

105TH CONGRESS  
2D SESSION

# H. R. 3986

To improve education, raise standards, and attract the best teachers to  
the public schools.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 3, 1998

Mr. SCHUMER (for himself and Mr. MEEKS of New York) introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To improve education, raise standards, and attract the best  
teachers to the public schools.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Student and Teachers  
5 Excellence in Education Act”.

1     **TITLE I—TAX INCENTIVES FOR**  
 2                     **TEACHERS**

3     **SEC. 101. NONREFUNDABLE TAX CREDIT FOR ELEMENTARY**  
 4                     **AND SECONDARY PUBLIC SCHOOL TEACH-**  
 5                     **ERS.**

6             (a) IN GENERAL.—Subpart A of part IV of sub-  
 7 chapter A of chapter 1 of the Internal Revenue Code of  
 8 1986 (relating to nonrefundable personal credits) is  
 9 amended by inserting after section 25A the following new  
 10 section:

11     **“SEC. 25B. ELEMENTARY AND SECONDARY PUBLIC SCHOOL**  
 12                     **TEACHERS.**

13             “(a) ALLOWANCE OF CREDIT.—In the case of an in-  
 14 dividual who is an eligible elementary or secondary public  
 15 school teacher, there shall be allowed as a credit against  
 16 the tax imposed by this chapter for a taxable year an  
 17 amount equal to the full-time teaching amount.

18             “(b) FULL-TIME TEACHING AMOUNT.—

19                     “(1) IN GENERAL.—For purposes of subsection  
 20 (a), the full-time teaching amount is the amount  
 21 equal to——

22                             “(A) \$2,000, multiplied by

23                             “(B) the fraction—

1                   “(i) the numerator of which is the  
2                   number of months credited with full-time  
3                   teaching, and

4                   “(ii) the denominator of which is 9.

5                   “(2) SPECIAL RULES.—For purposes of para-  
6                   graph (1)—

7                   “(A) a month is credited with full-time  
8                   teaching if the teacher is teaching in at least  
9                   one of the grades K through 12 on a full-time  
10                  basis for more than half of the business days in  
11                  such month, and

12                  “(B) not more than 9 months of a taxable  
13                  year shall be taken into account under para-  
14                  graph (1)(B)(i).”.

15                  (b) CLERICAL AMENDMENT.—The table of sections  
16                  for subpart A of part IV of subchapter A of chapter 1  
17                  of such Code is amended by inserting after the item relat-  
18                  ing to section 25A the following new item:

                  “Sec. 25B. Elementary and secondary public school teachers.”.

19                  (c) EFFECTIVE DATE.—The amendments made by  
20                  this section shall apply to taxable years beginning after  
21                  December 31, 1997.

1 **SEC. 102. DEDUCTIONS FOR EXPENSES OF ELEMENTARY**  
2 **AND SECONDARY PUBLIC SCHOOL TEACHERS**  
3 **BECOMING ACCREDITED FROM NATIONAL**  
4 **BOARD FOR PROFESSIONAL TEACHING**  
5 **STANDARDS.**

6 (a) **IN GENERAL.**—Subsection (a) of section 62 of the  
7 Internal Revenue Code of 1986 (relating to definition of  
8 adjusted gross income) is amended by adding at the end  
9 thereof the following new paragraph:

10 “(18) **NATIONAL BOARD FOR PROFESSIONAL**  
11 **TEACHING STANDARDS ACCREDITATION.**—In the  
12 case of an individual who is an eligible elementary  
13 or secondary public school teacher (as defined in sec-  
14 tion 25B), the deductions (not to exceed \$2,000) al-  
15 lowed by section 162 which consist of expenses paid  
16 by the taxpayer in connection with receiving accredi-  
17 tation from the National Board for Professional  
18 Teaching Standards.”.

19 (b) **EFFECTIVE DATE.**—The amendment made by  
20 subsection (a) shall apply to taxable years beginning after  
21 December 31, 1997.

