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To: Kun Mullan, PRA Coordinator, Strategic Collections and Clearance, Governance and Strategy Division, Office of Chief Data Officer, Office of Planning, Evaluation, and Policy Development

From: Learning Policy Institute

Date: September, 10, 2023

Re: Agency Information Collection Activities; Comment Request; Teacher Education Assistance for College and Higher Education Grant Program (TEACH Grant Program) Service Obligation and Suspension Request Forms – Docket NO. ED–2023– SCC– 0129

The Learning Policy Institute (LPI) conducts and communicates independent, high-quality research to improve education policy and practice. Working with policymakers, researchers, educators, community groups, and others, LPI seeks to advance evidence-based policies that support equitable and empowering learning for each and every child. LPI appreciates the opportunity to provide comments to the U.S. Department of Education's (the Department) comment request on the Teacher Education Assistance for College and Higher Education Grant Program (TEACH Grant program) service obligation and suspension request forms, published in the Federal Register by the Department on July 12, 2023, Docket NO. ED–2023– SCC– 129.

Research on service scholarship programs shows that among other key features these programs should be bureaucratically manageable for teachers, districts, and institutions of higher education in order for them to be effective at recruiting and retaining teachers to serve in high-need schools and fields.[i] The TEACH Grant Program is our country's teacher service scholarship program. The TEACH grant currently provides scholarships of $4,000 per year to undergraduate and graduate students who are preparing for a career in K–12 teaching and who commit to teaching in a high-need field in a high-poverty school for four years. The grant is converted to a Federal Direct Unsubsidized Stafford Loan if a recipient does not fulfill all of their 4-year service commitment, with interest charges backdated to when the grant was first awarded.

Administrative issues, including grants for those teaching in a high-need field in a high-poverty school being erroneously converting to loans, have undermined the program's potential.[ii] The Department and Congress have worked to address administrative issues with the program.[iii] This comment opportunity, which seeks to update service obligation and suspension request forms, is yet another opportunity for the Department and the servicer it contracts with to strengthen administration of the program.

Below are recommendations to improve these forms and processes which include clarifying the definition of high-need field, ensuring that the link for the Teacher Shortage Area Nationwide Listing is easily accessible, streamlining the process of certifying the fulfillment of the TEACH Grant program's service obligation, clarifying that a pandemic or health related emergency qualifies as a condition for a temporary suspension of service, and clarifying when one can apply for a temporary suspension of service. The recommendations below are organized by the form or forms they address.

TEACH Grant Certification of Qualifying Teaching Experience Form

The Teach Grant Certification of Qualifying Teaching Experience Form would benefit from edits that clarify the definition of high-need field and ensure the link for the Teacher Shortage Area Nationwide Listing is easily accessible.

The TEACH Grant program requires recipients to teach in a high-need field in a high-need school for four years within an eight-year period. The Consider Teachers Act[iv] amended the TEACH Grant program to add geographic region to the criteria for teaching in a high-need field. Grade levels with teacher shortages are also considered a high-need field.[v] The definition of high-need field in section six (definition section) of this form makes clear that geographic region and grade level shortages can qualify as high-need fields. However, there are a few places in the form that appear before the definition section where this could be made clearer for the user. Suggestions for clarity are detailed below in red.

- Page 2, section 2, is to be completed by the Teach Grant recipient. On question 6, the "other high-need field not listed above" check box could be amended by adding the following red text: "Other high-need field not listed above (see the definition of "high-need field," which can include a geographic region or grade level with teacher shortages, in Section 6). If you check this box, continue to Question 7. Otherwise, go to Section 3."

  U.S. Department of Education (ED) Response

  We agree with this recommendation and have revised the text to read as follows:

  > Other high-need field not listed above (this may include a geographic region or grade level with teacher shortages; see the definition of "high-need field" in Section 6). If you check this box, continue to Question 7. Otherwise, go to Section 3.

- Pages 3 and 7, section 4 in each, are for the chief administrative officer to certify a Teach Grant recipient's service. Question 3 could be amended by adding the following red text: Were more than half of the classes that the grant recipient taught/teaches in the **high-need field(s)** (which can include a geographic region or grade level with teacher shortages) indicated by the grant recipient in Section 2?

  ED Response

  In both places we have revised the text to read as follows:

  > Were more than half of the classes that the grant recipient taught/teaches in the **high-need field(s)** indicated by the grant recipient in Section 2 (this may include a geographic region or grade level with teacher shortages; see the definition of "high-need field" in Section 6)?

