

(20 U.S.C. 1103e) Enacted July 23, 1992, P.L. 102-325, sec. 501(a), 106 Stat. 676.

SEC. 517. NATIONAL TEACHER ACADEMY EVALUATION.

The Secretary shall evaluate the system of National Teacher Academies and the effects of such academies on teachers every 2 years. The Secretary shall make available to the Congress and the public the results of such evaluation.

(20 U.S.C. 1103f) Enacted July 23, 1992, P.L. 102-325, sec. 501(a), 106 Stat. 677.

SEC. 518. AUTHORIZATION OF APPROPRIATIONS.

(a) **IN GENERAL.**—There are authorized to be appropriated \$35,000,000 for fiscal year 1993 and such sums as may be necessary for the 4 succeeding fiscal years to carry out the provisions of this part, of which not more than \$5,000,000 shall be available for each of the National Teacher Academy subject areas listed in section 511(b)(1).

(b) **SPECIAL RULES.**—

(1) **APPROPRIATIONS LESS THAN \$14,000,000.**—If the amount appropriated pursuant to the authority of subsection (a) is less than \$14,000,000, then not more than \$2,000,000 shall be available for each National Teacher Academy subject area in the order in which such subject areas are listed in section 511(b)(1), until such funds are expended.

(2) **APPROPRIATIONS EQUAL TO OR IN EXCESS OF \$14,000,000.**—If the amount appropriated pursuant to the authority of subsection (a) is equal to or exceeds \$14,000,000, then such funds as equals or exceeds \$14,000,000 shall be allocated equitably among each of the National Teacher Academy subject areas listed in section 511(b)(1).

(20 U.S.C. 1103g) Enacted July 23, 1992, P.L. 102-325, sec. 501(a), 106 Stat. 677.

PART C—TEACHER SCHOLARSHIPS AND FELLOWSHIPS

Subpart 1—Paul Douglas Teacher Scholarships¹

SEC. 521. PURPOSE; DESIGNATION.

(a) **PURPOSE.**—It is the purpose of this subpart to make available, through grants to the States, scholarships to individuals who are outstanding secondary school graduates and who demonstrate an interest in teaching, in order to enable and encourage those individuals to pursue teaching careers in education at the preschool, elementary or secondary level.

(b) **DESIGNATION.**—Scholarships awarded under this subpart shall be referred to as the “Paul Douglas Teacher Scholarships”.

(20 U.S.C. 1105) Reenacted October 17, 1986, P.L. 99-498, sec. 501(a), 100 Stat. 1498; amended July 23, 1992, P.L. 102-325, sec. 501(a), 106 Stat. 677.

SEC. 522. ALLOCATION AMONG STATES.

(a) **ALLOCATION.**—From the sums appropriated for this subpart for any fiscal year, the Secretary shall allocate to any State an

¹This program was originally enacted on Oct. 17, 1986, as subpart I of Part D of Title V of the Act (P.L. 99-498, sec. 501(a), 100 Stat. 1506).

amount based on the school-age population in the State compared to the school-age population in all States.

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

(20 U.S.C. 1105a) Enacted October 17, 1986, P.L. 99-498, sec. 501(a), 100 Stat. 1498; amended July 23, 1992, P.L. 102-325, sec. 501(a), 106 Stat. 677.

SEC. 523. GRANT APPLICATIONS.

(a) **SUBMISSION OF APPLICATIONS.**—The Secretary is authorized to make grants to States in accordance with the provisions of this subpart. In order to receive a grant under this subpart, a State shall submit an application at such time or times, in such manner, and containing such information as the Secretary may prescribe by regulation. Such application shall set forth a program of activities for carrying out the purposes set forth in section 521 in such detail as will enable the Secretary to determine the degree to which such program will accomplish such purposes and such other policies, procedures, and assurances as the Secretary may require by regulation.