1     **TITLE II—OTHER INCENTIVES**  
2                     **FOR TEACHERS**

3     **SEC. 201. CANCELLATION OF STUDENT LOANS FOR TEACH-**  
4                     **ERS.**

5             (a) FFEL LOANS.—Section 437 of the Higher Edu-  
6 cation Act of 1965 (20 U.S.C. 101087) amended—

7                 (1) in the section heading, by striking out the  
8 period at the end thereof and inserting in lieu there-  
9 of a semicolon and “**LOAN FORGIVENESS FOR**  
10 **TEACHING.**”;

11                (2) by amending the heading for subsection (c)  
12 to read as follows: “DISCHARGE RELATED TO  
13 SCHOOL CLOSURE OR FALSE CERTIFICATION.—”;  
14 and

15                (3) by adding at the end thereof the following  
16 new subsection:

17             “(e) CANCELLATION OF LOANS FOR TEACHING.—

18                 “(1) FUNCTIONS OF SECRETARY.—The Sec-  
19 retary shall discharge the liability of a borrower of  
20 a qualifying loan by repaying the amount owed on  
21 the loan, to the extent specified in paragraph (4),  
22 for service described in paragraph (3).

23                 “(2) QUALIFYING LOANS.—

24                     “(A) IN GENERAL.—For purposes of this  
25 subsection, a loan is a qualifying loan if—

1           “(i) the loan was made under section  
2           428 on or after the date of enactment of  
3           the Higher Education Amendments of  
4           1998 to a borrower who, on the date of en-  
5           tering into the note or other written evi-  
6           dence of the loan, had no outstanding bal-  
7           ance of principal or interest on any loan  
8           made before such date; and

9           “(ii) the loan was obtained to cover  
10          the cost of instruction for an academic  
11          year after the first and second year of un-  
12          dergraduate education.

13          “(B) LIMITATION.—The Secretary may  
14          not repay loans described in subparagraph (A)  
15          to cover the costs of instruction for more than  
16          two academic years, or three academic years in  
17          the case of a program of instruction normally  
18          requiring five years.

19          “(C) TREATMENT OF CONSOLIDATION  
20          LOANS.—A loan made under section 428C may  
21          be a qualifying loan for the purposes of this  
22          subsection only to the extent that such loan was  
23          used to repay a loan or loans that meet the re-  
24          quirements of subparagraphs (A) and (B), as

1           determined in accordance with regulations pre-  
2           scribed by the Secretary.

3           “(3) QUALIFYING SERVICE.—A loan shall be  
4           discharged under paragraph (1) for service by the  
5           borrower as a full-time teacher for each complete  
6           academic year of service, after completion of the sec-  
7           ond academic year of service, in a public elementary  
8           or secondary school.

9           “(4) RATE OF DISCHARGE.—(A) Loans shall be  
10          discharged under this subsection at the rate of—

11                 “(i) 30 percent for the first or second com-  
12                 plete academic year of qualifying service as de-  
13                 scribed in paragraph (3) (after completion of  
14                 two years of service); and

15                 “(ii) 40 percent for the third complete year  
16                 of such qualifying service.

17           “(B) The total amount that may be discharged  
18           under this subsection for any borrower shall not ex-  
19           ceed \$17,750.

20           “(C) If a portion of a loan is discharged under  
21           subparagraph (A) for any year, the entire amount of  
22           interest on that loan that accrues for that year shall  
23           also be discharged by the Secretary.

24           “(D) Nothing in this section shall be construed  
25           to authorize refunding of any repayment of a loan.

1           “(5) LIMITATION ON TEACHER ELIGIBILITY.—

2           “(A) SECONDARY SCHOOL TEACHERS.—A  
3 borrower may not receive assistance under this  
4 subsection by virtue of teaching in a secondary  
5 school unless such borrower majored in the sub-  
6 ject area in which they are teaching.