Teach Grant recipients who are not teaching in a high-need field delineated specifically in law (mathematics, science, foreign language, bilingual education, special education, and working as a reading specialist) but one identified by the federal or state government or their local educational agency, have to access the Teacher Shortage Area (TSA) Nationwide Listing to confirm that the field they are teaching is indeed a high-need field. However, the link provided (https://www2.ed.gov/about/offices/list/ope/pol/tsa.html) on page 4, section 6, in the "high-need fields" definition does not directly bring a recipient to the TSA Nationwide Listing. Rather this link brings recipients to the Department's Office of Postsecondary Education's webpage on Teacher Shortages, where a link to the TSA Nationwide Listing appears at the very bottom of the webpage, making it hard to find. Instead, this area of the form could replace the current link with the one that goes directly to the TSA Nationwide Listing: https://tsa.ed.gov/#/home/. This is the approach taken in Section 6 for a listing of

high-need schools (low-income schools), which links recipients directly to the Teacher Cancellation Low Income (TCLI) Directory.

ED Response

We agree with this recommendation and have replaced the existing link with the link that goes directly to the Nationwide List.

Finally, the Department should work to streamline the process of certifying the fulfillment of the TEACH Grant program's service obligation, which currently places a significant paperwork burden on individual teachers and school administrators. This could include the Department and the student loan servicer working with state and local educational agencies at the systems level to confirm teaching service in high-need fields and high-need schools, rather than putting this paperwork burden on individual teachers and school leaders (who in many cases are the chief administrative officer that must certify service). It could also include amending the current form or providing another process for teachers to certify qualifying service for multiple school years at once instead of submitting a form for each school year.

ED Response

We will explore future options for streamlining the certification process. However, the suggested approach could potentially require significant systems changes and the establishment of information sharing agreements with state and local agencies, and therefore cannot be addressed by making changes to the form.

With regard to the recommendation to amend the form so that a grant recipient could certify multiple school years at once, section 420N(d)(5)(A) of the Higher Education Act of 1965, as amended, [20 U.S.C. 1070g-2(d)(5)(A)] reads as follows:

> (A) RECOMMENDED SUBMISSIONS.—The Secretary shall notify TEACH Grant recipients that the Department recommends that TEACH Grant recipients submit the employment certification described in subsection (b)(1)(D) as soon as practicable after the completion of each year of service.

In light of the statutory recommendation for TEACH Grant recipients to submit a certification following the completion of each year of service, we believe it is appropriate to maintain the current format of the form which allows for certification of a single year of teaching.

TEACH Grant Certification of Qualifying Teaching Experience *and* the TEACH Grant Service Obligation Suspension Request: Enrollment in a Qualifying Program or Teacher Licensure Requirements Forms.

The TEACH Grant Certification of Qualifying Teaching Experience and the TEACH Grant Service Obligation Suspension Request: Enrollment in a Qualifying Program or Teacher Licensure Requirements forms have different definitions for high-need fields (see the comparison box directly below). These definitions should be aligned across the forms.

Definition of High-Need Field in the Certification and Suspension for a Qualifying Program Forms

Certification Form Definition of High-Need Field.	Qualifying Program/Licensure Requirement Suspension Form Definition of High-Need Field

High-need fields are—	A high-need field is:
• Bilingual education and English language acquisition; • Foreign language; • Mathematics; • Reading specialist; • Science (including, but not limited to, computer science); • Special education; or • Any other high-need field listed in the Teacher Shortage Area Nationwide Listing (Nationwide List) at https://www2.ed.gov/about/offices/list/ope/pol/tsa.html that we issue annually and periodically update, including a geographic region of a state or a specific grade level designated as having a shortage of teachers. To satisfy your TEACH Grant service obligation by teaching in a high-need field that is listed in the Nationwide List, the field must be listed for the state where you are teaching at the time you begin teaching in that field (even if the field later loses its high-need designation), or it must have been listed for the state where you are teaching at time you signed your Agreement or received a TEACH Grant (even if the field loses its high-need designation before you begin teaching in that field).	• Bilingual education and English language acquisition; • Foreign language; • Mathematics; • Reading specialist; • Science (including, but not limited to, computer science); • Special education; or • Any other field that is documented as high-need by the federal government, a state government, or a local educational agency, and is listed in the U.S. Department of Education's annual Teacher Shortage Area Nationwide Listing (Nationwide List) at https://www2.ed.gov/about/offices/list/ope/pol/tsa.html.

A unified definition for both forms could take the shape of the suggested definition below in red. It incorporates crucial elements of both definitions, which include that a geographic region or a grade level where there is a shortage of teachers qualifies as a high-need field. It also makes clear that high-need field designations that change over time are still considered high-need fields for the purpose of fulfilling a service obligation. Finally, the definition links directly to the TSA Nationwide Listing.

