

1 **TITLE II—PREPARING, TRAIN-**
2 **ING, AND RECRUITING QUALITY**
3 **TEACHERS**

4 **SEC. 201. TEACHER QUALITY TRAINING AND RECRUITING**
5 **FUND.**

6 Title II (20 U.S.C. 6601 et seq.) is amended to read
7 as follows:

8 **“TITLE II—PREPARING, TRAIN-**
9 **ING, AND RECRUITING QUAL-**
10 **ITY TEACHERS**

11 **“PART A—TEACHER QUALITY TRAINING AND**
12 **RECRUITING FUND**

13 **“SEC. 2001. PURPOSE.**

14 “The purpose of this part is to provide grants to
15 States and local educational agencies in order to assist
16 their efforts to increase student academic achievement
17 through such strategies as improving teacher and prin-
18 cipal quality and increasing the number of highly qualified
19 teachers in the classroom.

20 **“Subpart 1—Grants to States to Prepare, Train, and**
21 **Recruit Qualified Teachers**

22 **“SEC. 2011. FORMULA GRANTS TO STATES.**

23 “(a) IN GENERAL.—In the case of each State that
24 in accordance with section 2013 submits to the Secretary
25 an application for a fiscal year, the Secretary shall make

1 a grant for the year to the State for the uses specified
2 in section 2012. The grant shall consist of the allotment
3 determined for the State under subsection (b).

4 “(b) DETERMINATION OF AMOUNT OF ALLOT-
5 MENTS.—

6 “(1) RESERVATION OF FUNDS.—From the
7 amount made available to carry out this subpart for
8 any fiscal year, the Secretary shall reserve—

9 “(A) $\frac{1}{2}$ of 1 percent for allotments for the
10 Virgin Islands, Guam, American Samoa, and
11 the Commonwealth of the Northern Mariana Is-
12 lands, to be distributed among these outlying
13 areas on the basis of their relative need, as de-
14 termined by the Secretary in accordance with
15 the purpose of this part; and

16 “(B) $\frac{1}{2}$ of 1 percent for the Secretary of
17 the Interior for programs under this subpart
18 for professional development activities for
19 teachers, other staff, and administrators in
20 schools operated or funded by the Bureau of In-
21 dian Affairs.

22 “(2) STATE ALLOTMENTS.—

23 “(A) HOLD HARMLESS.—

24 “(i) IN GENERAL.—Subject to sub-
25 paragraph (B), from the total amount

1 made available to carry out this subpart
2 for any fiscal year and not reserved under
3 paragraph (1), the Secretary shall allot to
4 each of the 50 States, the District of Co-
5 lumbia, and the Commonwealth of Puerto
6 Rico an amount equal to the total amount
7 that such State received for fiscal year
8 2001 under—

9 “(I) section 2202(b) of this Act
10 (as in effect on the day before the
11 date of the enactment of the No Child
12 Left Behind Act of 2001); and

13 “(II) section 306 of the Depart-
14 ment of Education Appropriations
15 Act, 2001 (as enacted into law by sec-
16 tion 1(a)(1) of Public Law 106-554).

17 “(ii) NONPARTICIPATING STATES.—In
18 the case of a State that did not receive any
19 funds for fiscal year 2001 under one or
20 both of the provisions referred to in sub-
21 clauses (I) and (II) of clause (i), the
22 amount allotted to the State under such
23 clause shall be the total amount that the
24 State would have received for fiscal year
25 2001 if it had elected to participate in all

1 of the programs for which it was eligible
2 under each of the provisions referred to in
3 such subclauses.

4 “(iii) RATABLE REDUCTION.—If the
5 total amount made available to carry out
6 this subpart for any fiscal year and not re-
7 served under paragraph (1) is insufficient
8 to pay the full amounts that all States are
9 eligible to receive under clause (i) for any
10 fiscal year, the Secretary shall ratably re-
11 duce such amounts for such fiscal year.

12 “(B) ALLOTMENT OF ADDITIONAL
13 FUNDS.—

14 “(i) IN GENERAL.—Subject to clause
15 (ii), for any fiscal year for which the total
16 amount made available to carry out this
17 subpart and not reserved under paragraph
18 (1) exceeds the total amount required to
19 make allotments under subparagraph (A),
20 the Secretary shall allot such excess
21 amount among the 50 States, the District
22 of Columbia, and the Commonwealth of
23 Puerto Rico as follows:

24 “(I) 50 percent of such excess
25 amount shall be allotted among such

[Title II]

II-5

1 States on the basis of their relative
2 populations of individuals aged 5
3 through 17, as determined by the Sec-
4 retary on the basis of the most recent
5 satisfactory data.

6 “(II) 50 percent of such excess
7 amount shall be allotted among such
8 States in proportion to the number of
9 children, aged 5 to 17, who reside
10 within the State from families with in-
11 comes below the poverty line (as de-
12 fined by the Office of Management
13 and Budget and revised annually in
14 accordance with section 673(2) of the
15 Community Services Block Grant Act
16 (42 U.S.C. 9902(2)) applicable to a
17 family of the size involved for the
18 most recent fiscal year for which sat-
19 isfactory data are available, compared
20 to the number of such individuals who
21 reside in all such States for that fiscal
22 year.

23 “(ii) EXCEPTION.—No State receiving
24 an allotment under clause (i) may receive

1 less than 1/2 of 1 percent of the total ex-
2 cess amount allotted under such clause.

3 “(3) REALLOTMENT.—If any State does not
4 apply for an allotment under this subsection for any
5 fiscal year, the Secretary shall realloot such amount
6 to the remaining States in accordance with this sub-
7 section.

8 **“SEC. 2012. WITHIN-STATE ALLOCATIONS.**

9 “(a) USE OF FUNDS.—Each State receiving a grant
10 under this subpart shall use the funds provided under the
11 grant in accordance with this section to carry out activities
12 for the improvement of teaching and learning.

13 “(b) RESERVATION OF FUNDS.—

14 “(1) IN GENERAL.—A State that receives a
15 grant under this subpart may reserve not more than
16 5 percent of the amount of the funds provided under
17 the grant for—

18 “(A) one or more of the authorized State
19 activities described in subsection (e); and

20 “(B) planning and administration related
21 to carrying out such activities and making sub-
22 grants to local educational agencies under sub-
23 parts 2 and 3.

24 “(2) LIMITATION ON ADMINISTRATIVE COSTS.—

25 The amount reserved by a State under paragraph

1 (1)(B) may not exceed 1 percent of the amount of
2 the funds provided under the grant.

3 “(c) MATH AND SCIENCE PARTNERSHIPS.—The Sec-
4 retary may make a grant to a State under this subpart
5 only if the State agrees to distribute 15 percent of the
6 amount of the funds provided under the grant and not
7 reserved under subsection (b) through a competitive
8 subgrant process in accordance with subpart 2.

9 “(d) SUBGRANTS TO LOCAL EDUCATIONAL AGEN-
10 CIES.—

11 “(1) IN GENERAL.—The Secretary may make a
12 grant to a State under this subpart only if the State
13 agrees to expend 85 percent of the amount of the
14 funds provided under the grant and not reserved
15 under subsection (b) for the purpose of making sub-
16 grants to local educational agencies under subpart 3.

17 “(2) FORMULA FOR DISTRIBUTION OF SUB-
18 GRANTS UNDER SUBPART 3.—A State receiving a
19 grant under this subpart shall distribute the amount
20 described in paragraph (1) through a formula under
21 which—

22 “(A) 20 percent is allocated to local edu-
23 cational agencies in accordance with the relative
24 enrollment in public and private nonprofit ele-

1 mentary and secondary schools within the
2 boundaries of such agencies; and

3 “(B) 80 percent is allocated to local edu-
4 cational agencies in proportion to the number of
5 children, aged 5 to 17, who reside within the
6 geographic area served by such agency from
7 families with incomes below the poverty line (as
8 defined by the Office of Management and
9 Budget and revised annually in accordance with
10 section 673(2) of the Community Services
11 Block Grant Act (42 U.S.C. 9902(2))) applica-
12 ble to a family of the size involved for the most
13 recent fiscal year for which satisfactory data
14 are available, compared to the number of such
15 individuals who reside in the geographic areas
16 served by all the local educational agencies in
17 the State for that fiscal year.

18 “(e) AUTHORIZED STATE ACTIVITIES.—The author-
19 ized State activities referred to in subsection (b)(1)(A) are
20 the following:

21 “(1) Reforming teacher certification, recertifi-
22 cation, or licensure requirements to ensure that—

23 “(A) teachers have the necessary teaching
24 skills and academic content knowledge in the

1 subject areas in which they are assigned to
2 teach;

3 “(B) teacher certification, recertification,
4 or licensure requirements are aligned with the
5 State’s challenging State content standards;
6 and

7 “(C) teachers have the knowledge and
8 skills necessary to help students meet chal-
9 lenging State student achievement standards.