(b) **CONTENT OF APPLICATIONS.**—The Secretary shall approve an application under this subpart only if the application—

(1) describes the selection criteria and procedures to be used by the State in the selection of scholarship recipients under this subpart;

(2) designates as the State agency responsible for administering the grants received under this subpart the State agency which administers the program under subpart 4 of part A of title IV (relating to State student incentive grants), the State agency with which the Secretary has an agreement under section 428(b), or another appropriate State agency approved by the Secretary;

(3) describes the outreach effort the State agency intends to use to publicize the availability of Paul Douglas Scholarships to secondary school students in the State;

(4) describes how the State will inform recipients, upon receipt of the award, of current and projected teacher shortages and surpluses within the State;

(5) provides assurances that each recipient eligible under section 525(b) of this subpart who receives a Paul Douglas Scholarship shall enter into an agreement with the State agency under which the recipient shall—

(A) within the 10-year period after completing the postsecondary education for which the Paul Douglas Teacher Corps Scholarship was awarded, teach for a period of not less than 2 years for each year for which assistance was received, in a public or private nonprofit preschool, elementary, or secondary school in any State, or, on a full-time basis, children with disabilities or children with limited English proficiency in a private nonprofit school, except that, in the case of individuals who teach in a shortage area established by the Secretary pursuant to section 530A, the requirements of this subparagraph shall be reduced by one-half;

(B) provide the State agency evidence of compliance with section 526 as required by the State agency; and

(C) repay all or part of a Paul Douglas Scholarship received under section 524 plus interest and, if applicable, reasonable collection fees, in compliance with regulations issued by the Secretary under section 527, in the event that the conditions of subparagraph (A) are not complied with, except as provided for in section 528;

(6) provides that the agreement entered into with recipients shall fully disclose the terms and conditions under which assistance under this subpart is provided and under which repayment may be required, including—

(A) a description of the procedures required to be established under paragraph (7); and

(B) a description of the appeals procedures required to be established under paragraph (8) under which a recipient may appeal a determination of noncompliance with any provision under this subpart;

(7) provides for procedures under which a recipient of assistance received under this subpart who teaches for less than the period required under paragraph (5)(A) will have the repayment requirements reduced or eliminated consistent with the provisions of sections 527 and 528;

(8) provides for appeals procedures under which a recipient may appeal any determination of noncompliance with any provision under this subpart; and

(9) provides assurances that the State agency shall make particular efforts to attract students from low-income backgrounds; ethnic and racial minority students; individuals with disabilities; other individuals from groups historically underrepresented in teaching; individuals who express a willingness or desire to teach in rural schools, urban schools, or schools having less than average academic results or serving large numbers of economically disadvantaged students; or women or minorities who show interest in pursuing teaching careers in mathematics and science and who are underrepresented in such fields.

(c) **SELECTION CRITERIA AND PROCEDURES.**—The State educational agency, in cooperation with the State higher education agency, and pursuant to scholarship selection criteria included in section 525, shall establish criteria to select Paul Douglas Teacher Scholarship recipients. These criteria shall be intended to attract highly qualified individuals into teaching, to ensure that these students are enrolled or are accepted for enrollment in approved teacher education programs, and to meet the present and projected needs of States in addressing teacher shortages, including the demand for and supply of early childhood and elementary teachers in the State, the demand for and supply of secondary teachers in the State, and the demand for teachers with training in specific academic disciplines in the State.

(d) **SPECIAL CONSIDERATION.**—The State educational agency, in cooperation with the State higher education agency, shall give special consideration in the selection of scholarship recipients to individuals who—

- (1) intend to teach or provide related services to students with disabilities;
 - (2) intend to teach limited English proficient students;
 - (3) intend to teach preschool age children;
 - (4) intend to teach in schools servicing inner city or rural or geographically isolated areas (as defined by the Secretary by regulations consistent with the purposes of this section);
 - (5) intend to teach in curricular areas or geographic areas where there are demonstrated shortages of qualified teachers;
- or
- (6) are from disadvantaged backgrounds, including racial and ethnic minorities and individuals with disabilities, and are underrepresented in the teaching profession or in the curricular areas in which they are preparing to teach.