A high-need field is:

- Bilingual education and English language acquisition;
- Foreign language;
- Mathematics;

- Reading specialist;
- Science (including, but not limited to, computer science);
- Special education; or
- Any other field that is documented as high-need by the federal government, a state government, or a local educational agency, and that is listed in the U.S. Department of Education's annual Teacher Shortage Area Nationwide Listing (Nationwide List) at https://tsa.ed.gov/#/home/, including a geographic region of a state or a specific grade level designated as having a shortage of teachers.

To satisfy your TEACH Grant service obligation by teaching in a high-need field that is listed in the Nationwide List, the field must be listed for the state where you are teaching at the time you begin teaching in that field (even if the field later loses its high-need designation), or it must have been listed for the state where you are teaching at time you signed your Agreement or received a TEACH Grant (even if the field loses its high-need designation before you begin teaching in that field).

ED Response

We agree that the definition of "high-need field" should be the same on both forms. Accordingly, we have revised the definition of this term on the TEACH Grant Service Obligation Suspension Request: Enrollment in a Qualifying Program or Completing Teacher Licensure Requirements form to read as follows:

> A **high-need field** is:
>
> - Bilingual education and English language acquisition;
> - Foreign language;
> - Mathematics;
> - Reading specialist;
> - Science (including, but not limited to, computer science);
> - Special education; or
> - Any other high-need field listed in the Teacher Shortage Area Nationwide Listing (Nationwide List) at https://tsa.ed.gov/#/home/ that we issue annually and periodically update, including a geographic region of a state or a specific grade level designated as having a shortage of teachers.
>
> To satisfy your TEACH Grant service obligation by teaching in a high-need field that is listed in the Nationwide List, the field must be listed for the state where you are teaching at the time you begin teaching in that field (even if the field later loses its high-need designation), or it must have been listed for the state where you are teaching at time you signed your Agreement or received a TEACH Grant (even if the field loses its high-need designation before you begin teaching in that field).

This matches the definition on the certification form.

TEACH Grant Service Obligation Suspension Request: Residing or Being Employed in a Federally Declared Major Disaster Area

A TEACH Grant recipient may request a temporary suspension of their service obligation, not to exceed a total of three years, for certain qualifying conditions, including residing or being employed in a federally

declared major disaster area, as defined in the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act). The form to request such a suspension could be amended to make clear that the nationwide emergency declaration for the COVID-19 Pandemic, declared under the Stafford Act,[vi] issued on March 13, 2020, and terminated on May 11, 2023, qualifies a recipient for a temporary suspension of service. The form however omits any mention of a pandemic or health emergency despite the national emergency declared for COVID-19 under the Stafford Act and such an emergency being a qualify event on the Federal Emergency Management Agency's website section on declared disasters that the form links recipients to.[vii]

To make it clear that the COVID-19 pandemic is an instance of a federally declared major disaster, the definition for this term in section four could name a pandemic, and specifically the COVID-19 pandemic as an example. The current form lists 20 examples of disasters but omits any mention of a health emergency.[viii]

ED Response

We have added "health emergency" to the example of disasters listed in the definition of "federally declared major disaster" in Section 4 of the form. We believe it is more appropriate to include a general reference to health emergencies instead of specifically listing the COVID-19 emergency. The first part of the revised definition reads as follows:

> A **federally declared major disaster** is any natural catastrophe (including a hurricane, tornado, storm, high water, wind-driven water, tidal wave, tsunami, earthquake, volcanic eruption, landslide, mudslide, snowstorm, drought, or health emergency), or, regardless of cause…

Across Suspension Forms

All forms that TEACH Grant recipients utilize to request a temporary suspension of the program's service requirement stipulate that such a request must be received by the loan servicer before a TEACH Grant(s) is/are converted to a Direct Unsubsidized Loan(s). However, the Agreement to Serve or Repay Form's section on the reconversion of a loan to grant stipulates that a suspension can be applied retroactively, that is when a grant has converted to a loan (see below).[ix]

> *If you would not have enough time to complete your service obligation within the eight-year service obligation period described above unless you qualify for a temporary suspension of the period for completing the service obligation, you request and are determined to be eligible for a suspension, which may be applied retroactively.*

The discrepancy between these forms should be reconciled to communicate that TEACH Grant recipients can apply for a temporary suspension of required service regardless of whether they hold grants or grants converted to loans. The standards for granting temporary suspension seem to be that (1) the request(s) is/are valid and (2) the recipient will have enough time left to complete their service in the program's time allowance for the completion of service (which can include periods of suspension or discharge).