10 “(2) Carrying out programs that—

11 “(A) include support during the initial
12 teaching experience, such as mentoring pro-
13 grams that—

14 “(i) provide mentoring to beginning
15 teachers from veteran teachers with exper-
16 tise in the same subject matter that the
17 beginning teachers will be teaching;

18 “(ii) provide mentors time for activi-
19 ties such as coaching, observing, and as-
20 sisting the teachers who are mentored; and

21 “(iii) use standards or assessments
22 for guiding beginning teachers that are
23 consistent with the State’s student achieve-
24 ment standards and with the requirements

1 for professional development activities
2 under section 2033; and

3 “(B) establish, expand, or improve alter-
4 native routes to State certification of teachers,
5 especially in the areas of mathematics and
6 science, for highly qualified individuals with a
7 baccalaureate degree, including mid-career pro-
8 fessionals from other occupations, paraprofes-
9 sionals, former military personnel, and recent
10 college or university graduates with records of
11 academic distinction who demonstrate the po-
12 tential to become highly effective teachers.

13 “(3) Developing and implementing effective
14 mechanisms to assist local educational agencies and
15 schools in effectively recruiting and retaining highly
16 qualified and effective teachers and principals.

17 “(4) Reforming tenure systems and imple-
18 menting teacher testing and other procedures to ex-
19 peditionally remove ineffective teachers from the
20 classroom.

21 “(5) Developing enhanced performance systems
22 to measure the effectiveness of specific professional
23 development programs and strategies.

24 “(6) Providing technical assistance to local edu-
25 cational agencies consistent with this part.

1 “(7) Funding projects to promote reciprocity of
2 teacher certification or licensure between or among
3 States, except that no reciprocity agreement devel-
4 oped under this paragraph or developed using funds
5 provided under this part may lead to the weakening
6 of any State teaching certification or licensing re-
7 quirement.

8 “(8) Developing or assisting local educational
9 agencies in the development and utilization of prov-
10 en, innovative strategies to deliver intensive profes-
11 sional development programs that are both cost-ef-
12 fective and easily accessible, such as through the use
13 of technology and distance learning.

14 “(9) Providing assistance to local educational
15 agencies for the development and implementation of
16 innovative professional development programs that
17 train teachers to use technology to improve teaching
18 and learning and are consistent with the require-
19 ments of section 2033.

20 “(10) Developing or assisting local educational
21 agencies in developing merit-based performance sys-
22 tems, rigorous assessments for teachers, and strate-
23 gies which provide differential and bonus pay for
24 teachers in high-need subject areas such as reading,

1 math, and science and in high-poverty schools and
2 districts.

3 “(11) Providing assistance to local educational
4 agencies for the development and implementation of
5 professional development programs for principals
6 that enable them to be effective school leaders and
7 prepare all students to achieve challenging State
8 content and student achievement standards.

9 “(12) Developing, or assisting local educational
10 agencies in developing, teacher advancement initia-
11 tives that promote professional growth and empha-
12 size multiple career paths, such as career teacher,
13 mentor teacher, and master teacher career paths,
14 with pay differentiation.

15 “(f) COORDINATION.—States receiving grants under
16 section 202 of the Higher Education Act of 1965 shall
17 coordinate the use of such funds with activities carried out
18 under this section.

19 **“SEC. 2013. APPLICATIONS BY STATES.**

20 “(a) IN GENERAL.—To be eligible to receive a grant
21 under this subpart, a State shall submit an application
22 to the Secretary at such time, in such manner, and con-
23 taining such information as the Secretary may reasonably
24 require.

1 “(b) CONTENTS.—Each application under this sec-
2 tion shall include the following:

3 “(1) A description of how the State will ensure
4 that a local educational agency receiving a subgrant
5 under subpart 3 will comply with the requirements
6 of such subpart.

7 “(2) A description of how the State will use
8 funds under this part to meet the requirements of
9 section 1119(a)(2).

10 “(3) A description of how the State will coordi-
11 nate professional development activities authorized
12 under this part with professional development activi-
13 ties provided under other Federal, State, and local
14 programs, including those authorized under title I,
15 part A of title III, parts A and B of title V, and
16 (where applicable) the Individuals with Disabilities
17 Education Act and the Carl D. Perkins Vocational
18 and Technical Education Act. The application shall
19 also describe the comprehensive strategy that the
20 State will take as part of such coordination effort,
21 to ensure that teachers are trained in the utilization
22 of technology so that technology and its applications
23 are effectively used in the classroom to improve
24 teaching and learning in all curriculum and content
25 areas, as appropriate.

1 “(4) A description of how the State will encour-
2 age the development of proven, innovative strategies
3 to deliver intensive professional development pro-
4 grams that are both cost-effective and easily acces-
5 sible, such as through the use of technology and dis-
6 tance learning.

7 “(5) A description of how the State will ensure
8 that local educational agencies will comply with the
9 requirements under section 2033, especially with re-
10 spect to ensuring the participation of teachers, prin-
11 cipals, and parents.

12 “(c) APPLICATION APPROVAL.—A State application
13 submitted to the Secretary under this section shall be
14 deemed approved by the Secretary unless the Secretary
15 makes a written determination, within 90 days after re-
16 ceiving the application, that the application is in violation
17 of the provisions of this subpart. The Secretary shall not
18 finally disapprove a State application except after giving
19 the State notice and opportunity for a hearing.

20 **“Subpart 2—Math and Science Partnerships**

21 **“SEC. 2021. PURPOSE.**

22 “The purpose of this subpart is to improve the
23 achievement of students in the areas of mathematics and
24 science by encouraging States, institutions of higher edu-

1 cation, and local educational agencies to participate in
2 programs that—

3 “(1) focus on education and training of mathe-
4 matics and science teachers that improves teachers’
5 knowledge and skills and encourages intellectual
6 growth;

7 “(2) improve mathematics and science teaching
8 by encouraging institutions of higher education to
9 assume greater responsibility for improving mathe-
10 matics and science teacher education through the es-
11 tablishment of a comprehensive, integrated system of
12 recruiting, training, and advising such teachers; and

13 “(3) bring mathematics and science teachers in
14 elementary and secondary schools together with sci-
15 entists, mathematicians, and engineers to increase
16 the subject matter knowledge of teachers and im-
17 prove their teaching skills through the use of sophis-
18 ticated laboratory equipment and work space, com-
19 puting facilities, libraries, and other resources that
20 institutions of higher education are better able to
21 provide than the schools.

22 **“SEC. 2022. APPLICATION REQUIREMENTS.**

23 “(a) IN GENERAL.—An eligible partnership seeking
24 to receive a subgrant from a State under this subpart shall
25 submit an application to the State at such time, in such

1 manner, and accompanied by such information as the
2 State may require.

3 “(b) PARTNERSHIP APPLICATION CONTENTS.—Each
4 such application shall include—

5 “(1) an assessment of the teacher quality and
6 professional development of all the schools and agen-
7 cies participating in the eligible partnership with re-
8 spect to the teaching and learning of mathematics
9 and science;

10 “(2) a description of how the activities to be
11 carried out by the eligible partnership will be aligned
12 with State content standards in mathematics and
13 science and with other educational reform activities
14 that promote student achievement in mathematics
15 and science;

16 “(3) a description of how the activities to be
17 carried out by the eligible partnership will be based
18 on a review of relevant research, and an explanation
19 of why the activities are expected to improve student
20 achievement and to strengthen the quality of mathe-
21 matics and science instructions; and

22 “(4) a description of—

23 “(A) how the eligible partnership will carry
24 out the activities described in section 2023(c);
25 and

1 “(B) the eligible partnership’s evaluation
2 and accountability plan described in section
3 2024.

4 **“SEC. 2023. MATH AND SCIENCE PARTNERSHIP SUB-**
5 **GRANTS.**

6 “(a) IN GENERAL.—From the amount described in
7 section 2012(c), the State educational agency, working in
8 conjunction with the State agency for higher education (if
9 such agencies are separate), shall award subgrants on a
10 competitive basis to eligible partnerships to enable such
11 partnerships to carry out activities described in subsection
12 (c).

13 “(b) DURATION.—The State shall award subgrants
14 under this subpart for a period of not less than 2 and
15 not more than 5 years.

16 “(c) AUTHORIZED ACTIVITIES.—A recipient of funds
17 provided under this subpart may use the funds for the
18 following activities related to elementary or secondary
19 schools:

20 “(1) Establishing and operating mathematics
21 and science summer professional development work-
22 shops or institutes for elementary and secondary
23 school teachers that—

24 “(A) shall—

[Title II]

II-18

1 “(i) directly relate to the curriculum
2 and content areas in which the teacher
3 provides instruction, and focus only sec-
4 ondarily on pedagogy;

5 “(ii) enhance the ability of a teacher
6 to understand and use the State’s content
7 standards for mathematics and science and
8 to select appropriate curricula;

9 “(iii) train teachers to use curricula
10 that are—

11 “(I) based on scientific research;

12 “(II) aligned with State content
13 standards; and

14 “(III) object-centered, experi-
15 ment-oriented, and concept- and con-
16 tent-based; and

17 “(iv) provide supplemental assistance
18 and follow-up training during the school
19 year for summer institute graduates; and

20 “(B) may include—

21 “(i) programs that provide prospective
22 teachers and novice teachers opportunities
23 to work under the guidance of experienced
24 teachers and college faculty;

1 “(ii) instruction in the use of data
2 and assessments to inform and instruct
3 classroom practice; and

4 “(iii) professional development activi-
5 ties, including supplemental and follow-up
6 activities, such as distance learning and ac-
7 tivities that train teachers to utilize tech-
8 nology in the classroom.