(e) **SOLICITATION OF VIEWS ON SELECTION CRITERIA AND PROCEDURES.**—In developing the selection criteria and procedures to be used by the State, the State shall solicit the views of local educational agencies, private educational institutions, and other interested parties. Such views—

- (1) shall be solicited by means of—
 - (A) written comments; and
 - (B) publication of proposed selection criteria and procedures in final form for implementation; and
- (2) may be solicited by means of—
 - (A) public hearings on the teaching needs of elementary and secondary schools in the State (including the number of new teachers needed, the expected supply of new teachers, and the shortages in the State of teachers with specific preparation); or
 - (B) such other methods as the State may determine to be appropriate to gather information on such needs.

(20 U.S.C. 1105b) Enacted October 17, 1986, P.L. 99-498, sec. 501(a), 100 Stat. 1498; amended July 23, 1992, P.L. 102-325, sec. 501(a), 106 Stat. 678.

SEC. 524. AMOUNT AND DURATION OF AND RELATION TO OTHER ASSISTANCE.

(a) **LIMITATIONS ON AMOUNT AND DURATION.**—Subject to subsection (c) each Paul Douglas Teacher Scholarship recipient shall receive a \$5,000 scholarship for each academic year of postsecondary education for study in preparation to become a preschool, special education, elementary, or secondary teacher. No individual shall receive scholarship assistance for more than 4 years of postsecondary education, as determined by the State agency.

(b) **CONSIDERATION OF AWARD IN OTHER PROGRAMS.**—Notwithstanding the provisions of title IV of this Act, scholarship funds awarded pursuant to this part shall be considered in determining eligibility for student assistance under title IV of this Act.

(c) **ASSISTANCE NOT TO EXCEED COST OF ATTENDANCE.**—No individual shall receive an award under the Paul Douglas Teacher Scholarship established under this subpart, in any academic year, which exceeds the cost of attendance, as defined in section 472 of this Act, at the institution the individual is attending. A scholarship awarded under this part shall not be reduced on the basis of the student's receipt of other forms of Federal student financial assistance, but shall be taken into account in determining the eligi-

bility of the student for those other forms of Federal student financial assistance.

(20 U.S.C. 1105c) Enacted October 17, 1986, P.L. 99-498, sec. 501(a), 100 Stat. 1499; amended July 23, 1992, P.L. 102-325, sec. 501(a), 106 Stat. 680.

SEC. 525. SELECTION OF PAUL DOUGLAS TEACHER SCHOLARS.

(a) **SELECTION BY STATEWIDE PANELS.**—Paul Douglas Teacher Scholars shall be selected by a 7-member statewide panel appointed by the chief State elected official, acting in consultation with the State educational agency, or by an existing grant agency or panel designated by the chief State elected official and approved by the Secretary. The statewide panel shall be representative of school administrators, teachers, including preschool and special education teachers, and parents.

(b) **ELIGIBILITY FOR SELECTION; SELECTION CRITERIA AND PROCEDURES.**—Selections of Paul Douglas Scholars shall be made from students who have graduated or who are graduating from secondary school and who rank in the top 10 percent of their graduating class. The State educational agency shall make applications available to public and private nonprofit secondary schools in the State and in other locations convenient to applicants, parents, and others. The statewide panel shall develop criteria and procedures for the selection of Paul Douglas Scholars. Such criteria may include the applicant's secondary school grade point average, involvement in extracurricular activities, financial need, and expression of interest in teaching as expressed in an essay written by the applicant. The panel may also require the applicant to furnish letters of recommendation from teachers and others.

(c) **WAIVER.**—The Secretary may waive the requirements of section 523(d) for not more than 25 percent of all individuals receiving a scholarship under this subpart.

(20 U.S.C. 1104d) Enacted July 23, 1992, P.L. 102-325, sec. 501(a), 106 Stat. 680.