ED Response

The TEACH Grant Program regulations at 34 CFR 686.41(b) state that a grant recipient must request a suspension prior to being subject to any of the conditions that would result in the conversion of the

recipient's TEACH Grants to Direct Unsubsidized Loans. The intent of this provision is to ensure that grant recipients who meet one of the suspension conditions submit a suspension request in a timely manner in order to avoid having their grants converted to loans due to running out of time to complete the required four years of teaching within the eight-year service obligation period. The language cited from the TEACH Grant Agreement to Serve or Repay is specific to a limited circumstance in which an individual whose TEACH Grants have already been converted to loans is requesting reconversion of the loans to TEACH Grants (see 34 CFR 686.43(a)(8)(iii)). This does not change the general rule (as specified in the regulations) that grant recipients are expected request suspensions before their grants are converted to loans. Accordingly, we do not believe any changes to the language on the suspension request forms are needed.

In Summary

The Department should improve the TEACH Grant forms for documenting service and applying for a temporary suspension of service by:

1. Clarifying the definition of high-need field;
2. Ensuring that the link for the Teacher Shortage Area Nationwide Listing is easily accessible;
3. Streamlining the process of certifying the fulfillment of the TEACH Grant program's service obligation;
4. Clarifying that a pandemic or health related emergency qualifies as a condition for a temporary suspension of service;
5. Clarifying when one can apply for a temporary suspension of service.

LPI appreciates the opportunity to provide recommendations for this comment request. Please contact Michael A. DiNapoli Jr. (mdinapoli@learningpolicyinstitute.org) for any additional information.

Endnotes:

[i] Podolsky, A. & Kini, T. (2016). *How Effective Are Loan Forgiveness and Service Scholarships for Recruiting Teachers?* (policy brief). Palo Alto, CA: Learning Policy Institute.

[ii] National Public Radio. Special series: The trouble with TEACH Grants. https://www.npr.org/series/672219778/ the-trouble-with-teach-grants

[iii] In 2020, new regulations were codified by the U.S. Department of Education to address administrative issues with the TEACH grant program. The Consider Teachers Act of 2021 codified some of these administrative changes into law. https://fsapartners.ed.gov/knowledge-center/library/federal-registers/2020-08-14/final-rule-teach-grant-program https://www.govinfo.gov/app/details/PLAW-The; https://www.ed.gov/news/press-releases/department-education- implements-teach-grant-program-changes-benefit-teachers-and-students#:~:text=TEACH%20Grant%20recipients%20will%20no,within%20120%20days%20of%20graduatingl Consider Teacher Act of 2021, P.L. 117-49 (2021). https://www.govinfo.gov/content/pkg/COMPS- 16546/pdf/COMPS-16546.pdf

[iv] Consider Teacher Act of 2021, P.L. 117-49 (2021). https://www.govinfo.gov/content/pkg/COMPS- 16546/pdf/COMPS-16546.pdf

[v] In addition to geographic area, high-need fields in current law include: mathematics, science, foreign language, bilingual education, special education, working as a reading specialist, or another field documented as high-need by the federal government, state government, or local educational agency, as approved by the Secretary of Education.

[vi] Congressional Research Service. (2020). *Presidential Declarations of Emergency for COVID-19: NEA and Stafford Act.* https://crsreports.congress.gov/product/pdf/IN/IN11264

[vii] Federal Emergency Management Agency. *Disaster Information.* https://www.fema.gov/disaster

[viii] See section 4 definition of a federally declared major disaster of the form Grant Service Obligation Suspension Request: Residing or Being Employed in a Federally Declared Major Disaster Area. "A federally declared major disaster is any natural catastrophe (including a hurricane, tornado, storm, high water, wind-driven water, tidal wave, tsunami, earthquake, volcanic eruption, landslide, mudslide, snowstorm, or drought), or, regardless of cause, any fire, flood, or explosion, in any part of the United States, which in the determination of the President causes damage of sufficient severity and magnitude to warrant major disaster assistance under the Robert T. Stafford Disaster Relief and Emergency Assistance Act to supplement the efforts and available resources of States, local governments, and disaster relief organizations in alleviating the damage, loss, hardship, or suffering

caused by the natural catastrophe, fire, flood, or explosion. You can search for federally declared major disasters at https://www.fema.gov/disasters/."

[ix] Federal Student Aid. *Agreement to Serve or Repay.* https://studentaid.gov/teach-agreement/preview; see draft Agreement to Serve or Repay. https://www.regulations.gov/docket/ED-2023-SCC-0128