9 “(2) Recruiting to the teaching profession—

10 “(A) students studying mathematics, engi-
11 neering, and science; or

12 “(B) mathematicians, engineers, and sci-
13 entists currently working in the field.

14 (3) Designing programs to bring teachers into
15 contact with working scientists, mathematicians, and
16 engineers, to expand teacher content knowledge of
17 and research in science and mathematics.

18 “(d) PRIORITY.—In awarding subgrants under this
19 subpart, States shall give priority to applications seeking
20 funding for the activity described in subsection (c)(1).

21 “(e) COORDINATION.—Partnerships receiving grants
22 under section 203 of the Higher Education Act of 1965
23 (20 U.S.C. 1023) shall coordinate the use of such funds
24 with any related activities carried out by such partnership
25 with funds made available under this subpart.

1 **“SEC. 2024. EVALUATION AND ACCOUNTABILITY PLAN.**

2 “(a) IN GENERAL.—Each eligible partnership receiv-
3 ing a subgrant under this subpart shall develop an evalua-
4 tion and accountability plan for activities assisted under
5 this subpart that includes rigorous performance objectives
6 that measure the impact of activities funded under this
7 subpart.

8 “(b) CONTENTS.—The plan—

9 “(1) shall include measurable goals to increase
10 the number of mathematics and science teachers
11 who participate in content-based professional devel-
12 opment activities; and

13 “(2) may include objectives and measures for—

14 “(A) improved student achievement on
15 State mathematics and science assessments;

16 “(B) increased participation by students in
17 advanced courses in mathematics and science;

18 “(C) increased percentages of elementary
19 school teachers with academic majors or mi-
20 nors, or group majors or minors, in mathe-
21 matics, engineering, or the sciences; and

22 “(D) increased percentages of secondary
23 school classes in mathematics and science
24 taught by teachers with academic majors in
25 mathematics and science, respectively.

1 **“SEC. 2025. REPORTS; REVOCATION OF SUBGRANTS.**

2 “(a) REPORTS.—Each eligible partnership receiving
3 a subgrant under this subpart annually shall report to the
4 State regarding the eligible partnership’s progress in
5 meeting the performance objectives described in section
6 2024.

7 “(b) REVOCATION.—If the State determines that an
8 eligible partnership that receives a subgrant under this
9 subpart for 5 years is not making substantial progress in
10 meeting the performance objectives described in section
11 2024 by the end of the third year of the subgrant, the
12 subgrant payments shall not be made for the fourth and
13 fifth years.

14 **“SEC. 2026. DEFINITIONS.**

15 “In this subpart:

16 “(1) ELIGIBLE PARTNERSHIP.—The term ‘eligi-
17 ble partnership’ means a partnership that—

18 “(A) shall include—

19 “(i) a State educational agency;

20 “(ii) a mathematics or science depart-
21 ment of a private independent institution
22 of higher education or a State-supported
23 public institution of higher education; and

24 “(iii) a high need local educational
25 agency; and

26 “(B) may include—

1 “(i) another institution of higher edu-
2 cation or the teacher training department
3 of such an institution;

4 “(ii) additional local educational agen-
5 cies, public charter schools, public or pri-
6 vate elementary or secondary schools, or a
7 consortium of such schools;

8 “(iii) a business; or

9 “(iv) a nonprofit organization of dem-
10 onstrated effectiveness, including a mu-
11 seum or research institution.

12 “(2) SUMMER PROFESSIONAL DEVELOPMENT
13 WORKSHOP OR INSTITUTE.—The term ‘summer pro-
14 fessional development workshop or institute’ means
15 a workshop or institute that—

16 “(A) is conducted during a period of not
17 less than 2 weeks;

18 “(B) includes as a component a program
19 that provides direct interaction between stu-
20 dents and faculty; and

21 “(C) provides for follow-up training during
22 the academic year that is conducted in the
23 classroom for a period of not less than 3 con-
24 secutive or nonconsecutive days, except that—

1 “(i) if the workshop or institute is
2 conducted during a two-week period, the
3 follow-up training shall be conducted for a
4 period of at least 4 days; and

5 “(ii) if the follow-up training is for
6 teachers in rural school districts, it may be
7 conducted through distance learning.

8 **“Subpart 3—Subgrants to Local Educational**
9 **Agencies**

10 **“SEC. 2031. LOCAL USE OF FUNDS.**

11 “Each local educational agency that receives a
12 subgrant under this subpart may use the subgrant to
13 carry out the following activities:

14 “(1) Initiatives to assist in recruiting and hir-
15 ing fully qualified teachers who will be assigned
16 teaching positions within their field, including—

17 “(A) providing signing bonuses or other fi-
18 nancial incentives, such as differential pay, for
19 teachers to teach in academic subject areas in
20 which there exists a shortage of such fully
21 qualified teachers within a school or the local
22 educational agency;

23 “(B) establishing programs that—

24 “(i) recruit professionals from other
25 fields and provide such professionals with

1 alternative routes to teacher certification;
2 and

3 “(ii) provide increased opportunities
4 for minorities, individuals with disabilities,
5 and other individuals underrepresented in
6 the teaching profession; and

7 “(C) implementing hiring policies that en-
8 sure comprehensive recruitment efforts as a
9 way to expand the applicant pool, such as
10 through identifying teachers certified through
11 alternative routes, coupled with a system of in-
12 tensive screening designed to hire the most
13 qualified applicant.

14 “(2) Initiatives to promote retention of highly
15 qualified teachers and principals, particularly within
16 elementary and secondary schools with a high per-
17 centage of low-achieving students, including pro-
18 grams that provide—

19 “(A) mentoring to newly hired teachers,
20 such as from master teachers;

21 “(B) incentives, including financial incen-
22 tives, to retain teachers who have a record of
23 success in helping low-achieving students im-
24 prove their academic success; or

1 “(C) incentives, including financial incen-
2 tives, to principals who have a record of improv-
3 ing the performance of all students, but par-
4 ticularly students from economically disadvan-
5 taged families and students from racial and
6 ethnic minority groups.

7 “(3) Programs and activities that are designed
8 to improve the quality of the teacher force, such
9 as—

10 “(A) innovative professional development
11 programs (which may be through partnerships
12 including institutions of higher education), in-
13 cluding programs that train teachers and prin-
14 cipals to utilize technology to improve teaching
15 and learning, are consistent with the require-
16 ments of section 2033, and are coordinated
17 with part B of title V;

18 “(B) development and utilization of prov-
19 en, cost-effective strategies for the implementa-
20 tion of professional development activities, such
21 as through the utilization of technology and dis-
22 tance learning;

23 “(C) tenure reform;

24 “(D) merit pay;

1 “(E) testing of elementary and secondary
2 school teachers in the subject areas taught by
3 such teachers;

4 “(F) professional development programs
5 that provide instruction in how to teach chil-
6 dren with different learning styles, particularly
7 children with disabilities and children with spe-
8 cial learning needs (including those who are
9 gifted and talented); and

10 “(G) professional development programs
11 that provide instruction in methods of improv-
12 ing student behavior in the classroom and how
13 to identify early and appropriate interventions
14 to help children described in subparagraph (F)
15 learn.

16 “(4) Teacher opportunity payments, consistent
17 with section 2034.

18 “(5) Professional activities designed to improve
19 the quality of principals.

20 “(6) Hiring fully qualified teachers, including
21 teachers who become fully qualified through State
22 and local alternative routes, and special education
23 teachers, in order to reduce class size, particularly in
24 the early grades.

1 “(7) Teacher advancement initiatives that pro-
2 mote professional growth and emphasize multiple ca-
3 reer paths, such as career teacher, mentor teacher,
4 and master teacher career paths, with pay differen-
5 tiation.

6 **“SEC. 2032. LOCAL APPLICATIONS.**

7 “(a) IN GENERAL.—A local educational agency seek-
8 ing to receive a subgrant from a State under this subpart
9 shall submit an application to the State—

10 “(1) at such time as the State shall require;
11 and

12 “(2) which is coordinated with other programs
13 under this Act, or other Acts, as appropriate.

14 “(b) LOCAL APPLICATION CONTENTS.—The local ap-
15 plication described in subsection (a), shall include, at a
16 minimum, the following:

17 “(1) An assurance that the local educational
18 agency will target funds to schools within the juris-
19 diction of the local educational agency that—

20 “(A) have the lowest proportion of fully
21 qualified teachers;

22 “(B) have the largest average class size; or

23 “(C) are identified for school improvement
24 under section 1116(b).

1 “(2) A description of how the local educational
2 agency will coordinate professional development ac-
3 tivities authorized under this subpart with profes-
4 sional development activities provided through other
5 Federal, State, and local programs, including those
6 authorized under title I, part A of title III, parts A
7 and B of title V, and (where applicable) the Individ-
8 uals with Disabilities Education Act and the Carl D.
9 Perkins Vocational and Technical Education Act.

10 “(3) A description of how the local educational
11 agency will integrate funds under this subpart with
12 funds received under part B of title V that are used
13 for professional development to train teachers to uti-
14 lize technology to improve teaching and learning.