SEC. 526. SCHOLARSHIP CONDITIONS.

Recipients of scholarship assistance under this subpart shall continue to receive such scholarship payments only during such periods that the State agency finds that the recipient is—

(1) enrolled as a full-time student in an accredited postsecondary institution;

(2) pursuing a course of study leading to teacher certification; and

(3) maintaining satisfactory progress as determined by the postsecondary institution the recipient is attending.

(20 U.S.C. 1104e) Enacted July 23, 1992, P.L. 102-325, sec. 501(a), 106 Stat. 681.

SEC. 527. SCHOLARSHIP REPAYMENT PROVISIONS.

Recipients found by the State agency to be in noncompliance with the agreement entered into under section 523(b)(5) of this subpart shall be required to repay a pro rata amount of the scholarship awards received, plus interest (but in no event at an interest rate higher than the rate applicable to loans in the applicable period under part B of title IV of this Act) and, where applicable, reasonable collection fees, on a schedule and at a rate of interest to be prescribed by the Secretary by regulations issued pursuant to this subpart.

(20 U.S.C. 1104f) Enacted July 23, 1992, P.L. 102-325, sec. 501(a), 106 Stat. 681.

SEC. 528 EXCEPTIONS TO REPAYMENT PROVISIONS.

(a) **DEFERRAL DURING CERTAIN PERIODS.**—A recipient shall not be considered in violation of the agreement entered into pursuant to section 523(b)(5)(C) during any period in which the recipient—

(1) is pursuing a full-time course of study related to the field of teaching at an eligible institution;

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

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

(4) is unable to secure employment for a period not to exceed 12 months by reason of the care required by a spouse who is disabled;

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

(6) is seeking and unable to find full-time employment as a teacher in a public or private nonprofit preschool, elementary or secondary school, or education program for a single period not to exceed 27 months; or

(7) satisfies the provisions of additional repayment exceptions that may be prescribed by the Secretary in regulations issued pursuant to this subpart.

(b) **FORGIVENESS IF PERMANENTLY TOTALLY DISABLED.**—A recipient shall be excused from repayment of any scholarship assistance received under this subpart if the recipient becomes permanently totally disabled as established by sworn affidavit of a qualified physician.

(20 U.S.C. 1104g) Enacted July 23, 1992, P.L. 102-325, sec. 501(a), 106 Stat. 681.

SEC. 529. FEDERAL ADMINISTRATION OF STATE PROGRAMS; JUDICIAL REVIEW.

(a) **DISAPPROVAL HEARING REQUIRED.**—The Secretary shall not finally disapprove any application for a State program submitted under section 523, or any modification thereof, without first affording the State agency submitting the program reasonable notice and opportunity for a hearing.

(b) **SUSPENSION OF ELIGIBILITY.**—Whenever the Secretary, after reasonable notice and opportunity for a hearing to the State agency administering a State program approved under this subpart, finds—

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

(2) that in the administration of the program there is a failure to comply substantially with any such provisions, the Secretary shall notify such State agency that the State will not be regarded as eligible to participate in the program under this subpart until the Secretary is satisfied that there is no longer any such failure to comply.

(c) **COURT REVIEW.**—

(1) **IN GENERAL.**—If any State is dissatisfied with the Secretary's final action under subsection (b) (1) or (2), such State may appeal to the United States court of appeals for the circuit

in which such State is located. The summons and notice of appeal may be served at any place in the United States. The Secretary shall forthwith certify and file in the court the transcript of the proceedings and the record on which the action was based.

(2) FINDINGS.—The findings of fact by the Secretary, if supported by substantial evidence, shall be conclusive; but the court, for good cause shown, may remand the case to the Secretary to take further evidence, and the Secretary may thereupon make new or modified findings of fact and may modify any previous action, and shall certify to the court the transcript and record of further proceedings. Such new or modified findings of fact shall likewise be conclusive if supported by substantial evidence.

