **QUALIFICATIONS.**

8 (a) **HIGHLY QUALIFIED DEFINITION.**—Paragraph
9 (23) of section 9101 of the Elementary and Secondary
10 Education Act of 1965 (20 U.S.C. 7801) is amended—

1 (1) in subparagraph (B)(ii)—

2 (A) in subclause (I), by striking “or” at
3 the end; and

4 (B) by striking subclause (II) and insert-
5 ing the following:

6 “(II) successful completion, in
7 each of the academic subjects in
8 which the teacher teaches, of an aca-
9 demic major or minor, a graduate de-
10 gree, State certification of sufficient
11 college-level coursework to satisfy this
12 subclause, or advanced certification;
13 or

14 “(III) passing a high objective
15 uniform State standard of evaluation
16 described in subparagraph (C)(ii) in
17 each of the academic subjects in
18 which the teacher teaches; and”;

19 (2) in clause (ii) of subparagraph (C)—

20 (A) in subclause (V), by striking “but not
21 be based primarily on” and inserting “but not
22 be based solely on”;

23 (B) by redesignating subclauses (VI) and
24 (VII) as subclauses (VII) and (VIII), respec-
25 tively; and

1 (C) by inserting after subclause (V) the
2 following:

3 “(VI) takes into consideration
4 any professional development being
5 pursued;”.

6 (b) RURAL SCHOOL DISTRICTS.—

7 (1) EXTENSION.—Subsection (a) of section
8 1119 of the Elementary and Secondary Education
9 Act of 1965 (20 U.S.C. 6319) is amended by adding
10 at the end the following:

11 “(4) RURAL SCHOOL DISTRICTS.—

12 “(A) IN GENERAL.—Notwithstanding the
13 deadline described in paragraphs (2) and (3), a
14 plan developed by a State educational agency or
15 a local educational agency under this subsection
16 shall ensure that all teachers who are described
17 in such paragraphs, but are teaching in a rural
18 school district, are highly qualified not later
19 than the end of the 2008–2009 school year.

20 “(B) DEFINITION.—For purposes of this
21 paragraph, a rural school district means a local
22 educational agency that—

23 “(i) meets the eligibility criteria de-
24 scribed in section 6211(b), including by ob-

1 taining a waiver under paragraph (2) of
2 such section; and

3 “(ii) employs a percentage of teachers
4 who are not highly qualified that is higher
5 than the corresponding percentage for the
6 State involved.”.

7 (2) **ADDITIONAL FUNDING.**—Section 6234 of
8 the Elementary and Secondary Education Act of
9 1965 (20 U.S.C. 7355c) is amended—

10 (A) by striking “There are” and inserting

11 “(a) **IN GENERAL.**—There are”; and

12 (B) by adding at the end the following:

13 “(b) **HIGHLY QUALIFIED TEACHERS.**—For the pur-
14 pose of making grants under subpart 2 to be used for
15 teacher recruitment, retention, and professional develop-
16 ment activities described in section 6222(a) in rural school
17 districts (as that term is defined in section 1119(a)(4)),
18 there are authorized to be appropriated \$50,000,000 for
19 fiscal year 2005 and such sums as may be necessary for
20 each of fiscal years 2006 and 2007. Such authorization
21 of appropriations is in addition to the authorization of ap-
22 propriations in subsection (a).”.

23 (c) **CORE ACADEMIC SUBJECTS ONLY.**—Paragraph
24 (1) of section 1119(a) (20 U.S.C. 6319(a)) is amended

1 by inserting “, teaching in core academic subjects,” after
2 “hired after such day”.

3 (d) PROPORTION OF INEXPERIENCED TEACHERS.—
4 Subparagraph (C) of section 1111(b)(8) (20 U.S.C.
5 6311(b)(8)) is amended by striking “inexperienced, un-
6 qualified, or out-of-field teachers” and inserting “unquali-
7 fied or out-of-field teachers”.

8 (e) OTHER GRANTEES.—Subpart 2 of part E of title
9 IX of the Elementary and Secondary Education Act of
10 1965 (20 U.S.C. 7901 et seq.) is amended by adding at
11 the end the following:

12 **“SEC. 9537. HIGHLY QUALIFIED TEACHERS.**

13 “No entity may receive any funds under this Act un-
14 less, irrespective of whether the entity has applied for a
15 grant under part A of title I, the entity ensures that all
16 elementary school and secondary school teachers employed
17 by the entity and teaching in core academic subjects are
18 highly qualified not later than—

19 “(1) the end of the 2005–2006 school year; or

20 “(2) in the case of a teacher in a rural school
21 district (as that term is defined in section
22 1119(a)(4)), the end of the 2008–2009 school
23 year.”.

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