15 “(4) A description of how the local educational
16 agency has collaborated with teachers, principals,
17 parents, and administrators in the preparation of
18 the application.

19 **“SEC. 2033. PROFESSIONAL DEVELOPMENT FOR TEACHERS.**

20 “(a) REQUIREMENTS FOR PROFESSIONAL DEVELOP-
21 MENT ACTIVITIES.—Professional development activities
22 under this subpart shall—

23 “(1) meet the requirements of section
24 1119(a)(2);

1 “(2) support professional development activities
2 that give teachers, principals, and administrators the
3 knowledge and skills to provide students with the op-
4 portunity to meet challenging State content stand-
5 ards and student achievement standards;

6 “(3) support the recruiting, hiring, and training
7 of fully qualified teachers, including teachers fully
8 qualified through State and local alternative routes;

9 “(4) advance teacher understanding of effective
10 instructional strategies based on scientifically based
11 research for improving student achievement, at a
12 minimum, in reading or language arts and mathe-
13 matics;

14 “(5) be directly related to the curriculum and
15 content areas in which the teacher provides instruc-
16 tion, except that this paragraph shall not apply to
17 subparagraphs (F) and (G) of section 2031(3);

18 “(6) be designed to enhance the ability of a
19 teacher to understand and use the State’s standards
20 for the subject area in which the teacher provides in-
21 struction;

22 “(7) be tied to scientifically based research
23 demonstrating the effectiveness of such professional
24 development activities or programs in increasing stu-

1 dent achievement or substantially increasing the
2 knowledge and teaching skills of teachers;

3 “(8) be of sufficient intensity and duration (not
4 to include 1-day or short-term workshops and con-
5 ferences) to have a positive and lasting impact on
6 the teacher’s performance in the classroom;

7 “(9) be developed with extensive participation
8 of teachers, principals, parents, and administrators
9 of schools to be served under this subpart;

10 “(10) be designed to give teachers of limited
11 English proficient children, and other teachers and
12 instructional staff, the knowledge and skills to pro-
13 vide instruction and appropriate language and aca-
14 demic support services to such children, including
15 the appropriate use of curriculum and assessments;

16 “(11) to the extent appropriate, provide train-
17 ing for teachers and principals in the use of tech-
18 nology so that technology and its applications are ef-
19 fectively used in the classroom to improve teaching
20 and learning in the curriculum and academic content
21 areas in which the teachers provide instruction; and

22 “(12) as a whole, be regularly evaluated for
23 their impact on increased teacher effectiveness and
24 improved student achievement, with the findings of

1 such evaluations used to improve the quality of pro-
2 fessional development.

3 “(b) PROFESSIONAL DEVELOPMENT ACTIVITIES.—
4 Professional development activities under this subpart
5 may include—

6 “(1) instruction in the use of data and assess-
7 ments to inform and instruct classroom practice;

8 “(2) instruction in ways that teachers, prin-
9 cipals, pupil services personnel, and school adminis-
10 trators may work more effectively with parents;

11 “(3) the forming of partnerships with institu-
12 tions of higher education to establish school-based
13 teacher training programs that provide prospective
14 teachers and novice teachers with an opportunity to
15 work under the guidance of experienced teachers and
16 college faculty;

17 “(4) the creation of programs for paraprofes-
18 sionals (assisting teachers employed by a local edu-
19 cational agency receiving assistance under this part)
20 to obtain the education necessary for such para-
21 professionals to become licensed and certified teach-
22 ers; and

23 “(5) instruction in ways to teach special needs
24 children.

25 “(c) ACCOUNTABILITY.—

1 “(1) IN GENERAL.—If, after any fiscal year, a
2 State determines that the programs or activities
3 funded by a local educational agency fail to meet the
4 requirements of subsection (a), the State shall notify
5 the agency that—

6 “(A) it may be subject to paragraph (2);
7 and

8 “(B) technical assistance is available from
9 the State to help the agency meet those require-
10 ments.

11 “(2) REQUIREMENT TO PROVIDE TEACHER OP-
12 PORTUNITY PAYMENTS.—A local educational agency
13 that has been notified by a State for 2 consecutive
14 years under paragraph (1) shall expend under sec-
15 tion 2034 for the succeeding fiscal year a proportion
16 of the amount the agency receives under this sub-
17 part that is equal to the proportion of the amount
18 the agency received under this part for the preceding
19 fiscal year that the agency used for professional de-
20 velopment.

21 **“SEC. 2034. TEACHER OPPORTUNITY PAYMENTS.**

22 “(a) IN GENERAL.—A local educational agency re-
23 ceiving funds under this subpart may (or, in the case of
24 a local educational agency described in section 2033(c)(2),
25 shall) provide funds directly to a teacher or a group of

1 teachers seeking opportunities to participate in a profes-
2 sional development activity of their choice that meets the
3 requirements of section 2033(a) and is selected in con-
4 sultation with the principal in order to coordinate such
5 professional development with other reform efforts at the
6 school.

7 “(b) NOTICE TO TEACHERS.—Local educational
8 agencies distributing funds under this section shall estab-
9 lish and implement a timely process through which proper
10 notice of availability of funds will be given to all teachers
11 within schools identified by the agency and shall develop
12 a process whereby teachers will have regular consultation
13 with and be specifically recommended by principals to par-
14 ticipate in such program by virtue of—

15 “(1) a teacher not being fully qualified to teach
16 in the subject or subjects in which they teach; or

17 “(2) a teacher’s need for additional assistance
18 to ensure that the teacher’s students make progress
19 toward meeting challenging State content standards
20 and student achievement standards.

21 “(c) SELECTION OF TEACHERS.—If adequate fund-
22 ing is not available to provide payments under this section
23 to all teachers seeking such assistance or identified as
24 needing such assistance pursuant to subsection (b), a local
25 educational agency shall establish procedures for selecting

1 teachers that give priority to teachers described in para-
2 graph (1) or (2) of subsection (b).

3 **“Subpart 4—Troops-to-Teachers Program**

4 **“SEC. 2041. AUTHORIZATION OF TROOPS-TO-TEACHERS**
5 **PROGRAM.**

6 “(a) PROGRAM AUTHORIZED.—The Secretary may
7 carry out a program (to be known as the ‘Troops-to-
8 Teachers Program’)—

9 “(1) to assist eligible members and former
10 members of the Armed Forces described in section
11 2042 to obtain certification or licensure as fully
12 qualified elementary school teachers, secondary
13 school teachers, or vocational or technical teachers;
14 and

15 “(2) to facilitate the employment of such mem-
16 bers in elementary schools or secondary schools or as
17 vocational or technical teachers.

18 “(b) ADMINISTRATION OF PROGRAM.—The Secretary
19 shall enter into a memorandum of agreement with the Sec-
20 retary of Defense under which the Secretary of Defense,
21 acting through the Defense Activity for Non-Traditional
22 Education Support of the Department of Defense, will
23 perform the actual administration of the Program, other
24 than section 2045. Using funds appropriated to the Sec-
25 retary to carry out this subpart, the Secretary shall trans-

1 fer to the Secretary of Defense such amounts as may be
2 necessary to administer the Program pursuant to the
3 memorandum of agreement.

4 “(c) INFORMATION REGARDING PROGRAM.—The
5 Secretary shall provide to the Secretary of Defense, for
6 distribution as part of preseparation counseling provided
7 under section 1142 of title 10, United States Code, to
8 members of the Armed Forces described in section 2042,
9 information regarding the Troops-to-Teachers Program
10 and applications to participate in the program.

11 “(d) PLACEMENT ASSISTANCE AND REFERRAL
12 SERVICES.—As part of the Troops-to-Teachers Program,
13 the Secretary may, with the agreement of the Secretary
14 of Defense, provide placement assistance and referral serv-
15 ices regarding employment opportunities with local edu-
16 cational agencies to members of the Armed Forces who
17 are discharged or released from active duty under other
18 than adverse conditions. Unless the member is also se-
19 lected to participate in the Program under section 2042,
20 a member receiving placement assistance and referral
21 services under the authority of this subsection is not eligi-
22 ble for financial assistance under section 2043.

1 **“SEC. 2042. RECRUITMENT AND SELECTION OF PROGRAM**
2 **PARTICIPANTS.**

3 “(a) **ELIGIBLE MEMBERS.**—The following members
4 and former members of the Armed Forces are eligible for
5 selection to participate in the Troops-to-Teachers Pro-
6 gram:

7 “(1) Any member who—

8 “(A) on or after October 1, 1999, becomes
9 entitled to retired or retainer pay in the manner
10 provided in title 10 or title 14, United States
11 Code; or

12 “(B) on or after the date of the enactment
13 of the No Child Left Behind Act of 2001, has
14 an approved date of voluntary retirement and,
15 as of the date the member submits an applica-
16 tion to participate in the Program, has one year
17 or less of active duty remaining before retire-
18 ment.

19 “(2) Any member who, on or after the date of
20 the enactment of the No Child Left Behind Act of
21 2001—

22 “(A) is separated or released from active
23 duty after six or more years of continuous ac-
24 tive duty immediately before the separation or
25 release; and

1 “(B) executes a reserve commitment agree-
2 ment for a period of three years under sub-
3 section (e)(2).