7           “(B) ELEMENTARY SCHOOL TEACHERS.—

8 A borrower may not receive assistance under  
9 this subsection by virtue of teaching in a ele-  
10 mentary school unless such borrower dem-  
11 onstrates, in accordance with State teacher cer-  
12 tification or licensing requirements, subject  
13 matter knowledge and teaching skills in read-  
14 ing, writing, mathematics, and other subjects  
15 taught in elementary schools.

16           “(6) PREVENTION OF DOUBLE BENEFITS.—No  
17 borrower may, for the same service, receive a benefit  
18 under both this subsection and subtitle D of title I  
19 of the National and Community Service Act of 1990  
20 (42 U.S.C. 12571 et seq.).

21           “(7) METHOD OF PAYMENT.—The Secretary  
22 shall specify in regulations the manner in which  
23 lenders shall be reimbursed for loans made under  
24 this part, or portions thereof, that are discharged  
25 under this subsection.



1           “(8) LIST.—If the list of schools in which a  
2 teacher may perform service pursuant to paragraph  
3 (3) is not available before May 1 of any year, the  
4 Secretary may use the list for the year preceding the  
5 year for which the determination is made to make  
6 such service determination.

7           “(9) CONTINUING ELIGIBILITY.—Any teacher  
8 who performs service in a school which—

9                   “(A) meets the requirements of paragraph  
10 (3) in any year during such service; and

11                   “(B) in a subsequent year fails to meet the  
12 requirements of such subsection,

13 may continue to teach in such school and shall be  
14 eligible for loan cancellation pursuant to this sub-  
15 section with respect to such subsequent years.”.

16           (b) DIRECT STUDENT LOANS.—Part D of title IV of  
17 the Higher Education Act of 1965 is amended by inserting  
18 after section 455 (20 U.S.C. 1087h) the following new sec-  
19 tion:

20           **“SEC. 459. CANCELLATION OF LOANS FOR CERTAIN PUBLIC**  
21                   **SERVICE.**

22                   “(a) CANCELLATION OF PERCENTAGE OF DEBT  
23 BASED ON YEARS OF QUALIFYING SERVICE.—

24                   “(1) FUNCTIONS OF SECRETARY.—The percent  
25 specified in paragraph (4) of the total amount of

1 any qualifying loan shall be canceled for each com-  
2 plete year of service by the borrower described in  
3 paragraph (3).

4 “(2) QUALIFYING LOANS.—

5 “(A) IN GENERAL.—For purposes of this  
6 subsection, a loan is a qualifying loan if—

7 “(i) the loan was a Federal Direct  
8 Stafford Loan made on or after the date of  
9 enactment of the Higher Education  
10 Amendments of 1998 to a borrower who,  
11 on the date of entering into the note or  
12 other written evidence of the loan, had no  
13 outstanding balance of principal or interest  
14 on any loan made before such date; and

15 “(ii) the loan was obtained to cover  
16 the cost of instruction for an academic  
17 year after the first and second year of un-  
18 dergraduate education.

19 “(B) LIMITATION.—The Secretary may  
20 not repay loans described in subparagraph (A)  
21 to cover the costs of instruction for more than  
22 two academic years, or three academic years in  
23 the case of a program of instruction normally  
24 requiring five years.

1           “(C) TREATMENT OF CONSOLIDATION  
2           LOANS.—A Federal Direct Consolidation Loan  
3           may be a qualifying loan for the purposes of  
4           this subsection only to the extent that such loan  
5           was used to repay a loan or loans that meet the  
6           requirements of subparagraphs (A) and (B), as  
7           determined in accordance with regulations pre-  
8           scribed by the Secretary.

9           “(3) QUALIFYING SERVICE.—A loan shall be  
10          canceled under paragraph (1) for service by the bor-  
11          rower as a full-time teacher for each complete aca-  
12          demic year of service, after completion of the second  
13          academic year of service, in a public elementary or  
14          secondary school.