(3) JURISDICTION.—The court shall have jurisdiction to affirm the action of the Secretary or to set it aside, in whole or in part. The judgment of the court shall be subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code.

(20 U.S.C. 1104h) Enacted July 23, 1992, P.L. 102-325, sec. 501(a), 106 Stat. 682.

SEC. 530. EVALUATION.

(a) IN GENERAL.—The Secretary shall conduct, by grant or contract, an independent evaluation of recipients of scholarship assistance under this subpart, which shall summarize and evaluate the State activities assisted under this subpart and the performance of such recipients. The evaluation shall assess the impact of the scholarship program assisted under this subpart to determine whether such program has brought into teaching a significant number of highly able individuals who otherwise would not have entered teaching.

(b) CONTENTS.—The evaluation described in subsection (a) shall include—

(1) a description of the characteristics, including the educational preparation and achievement, of recipients of scholarship assistance under this subpart compared to similar students participating in teacher training who do not receive such scholarships;

(2) the rate at which such recipients successfully complete academic training and go on to teaching careers in preschool, elementary, or secondary education, compared to such rate for similar individuals who do not receive scholarship assistance under this subpart;

(3) the extent to which it is possible to determine objectively that the receipt of scholarship assistance under this subpart was the primary reason for an individual's choice of a teaching education and career;

(4) the extent to which such recipients comply with the provisions of this subpart;

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

(6) the barriers to the effectiveness of the program assisted under this subpart; and

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

(c) **EVALUATION REPORTS.**—The Secretary shall submit such interim evaluation reports to the President and the Congress as may be appropriate, and shall submit a final report on or before January 1, 1997.

(d) **FUNDING.**—The Secretary shall reserve a total of not more than \$1,000,000 from the amounts appropriated pursuant to the authority of section 530B in fiscal years 1993 through 1997 to carry out this section.

(20 U.S.C. 1104i) Enacted July 23, 1992, P.L. 102-325, sec. 501(a), 106 Stat. 682.

SEC. 530A. DESIGNATION OF SHORTAGE AREAS.

For the purposes of this part, the term “shortage areas” means (1) geographic areas of the State in which there is a shortage of elementary and secondary school teachers, and (2) an area of shortage of elementary and secondary school teachers in specific grade levels and in specific academic, instructional, subject matter, and discipline classifications. Such shortage areas shall be prescribed by the Secretary, in consultation with the chief State school officer or, in the case of nonprofit private elementary or secondary schools, with appropriate officials of nonprofit private schools in each State in accordance with this section. In carrying out the provisions of this section, the Secretary shall give special consideration to areas in which emergency certification of individuals in a State is being used to correct teacher shortages and to States which have retirement laws permitting early retirement.

(20 U.S.C. 1104j) Enacted July 23, 1992, P.L. 102-325, sec. 501(a), 106 Stat. 683.

SEC. 530B. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated \$26,000,000 for fiscal year 1993 and such sums as may be necessary for each of the 4 succeeding fiscal years to carry out this subpart.

(20 U.S.C. 1104k) Enacted July 23, 1992, P.L. 102-325, sec. 501(a), 106 Stat. 683.

Subpart 2—Christa McAuliffe Fellowship Program

SEC. 531. DECLARATION OF PURPOSE; DESIGNATION.

(a) **PURPOSE.**—It is the purpose of this subpart to establish a national fellowship program for experienced and outstanding teachers.

(b) **DESIGNATION.**—A recipient of a fellowship under this subpart shall be known as a “Christa McAuliffe fellow”.

(20 U.S.C. 1107) Enacted October 17, 1986, P.L. 99-498, sec. 501(a), 100 Stat. 1500; amended July 23, 1992, P.L. 102-325, sec. 501(a), 106 Stat. 684.

SEC. 532. PROGRAM AUTHORIZED.

(a) **IN GENERAL.**—The Secretary is authorized to make grants, in accordance with the provisions of this subpart, to State educational agencies to enable such State educational agencies to—

(1) conduct Christa McAuliffe fellowship activities; and