4 “(3) Any member who, on or after the date of
5 the enactment of the No Child Left Behind Act of
6 2001, is retired or separated for physical disability
7 under chapter 61 of title 10, United States Code.

8 “(4) Any member who—

9 “(A) during the period beginning on Octo-
10 ber 1, 1990, and ending on September 30,
11 1999, was involuntarily discharged or released
12 from active duty for purposes of a reduction of
13 force after six or more years of continuous ac-
14 tive duty immediately before the discharge or
15 release; or

16 “(B) applied for the teacher placement
17 program administered under section 1151 of
18 title 10, United States Code, before its repeal,
19 and who satisfied the eligibility criteria specified
20 in subsection (c) of such section 1151.

21 “(b) SUBMISSION OF APPLICATIONS.—

22 “(1) FORM AND SUBMISSION.—Selection of eli-
23 gible members and former members of the Armed
24 Forces to participate in the Troops-to-Teachers Pro-
25 gram shall be made on the basis of applications sub-

1 mitted to the Secretary within the time periods spec-
2 ified in paragraph (2). An application shall be in
3 such form and contain such information as the Sec-
4 retary may require.

5 “(2) TIME FOR SUBMISSION.—An application
6 shall be considered to be submitted on a timely basis
7 under paragraph (1) if—

8 “(A) in the case of a member or former
9 member of the Armed Forces described in para-
10 graph (1), (2), or (3) of subsection (a), the ap-
11 plication is submitted not later than four years
12 after the date on which the member is retired
13 or separated or released from active duty,
14 whichever applies to the member; or

15 “(B) in the case of a member or former
16 member described in subsection (a)(4), the ap-
17 plication is submitted not later than September
18 30, 2003.

19 “(c) SELECTION CRITERIA.—

20 “(1) ESTABLISHMENT.—Subject to paragraphs
21 (2) and (3), the Secretary shall prescribe the criteria
22 to be used to select eligible members and former
23 members of the Armed Forces to participate in the
24 Troops-to-Teachers Program.

1 “(2) EDUCATIONAL BACKGROUND.—If a mem-
2 ber or former member of the Armed Forces de-
3 scribed in paragraph (1), (2), or (3) of subsection
4 (a) is applying for assistance for placement as an el-
5 ementary or secondary school teacher, the Secretary
6 shall require the member to have received a bacca-
7 laureate or advanced degree from an accredited in-
8 stitution of higher education. If such a member is
9 applying for assistance for placement as a vocational
10 or technical teacher, the Secretary shall require the
11 member—

12 “(A) to have received the equivalent of one
13 year of college from an accredited institution of
14 higher education and have six or more years of
15 military experience in a vocational or technical
16 field; or

17 “(B) to otherwise meet the certification or
18 licensure requirements for a vocational or tech-
19 nical teacher in the State in which the member
20 seeks assistance for placement under the Pro-
21 gram.

22 “(3) HONORABLE SERVICE.—A member or
23 former member of the Armed Forces is eligible to
24 participate in the Troops-to-Teachers Program only
25 if the member’s last period of service in the Armed

1 Forces was characterized as honorable. If the mem-
2 ber is selected to participate in the Program before
3 the retirement of the member or the separation or
4 release of the member from active duty, the member
5 may continue to participate in the Program only if,
6 upon the retirement or separation or release from
7 active duty, the member's last period of service is
8 characterized as honorable.

9 “(d) SELECTION PRIORITIES.—In selecting eligible
10 members and former members of the Armed Forces to re-
11 ceive assistance for placement as elementary or secondary
12 school teachers or vocational or technical teachers, the
13 Secretary shall give priority to members who have edu-
14 cational or military experience in science, mathematics,
15 special education, or vocational or technical subjects and
16 agree to seek employment as science, mathematics, or spe-
17 cial education teachers in elementary or secondary schools
18 or in other schools under the jurisdiction of a local edu-
19 cational agency.

20 “(e) OTHER CONDITIONS ON SELECTION.—

21 “(1) SELECTION SUBJECT TO FUNDING.—The
22 Secretary may not select an eligible member or
23 former member of the Armed Forces to participate
24 in the Troops-to-Teachers Program under this sec-
25 tion and receive financial assistance under section

1 2043 unless the Secretary has sufficient appropria-
2 tions for the Program available at the time of the
3 selection to satisfy the obligations to be incurred by
4 the United States under section 2043 with respect
5 to the member.

6 “(2) RESERVE COMMITMENT AGREEMENT.—
7 The Secretary may not select an eligible member or
8 former member of the Armed Forces described in
9 subsection (a)(2)(A) to participate in the Troops-to-
10 Teachers Program under this section and receive fi-
11 nancial assistance under section 2043 unless—

12 “(A) the Secretary notifies the Secretary
13 concerned and the member that the Secretary
14 has reserved a full stipend or bonus under sec-
15 tion 2043 for the member; and

16 “(B) the member executes a written agree-
17 ment with the Secretary concerned to serve as
18 a member of the Selected Reserve of a reserve
19 component of the Armed Forces for a period of
20 three years (in addition to any other reserve
21 commitment the member may have).

22 **“SEC. 2043. PARTICIPATION AGREEMENT AND FINANCIAL**
23 **ASSISTANCE.**

24 “(a) PARTICIPATION AGREEMENT.—An eligible
25 member or former member of the Armed Forces selected

1 to participate in the Troops-to-Teachers Program under
2 section 2042 and receive financial assistance under this
3 section shall be required to enter into an agreement with
4 the Secretary in which the member agrees—

5 “(1) to obtain, within such time as the Sec-
6 retary may require, certification or licensure as a
7 fully qualified elementary school teacher, secondary
8 school teacher, or vocational or technical teacher;
9 and

10 “(2) to accept an offer of full-time employment
11 as a fully qualified elementary school teacher, sec-
12 ondary school teacher, or vocational or technical
13 teacher for not less than three school years with a
14 local educational agency or public charter school, to
15 begin the school year after obtaining that certifi-
16 cation or licensure.

17 “(b) VIOLATION OF PARTICIPATION AGREEMENT;
18 EXCEPTIONS.—A participant in the Troops-to-Teachers
19 Program shall not be considered to be in violation of the
20 participation agreement entered into under subsection (a)
21 during any period in which the participant—

22 “(1) is pursuing a full-time course of study re-
23 lated to the field of teaching at an institution of
24 higher education;

1 “(2) is serving on active duty as a member of
2 the Armed Forces;

3 “(3) is temporarily totally disabled for a period
4 of time not to exceed three years as established by
5 sworn affidavit of a qualified physician;

6 “(4) is unable to secure employment for a pe-
7 riod not to exceed 12 months by reason of the care
8 required by a spouse who is disabled;

9 “(5) is seeking and unable to find full-time em-
10 ployment as a fully qualified teacher in an elemen-
11 tary or secondary school or as a vocational or tech-
12 nical teacher for a single period not to exceed 27
13 months; or

14 “(6) satisfies the provisions of additional reim-
15 bursement exceptions that may be prescribed by the
16 Secretary.

17 “(c) STIPEND FOR PARTICIPANTS.—

18 “(1) STIPEND AUTHORIZED.—Subject to para-
19 graph (2), the Secretary may pay to a participant in
20 the Troops-to-Teachers Program selected under sec-
21 tion 2042 a stipend in an amount up to \$5,000.

22 “(2) LIMITATION.—The total number of sti-
23 pends that may be paid under paragraph (1) in any
24 fiscal year may not exceed 3,000.

25 “(d) BONUS FOR PARTICIPANTS.—

1 “(1) BONUS AUTHORIZED.—Subject to para-
2 graph (2), the Secretary may, in lieu of paying a sti-
3 pend under subsection (c), pay a bonus of \$10,000
4 to a participant in the Troops-to-Teachers Program
5 selected under section 2042 who agrees in the par-
6 ticipation agreement under subsection (a) to accept
7 full-time employment as a fully qualified elementary
8 school teacher, secondary school teacher, or voca-
9 tional or technical teacher for not less than three
10 years in a high need school.

11 “(2) LIMITATION.—The total number of bo-
12 nuses that may be paid under paragraph (1) in any
13 fiscal year may not exceed 1,000.

14 “(3) HIGH NEED SCHOOL DEFINED.—For pur-
15 poses of this subsection, the term ‘high need school’
16 means a public elementary school, public secondary
17 school, or public charter school that meets one or
18 more of the following criteria:

19 “(A) At least 50 percent of the students
20 enrolled in the school were children counted
21 under subsection (c) of section 1124 for pur-
22 poses of making grants under such section to
23 local educational agencies, when such counting
24 was most recently performed.

1 “(B) The school has a large percentage of
2 students who qualify for assistance under part
3 B of the Individuals with Disabilities Education
4 Act (20 U.S.C. 1411 et seq.).

5 “(C) The school meets any other criteria
6 established by the Secretary in consultation
7 with the National Assessment Governing Board.

8 “(e) TREATMENT OF STIPEND AND BONUS.—A sti-
9 pend or bonus paid under this section to a participant in
10 the Troops-to-Teachers Program shall be taken into ac-
11 count in determining the eligibility of the participant for
12 Federal student financial assistance provided under title
13 IV of the Higher Education Act of 1965 (20 U.S.C. 1070
14 et seq.).

15 “(f) REIMBURSEMENT UNDER CERTAIN CIR-
16 CUMSTANCES.—

17 “(1) REIMBURSEMENT REQUIRED.—A partici-
18 pant in the Troops-to-Teachers Program who is paid
19 a stipend or bonus under this section shall be re-
20 quired to repay the stipend or bonus under the fol-
21 lowing circumstances:

22 “(A) The participant fails to obtain teach-
23 er certification or licensure or employment as a
24 fully qualified elementary school teacher, sec-
25 ondary school teacher, or vocational or technical

1 teacher as required by the participation agree-
2 ment under subsection (a).

3 “(B) The participant voluntarily leaves, or
4 is terminated for cause, from employment as an
5 elementary school teacher, secondary school
6 teacher, or vocational or technical teacher dur-
7 ing the three years of required service in viola-
8 tion of the participation agreement.

9 “(C) The participant executed a written
10 agreement with the Secretary concerned under
11 section 2042(e)(2) to serve as a member of a
12 reserve component of the Armed Forces for a
13 period of three years and fails to complete the
14 required term of service.

15 “(2) AMOUNT OF REIMBURSEMENT.—A partici-
16 pant required to reimburse the Secretary for a sti-
17 pend or bonus paid to the participant under this sec-
18 tion shall pay an amount that bears the same ratio
19 to the amount of the stipend or bonus as the
20 unserved portion of required service bears to the
21 three years of required service. Any amount owed by
22 the participant shall bear interest at the rate equal
23 to the highest rate being paid by the United States
24 on the day on which the reimbursement is deter-
25 mined to be due for securities having maturities of

1 ninety days or less and shall accrue from the day on
2 which the participant is first notified of the amount
3 due.

4 “(3) TREATMENT OF OBLIGATION.—The obliga-
5 tion to reimburse the Secretary under this sub-
6 section is, for all purposes, a debt owing the United
7 States. A discharge in bankruptcy under title 11,
8 United States Code, shall not release a participant
9 from the obligation to reimburse the Secretary.

10 “(4) EXCEPTIONS TO REIMBURSEMENT RE-
11 QUIREMENT.—A participant shall be excused from
12 reimbursement under this subsection if the partici-
13 pant becomes permanently totally disabled as estab-
14 lished by sworn affidavit of a qualified physician.
15 The Secretary may also waive reimbursement in
16 cases of extreme hardship to the participant, as de-
17 termined by the Secretary.

18 “(g) RELATIONSHIP TO EDUCATIONAL ASSISTANCE
19 UNDER MONTGOMERY GI BILL.—The receipt by a partic-
20 ipant in the Troops-to-Teachers Program of a stipend or
21 bonus under this section shall not reduce or otherwise af-
22 fect the entitlement of the participant to any benefits
23 under chapter 30 of title 38, United States Code, or chap-
24 ter 1606 of title 10, United States Code.

1 **“SEC. 2044. PARTICIPATION BY STATES.**

2 “(a) DISCHARGE OF STATE ACTIVITIES THROUGH
3 CONSORTIA OF STATES.—The Secretary may permit
4 States participating in the Troops-to-Teachers Program to
5 carry out activities authorized for such States under the
6 Program through one or more consortia of such States.

7 “(b) ASSISTANCE TO STATES.—

8 “(1) GRANTS AUTHORIZED.—Subject to para-
9 graph (2), the Secretary may make grants to States
10 participating in the Troops-to-Teachers Program, or
11 to consortia of such States, in order to permit such
12 States or consortia of States to operate offices for
13 purposes of recruiting eligible members and former
14 members of the Armed Forces for participation in
15 the Program and facilitating the employment of par-
16 ticipants in the Program as elementary school teach-
17 ers, secondary school teachers, and vocational or
18 technical teachers.

19 “(2) LIMITATION.—The total amount of grants
20 under paragraph (1) in any fiscal year may not ex-
21 ceed \$4,000,000.

22 **“SEC. 2045. SUPPORT OF INNOVATIVE PRERETIREMENT**
23 **TEACHER CERTIFICATION PROGRAMS.**

24 “(a) DEVELOPMENT, IMPLEMENTATION AND DEM-
25 ONSTRATION.—The Secretary may enter into a memo-
26 randum of agreement with a State, an institution of high-

1 er education, or a consortia of States or institutions of
2 higher education, to develop, implement, and demonstrate
3 teacher certification programs for members of the Armed
4 Forces described in section 2042(a)(1)(B) for the purpose
5 of assisting such members to consider and prepare for a
6 career as a fully qualified elementary school teacher, sec-
7 ondary school teacher, or vocational or technical teacher
8 upon their retirement from the Armed Forces.

9 “(b) PROGRAM ELEMENTS.—A teacher certification
10 program under subsection (a) must—

11 “(1) provide recognition of military experience
12 and training as related to licensure or certification
13 requirements;

14 “(2) provide courses of instruction that may be
15 conducted on or near a military installation;

16 “(3) incorporate alternative approaches to
17 achieve teacher certification, such as innovative
18 methods to gaining field-based teaching experiences,
19 and assessment of background and experience as re-
20 lated to skills, knowledge, and abilities required of
21 elementary school teachers, secondary school teach-
22 ers, or vocational or technical teachers;

23 “(4) provide for courses to also be delivered via
24 distance education methods; and

1 “(5) address any additional requirements or
2 specifications as established by the Secretary.

3 “(c) APPLICATION PROCEDURES.—A State or insti-
4 tution of higher education (or a consortia of States or in-
5 stitutions of higher education) that has a program leading
6 to State approved teacher certification programs may sub-
7 mit a proposal to the Secretary for consideration under
8 subsection (a). The Secretary shall give preference to pro-
9 posals that provide for a sharing of the costs to carry out
10 the teacher certification program.

11 “(d) CONTINUATION OF PROGRAMS.—The purpose of
12 this section is to provide funding to develop, implement,
13 and demonstrate teacher certification programs under
14 subsection (a). Upon successful completion of the dem-
15 onstration phase, the continued operation of the teacher
16 certification programs shall not be the responsibility of the
17 Secretary.

18 “(e) FUNDING LIMITATION.—The total amount obli-
19 gated by the Secretary under this section in any fiscal year
20 may not exceed \$5,000,000.

21 **“SEC. 2046. REPORTING REQUIREMENTS.**

22 “(a) REPORT REQUIRED.—Not later than March 31
23 of each year, the Secretary (in consultation with the Sec-
24 retary of Defense and the Secretary of Transportation)
25 and the Comptroller General shall each submit to Con-

1 gress a report on the effectiveness of the Troops-to-Teach-
2 ers Program in the recruitment and retention of qualified
3 personnel by local educational agencies and public charter
4 schools.

5 “(b) ELEMENTS OF REPORT.—The report under sub-
6 section (a) shall include information on the following:

7 “(1) The number of participants in the Troops-
8 to-Teachers Program.

9 “(2) The schools in which the participants are
10 employed.

11 “(3) The grade levels at which the participants
12 teach.

13 “(4) The subject matters taught by the partici-
14 pants.

15 “(5) The rates of retention of the participants
16 by the local educational agencies and public charter
17 schools employing the participants.

18 “(6) Such other matters as the Secretary or the
19 Comptroller General, as the case may be, considers
20 appropriate.

21 “(c) RECOMMENDATIONS.—The report of the Comp-
22 troller General under this section shall also include any
23 recommendations of the Comptroller General regarding
24 any means of improving the Troops-to-Teachers Program,

1 including means of enhancing the recruitment and reten-
2 tion of participants in the Program.

3 **“SEC. 2047. DEFINITIONS.**

4 “For purposes of this subpart:

5 “(1) ARMED FORCES.—The term ‘Armed
6 Forces’ means the Army, Navy, Air Force, Marine
7 Corps, and Coast Guard.

8 “(2) PROGRAM.—The term ‘Program’ means
9 the Troops-to-Teachers Program authorized by this
10 subpart.

11 “(3) RESERVE COMPONENT.—The term ‘reserve
12 component’ means—

13 “(A) the Army National Guard of the
14 United States;

15 “(B) the Army Reserve;

16 “(C) the Naval Reserve;

17 “(D) the Marine Corps Reserve;

18 “(E) the Air National Guard of the United
19 States;

20 “(F) the Air Force Reserve; and

21 “(G) the Coast Guard Reserve.

22 “(4) SECRETARY CONCERNED.—The term ‘Sec-
23 retary concerned’ means—

1 “(A) the Secretary of the Army, with re-
2 spect to matters concerning a reserve compo-
3 nent of the Army;

4 “(B) the Secretary of the Navy, with re-
5 spect to matters concerning a reserve compo-
6 nent of the Navy;

7 “(C) the Secretary of the Air Force, with
8 respect to matters concerning a reserve compo-
9 nent of the Air Force; and

10 “(D) the Secretary of Transportation, with
11 respect to matters concerning the Coast Guard
12 Reserve.

13 **“Subpart 5—Funding**

14 **“SEC. 2051. AUTHORIZATIONS OF APPROPRIATIONS.**

15 “(a) IN GENERAL.—For the purpose of carrying out
16 this part, other than subpart 4, there are authorized to
17 be appropriated \$2,600,000,000 for fiscal year 2002 and
18 such sums as may be necessary for each of fiscal years
19 2003 through 2006.

20 “(b) SUBPART 4.—For the purpose of carrying out
21 subpart 4, there are authorized to be appropriated
22 \$30,000,000 for fiscal year 2002 and such sums as may
23 be necessary for each of fiscal years 2003 through 2006.

1 **“Subpart 6—General Provisions**

2 **“SEC. 2061. DEFINITIONS.**

3 “For purposes of this part—

4 “(1) ARTS AND SCIENCES.—The term ‘arts and
5 sciences’ means—

6 “(A) when referring to an organizational
7 unit of an institution of higher education, any
8 academic unit that offers one or more academic
9 majors in disciplines or content areas cor-
10 responding to the academic subject matter
11 areas in which teachers provide instruction; and

12 “(B) when referring to a specific academic
13 subject matter area, the disciplines or content
14 areas in which academic majors are offered by
15 the arts and sciences organizational unit.

16 “(2) BEGINNING TEACHER.—The term ‘begin-
17 ning teacher’ means an educator in a public school
18 who has not yet been teaching 3 full school years.

19 “(3) MENTORING PROGRAM.—The term ‘men-
20 toring program’ means to provide professional sup-
21 port and development, instruction, and guidance to
22 beginning teachers, but does not include a teacher or
23 individual who begins to work in a supervisory posi-
24 tion.

25 “(4) PUBLICLY REPORT.—The term ‘publicly
26 report’, when used with respect to the dissemination

1 of information, means that the information is made
2 widely available to the public, including parents and
3 students, through such means as the Internet and
4 major print and broadcast media outlets.”.

5 **SEC. 202. NATIONAL WRITING PROJECT.**

6 (a) **TRANSFER AND REDESIGNATION.**—Part K of
7 title X (20 U.S.C. 8331 et seq.) is transferred and redesi-
8 gnated as part B of title II. Sections 10991 and 10992
9 are redesignated as sections 2101 and 2102, respectively.

10 (b) **EVALUATION.**—Section 2102(g) (as so redesi-
11 gnated) is amended—

12 (1) in paragraph (1), by striking “14701.” and
13 inserting “8651.”; and

14 (2) in paragraph (2), by striking “1994” and
15 inserting “2002”.

16 (c) **REAUTHORIZATION.**—Section 2102(i) (as so re-
17 designated) is amended by striking “\$4,000,000 for fiscal
18 year 1995, and such sums as may be necessary for each
19 of the four succeeding fiscal years,” and inserting “such
20 sums as may be necessary for fiscal year 2002 and the
21 four succeeding fiscal years,”.

22 (d) **CONTINUATION OF AWARDS.**—Notwithstanding
23 any other provision of this Act, any person or agency that
24 was awarded a grant or contract under part K of title
25 X (20 U.S.C. 8331 et seq.) prior to the date of the enact-

1 ment of this Act shall continue to receive funds in accord-
2 ance with the terms of such award until the date on which
3 the award period terminates under such terms.

4 **SEC. 203. CIVIC EDUCATION; TEACHER LIABILITY PROTEC-**
5 **TION.**

6 (a) IN GENERAL.—Title II, as amended by sections
7 201 and 202, is further amended by adding at the end
8 the following:

9 **“PART C—CIVIC EDUCATION**

10 **“SEC. 2201. SHORT TITLE.**

11 “This part may be cited as the ‘Education for De-
12 mocracy Act’.

13 **“SEC. 2202. FINDINGS.**

14 “The Congress finds that—

15 “(1) college freshmen surveyed in 1999 by the
16 Higher Education Research Institute at the Univer-
17 sity of California at Los Angeles demonstrated high-
18 er levels of disengagement, both academically and
19 politically, than any previous entering class of stu-
20 dents;

21 “(2) college freshmen in 1999 demonstrated the
22 lowest levels of political interest in the 20-year his-
23 tory of surveys conducted by the Higher Education
24 Research Institute at the University of California at
25 Los Angeles;

1 “(3) United States secondary school students
2 expressed relatively low levels of interest in politics
3 and economics in a 1999 Harris survey;

4 “(4) the 32d Annual Phi Delta Kappa/Gallup
5 Poll of 2000 indicated that preparing students to be-
6 come responsible citizens was the most important
7 purpose of public schools;

8 “(5) Americans surveyed by the Organization of
9 Economic Cooperation and Development indicated
10 that only 59 percent had confidence that schools
11 have a major effect on the development of good citi-
12 zenship;

13 “(6) teachers too often do not have sufficient
14 expertise in the subjects that they teach, and 50 per-
15 cent of all secondary school history students in
16 America are being taught by teachers with neither a
17 major nor a minor in history;

18 “(7) secondary school students correctly an-
19 swered fewer than 50 percent of the questions on a
20 national test of economic knowledge in a 1999 Har-
21 ris survey;

22 “(8) the 1998 National Assessment of Edu-
23 cational Progress indicated that students have only
24 superficial knowledge of, and lacked a depth of un-
25 derstanding regarding, civics;

1 “(9) civics and economic education are impor-
2 tant not only to developing citizenship competencies
3 in the United States but also are critical to sup-
4 porting political stability and economic health in
5 other democracies, particularly emerging democratic
6 market economies;

7 “(10) more than 75 percent of Americans sur-
8 veyed by the National Constitution Center in 1997
9 admitted that they knew only some or very little
10 about the Constitution of the United States; and

11 “(11) the Constitution of the United States is
12 too often viewed within the context of history and
13 not as a living document that shapes current events.

14 **“SEC. 2203. PURPOSE.**

15 “It is the purpose of this part—

16 “(1) to improve the quality of civics and gov-
17 ernment education by educating students about the
18 history and principles of the Constitution of the
19 United States, including the Bill of Rights;

20 “(2) to foster civic competence and responsi-
21 bility; and

22 “(3) to improve the quality of civic education
23 and economic education through cooperative civic
24 education and economic education exchange pro-
25 grams with emerging democracies.

1 **“SEC. 2204. AUTHORITY.**

2 “The Secretary may make grants to, or enter into
3 contracts with—

4 “(1) the Center for Civic Education to carry
5 out civic education activities in accordance with sec-
6 tions 2205 and 2206; and

7 “(2) the National Council on Economic Edu-
8 cation to carry out economic education activities in
9 accordance with section 2206.

10 **“SEC. 2205. WE THE PEOPLE PROGRAM.**

11 “(a) USE OF FUNDS.—The Center for Civic Edu-
12 cation may use funds made available under grants or con-
13 tracts under section 2204(1) only to carry out activities—

14 “(1) under the Citizen and the Constitution
15 program in accordance with subsection (b); and

16 “(2) under the Project Citizen program in ac-
17 cordance with subsection (c).

18 “(b) CITIZEN AND THE CONSTITUTION PROGRAM.—

19 “(1) EDUCATIONAL ACTIVITIES.—The Center
20 for Civic Education—

21 “(A) shall use funds made available under
22 grants or contracts under section 2204(1)—

23 “(i) to continue and expand the edu-
24 cational activities of the program entitled
25 the ‘We the People... The Citizen and the

1 Constitution' administered by the Center
2 for Civic Education;

3 “(ii) to carry out activities to enhance
4 student attainment of challenging content
5 standards in civics and government;

6 “(iii) to provide a course of instruc-
7 tion on the basic principles of the Nation’s
8 constitutional democracy and the history of
9 the Constitution of the United States, in-
10 cluding the Bill of Rights;

11 “(iv) to provide, at the request of a
12 participating school, school and community
13 simulated congressional hearings following
14 the course of instruction described in
15 clause (iii); and

16 “(v) to provide an annual national
17 competition of simulated congressional
18 hearings for secondary school students who
19 wish to participate in such a program; and

20 “(B) may use assistance made available
21 under section 2204(1)—

22 “(i) to provide advanced sustained
23 and ongoing training of teachers about the
24 Constitution of the United States and the
25 political system of the United States;

1 “(ii) to provide materials and methods
2 of instruction, including teacher training,
3 that utilize the latest advancements in edu-
4 cational technology; and

5 “(iii) to provide civic education mate-
6 rials and services to address specific prob-
7 lems such as the prevention of school vio-
8 lence and the abuse of drugs and alcohol.

9 “(2) AVAILABILITY OF PROGRAM.—As a condi-
10 tion of receipt of funds under grants or contracts
11 under section 2204(1), the Secretary shall require
12 the Center for Civic Education to make the edu-
13 cation program authorized under this subsection
14 available to public and private elementary schools
15 and secondary schools, including Bureau-funded
16 schools, in each of the 435 congressional districts,
17 and in the District of Columbia, the Commonwealth
18 of Puerto Rico, the Virgin Islands, Guam, American
19 Samoa, and the Commonwealth of the Northern
20 Mariana Islands.

21 “(c) PROJECT CITIZEN.—

22 “(1) EDUCATIONAL ACTIVITIES.—The Center
23 for Civic Education—

24 “(A) shall use funds made available under
25 grants or contracts under section 2204(1)—

[Title II]

II-62

1 “(i) to continue and expand the edu-
2 cational activities of the program entitled
3 the ‘We the People . . . Project Citizen’ pro-
4 gram administered by the Center;

5 “(ii) to carry out activities to enhance
6 student attainment of challenging content
7 standards in civics and government;

8 “(iii) to provide a course of instruc-
9 tion at the middle school level on the roles
10 of State and local governments in the Fed-
11 eral system established by the Constitution
12 of the United States; and

13 “(iv) to provide an annual national
14 showcase or competition; and

15 “(B) may use funds made available under
16 grants or contracts under section 2204(1)—

17 “(i) to provide optional school and
18 community simulated State legislative
19 hearings;

20 “(ii) to provide advanced sustained
21 and ongoing training of teachers on the
22 roles of State and local governments in the
23 Federal system established by the Con-
24 stitution of the United States;

1 “(iii) to provide materials and meth-
2 ods of instruction, including teacher train-
3 ing, that utilize the latest advancements in
4 educational technology; and

5 “(iv) to provide civic education mate-
6 rials and services to address specific prob-
7 lems such as the prevention of school vio-
8 lence and the abuse of drugs and alcohol.

9 “(2) AVAILABILITY OF PROGRAM.—As a condi-
10 tion of receipt of funds under grants or contracts
11 under section 2204(1), the Secretary shall require
12 the Center for Civic Education to make the edu-
13 cation program authorized under this subsection
14 available to public and private middle schools, in-
15 cluding Bureau-funded schools, in each of the 50
16 States, the District of Columbia, the Commonwealth
17 of Puerto Rico, the Virgin Islands, Guam, American
18 Samoa, and the Commonwealth of the Northern
19 Mariana Islands.

20 “(d) BUREAU-FUNDED SCHOOL DEFINED.—In this
21 section, the term ‘Bureau-funded school’ has the meaning
22 given such term in section 1146 of the Education Amend-
23 ments of 1978 (25 U.S.C. 2026).

1 **“SEC. 2206. COOPERATIVE CIVIC EDUCATION AND ECO-**
2 **NOMIC EDUCATION EXCHANGE PROGRAMS.**

3 “(a) USE OF FUNDS.—The Center for Civic Edu-
4 cation and the National Council on Economic Education
5 may use funds made available under grants or contracts
6 under section 2204(2) only to carry out cooperative edu-
7 cation exchange programs that—

8 “(1) make available to educators from eligible
9 countries exemplary curriculum and teacher training
10 programs in civics and government education, and
11 economics education, developed in the United States;

12 “(2) assist eligible countries in the adaptation,
13 implementation, and institutionalization of programs
14 described in paragraph (1);

15 “(3) create and implement programs for civics
16 and government education, and economic education,
17 for students that draw upon the experiences of the
18 participating eligible countries;

19 “(4) provide means for the exchange of ideas
20 and experiences in civics and government education,
21 and economic education, among political, edu-
22 cational, governmental, and private sector leaders of
23 participating eligible countries; and

24 “(5) provide support for—

25 “(A) independent research and evaluation
26 to determine the effects of educational pro-

1 grams on students' development of the knowl-
2 edge, skills, and traits of character essential for
3 the preservation and improvement of constitu-
4 tional democracy; and

5 “(B) effective participation in and the
6 preservation and improvement of an efficient
7 market economy.

8 “(b) ACTIVITIES.—In carrying out the cooperative
9 education exchange programs assisted under this section,
10 the Center for Civic Education and the National Council
11 on Economic Education shall—

12 “(1) provide to the participants from eligible
13 countries—

14 “(A) seminars on the basic principles of
15 United States constitutional democracy and
16 economic system, including seminars on the
17 major governmental and economic institutions
18 and systems in the United States, and visits to
19 such institutions;

20 “(B) visits to school systems, institutions
21 of higher education, and nonprofit organizations
22 conducting exemplary programs in civics and
23 government education, and economic education,
24 in the United States;

1 “(C) translations and adaptations with re-
2 spect to United States civics and government
3 education, and economic education, curricular
4 programs for students and teachers, and in the
5 case of training programs for teachers trans-
6 lations and adaptations into forms useful in
7 schools in eligible countries, and joint research
8 projects in such areas; and

9 “(D) independent research and evaluation
10 assistance—

11 “(i) to determine the effects of the co-
12 operative education exchange programs on
13 students’ development of the knowledge,
14 skills, and traits of character essential for
15 the preservation and improvement of con-
16 stitutional democracy; and

17 “(ii) to identify effective participation
18 in and the preservation and improvement
19 of an efficient market economy;

20 “(2) provide to the participants from the
21 United States—

22 “(A) seminars on the histories, economies,
23 and systems of government of eligible countries;

24 “(B) visits to school systems, institutions
25 of higher education, and organizations con-

1 ducting exemplary programs in civics and gov-
2 ernment education, and economic education, lo-
3 cated in eligible countries;

4 “(C) assistance from educators and schol-
5 ars in eligible countries in the development of
6 curricular materials on the history, government,
7 and economy of such countries that are useful
8 in United States classrooms;

9 “(D) opportunities to provide onsite dem-
10 onstrations of United States curricula and ped-
11 agogy for educational leaders in eligible coun-
12 tries; and

13 “(E) independent research and evaluation
14 assistance to determine—

15 “(i) the effects of the cooperative edu-
16 cation exchange programs assisted under
17 this section on students’ development of
18 the knowledge, skills, and traits of char-
19 acter essential for the preservation and im-
20 provement of constitutional democracy;
21 and

22 “(ii) effective participation in and im-
23 provement of an efficient market economy;
24 and

1 “(3) assist participants from eligible countries
2 and the United States to participate in international
3 conferences on civics and government education, and
4 economic education, for educational leaders, teacher
5 trainers, scholars in related disciplines, and edu-
6 cational policymakers.

7 “(c) PARTICIPANTS.—The primary participants in
8 the cooperative education exchange programs assisted
9 under this section shall be educational leaders in the areas
10 of civics and government education, and economic edu-
11 cation, including teachers, curriculum and teacher train-
12 ing specialists, scholars in relevant disciplines, and edu-
13 cational policymakers, and government and private sector
14 leaders from the United States and eligible countries.

15 “(d) CONSULTATION.—The Secretary may make a
16 grant, or enter into a contract, under section 2204(2) only
17 if the Secretary of State concurs with the Secretary that
18 such grant, or contract, is consistent with the foreign pol-
19 icy of the United States.

20 “(e) AVOIDANCE OF DUPLICATION.—With the con-
21 currence of the Secretary of State, the Secretary shall en-
22 sure that—

23 “(1) the activities carried out under the pro-
24 grams assisted under this section are not duplicative

1 of other activities conducted in eligible countries;
2 and

3 “(2) any institutions in eligible countries, with
4 which the Center for Civic Education or the Na-
5 tional Council on Economic Education may work in
6 conducting such activities, are creditable.

7 “(f) ELIGIBLE COUNTRY DEFINED.—In this section,
8 the term ‘eligible country’ means a Central European
9 country, an Eastern European country, Lithuania, Latvia,
10 Estonia, the independent states of the former Soviet
11 Union as defined in section 3 of the FREEDOM Support
12 Act (22 U.S.C. 5801), the Republic of Ireland, the prov-
13 ince of Northern Ireland in the United Kingdom, and any
14 developing country (as such term is defined in section
15 209(d) of the Education for the Deaf Act) if the Sec-
16 retary, with the concurrence of the Secretary of State, de-
17 termines that such developing country has a democratic
18 form of government.

19 “**SEC. 2207. FUNDING.**

20 (a) AUTHORIZATION OF APPROPRIATIONS.—

21 “(1) WE THE PEOPLE PROGRAM.—There are
22 authorized to be appropriated to carry out sections
23 2204(1) and 2205 such sums as may be necessary
24 for each of fiscal years 2002 through 2006.

1 “(2) COOPERATIVE CIVIC EDUCATION AND ECO-
2 NOMIC EDUCATION EXCHANGE PROGRAMS.—There
3 are authorized to be appropriated to carry out sec-
4 tions 2204(2) and 2206 such sums as may be nec-
5 essary for each of fiscal years 2002 through 2006.

6 “(b) LIMITATION.—In each fiscal year, the Secretary
7 may use not more than 50 percent of the amount appro-
8 priated under subsection (a)(2) for assistance for eco-
9 nomic educational activities.

10 **“PART D—TEACHER LIABILITY PROTECTION**

11 **“SEC. 2301. TEACHER IMMUNITY.**

12 “(a) IMMUNITY.—Notwithstanding any other provi-
13 sion of law, no school board member of, or teacher or ad-
14 ministrators in, a local educational agency that receives
15 funds under this Act shall be liable for monetary damages
16 in his or her personal capacity for an action that was
17 taken in carrying out his or her official duties and in-
18 tended to maintain school discipline, so long as that action
19 was not prohibited under State or local law and did not
20 constitute reckless or criminal misconduct.

21 “(b) LIMITATION.—The immunity established under
22 subsection (a) shall apply only to liability arising under
23 Federal law.”.

24 (b) CONTINUATION OF AWARDS.—Notwithstanding
25 any other provision of this Act, any person or agency that

1 was awarded a grant under part F of title X (20 U.S.C.
2 8141 et seq.) prior to the date of the enactment of this
3 Act shall continue to receive funds in accordance with the
4 terms of such award until the date on which the award
5 period terminates under such terms.