15          “(4) PERCENTAGE OF CANCELLATION.—(A)  
16          The percent of a loan which shall be canceled under  
17          paragraph (1) of this subsection is at the rate of—

18                 “(i) 30 percent for the first or second com-  
19                 plete academic year of qualifying service as de-  
20                 scribed in paragraph (3) (after completion of  
21                 two years of service); and

22                 “(ii) 40 percent for the third complete year  
23                 of such qualifying service.

1           “(B) The total amount that may be canceled  
2 under this subsection for any borrower shall not ex-  
3 ceed \$17,750.

4           “(C) If a portion of a loan is canceled under  
5 this subsection for any year, the entire amount of in-  
6 terest on such loan which accrues for such year shall  
7 be canceled.

8           “(D) Nothing in this section shall be construed  
9 to authorize refunding of any repayment of a loan.

10           “(5) LIMITATION ON TEACHER ELIGIBILITY.—

11           “(A) SECONDARY SCHOOL TEACHERS.—A  
12 borrower may not receive assistance under this  
13 subsection by virtue of teaching in a secondary  
14 school unless such borrower majored in the sub-  
15 ject area in which they are teaching.

16           “(B) ELEMENTARY SCHOOL TEACHERS.—  
17 A borrower may not receive assistance under  
18 this subsection by virtue of teaching in a ele-  
19 mentary school unless such borrower dem-  
20 onstrates, in accordance with State teacher cer-  
21 tification or licensing requirements, subject  
22 matter knowledge and teaching skills in read-  
23 ing, writing, mathematics, and other subjects  
24 taught in elementary schools.

1           “(6) DEFINITION.—For the purpose of this sec-  
2           tion, the term ‘year’ where applied to service as a  
3           teacher means an academic year as defined by the  
4           Secretary.

5           “(7) PREVENTION OF DOUBLE BENEFITS.—No  
6           borrower may, for the same volunteer service, receive  
7           a benefit under both this section and subtitle D of  
8           title I of the National and Community Service Act  
9           of 1990 (42 U.S.C. 12571 et seq.).

10          “(b) SPECIAL RULES.—

11           “(1) LIST.—If the list of schools in which a  
12           teacher may perform service pursuant to subsection  
13           (a)(3) is not available before May 1 of any year, the  
14           Secretary may use the list for the year preceding the  
15           year for which the determination is made to make  
16           such service determination.

17           “(2) CONTINUING ELIGIBILITY.—Any teacher  
18           who performs service in a school which—

19                   “(A) meets the requirements of subsection  
20                   (a)(3) in any year during such service; and

21                   “(B) in a subsequent year fails to meet the  
22                   requirements of such subsection,

23           may continue to teach in such school and shall be  
24           eligible for loan cancellation pursuant to subsection  
25           (a)(1) with respect to such subsequent years.”.

1 **SEC. 202. GRANTS FOR ACHIEVEMENTS IN MATH, EDU-**  
2 **CATION, AND SCIENCE.**

3 (a) PROGRAM AUTHORIZED.—The Secretary is au-  
4 thorized to provide grants to local educational agencies  
5 that have improved student achievement in mathematics  
6 and English as demonstrated by improved national stand-  
7 ardized test results of students completing the 4th, 8th,  
8 and 12th grades.

9 (b) APPLICATION.—To be eligible to receive a grant  
10 under this section, a local educational agency shall submit  
11 an application to the Secretary at such time and in such  
12 form as the Secretary may reasonable require.

13 (c) REQUIREMENTS.—Not later than 90 days after  
14 the date of the enactment of this Act, the Secretary shall,  
15 by notice issued in the Federal Register, establish any re-  
16 quirements necessary to implement this section.

17 (d) DEFINITION.—For purposes of this section, the  
18 term “Secretary” means the Secretary of Education.

19 (e) AUTHORIZATIONS.—There are authorized to be  
20 appropriated to carry out this section \$200,000,000 for  
21 each of the fiscal years 1999 through 2004.

22 **SEC. 203. TEACHER TECHNOLOGY TRAINING.**

23 (a) STATEMENT OF PURPOSE FOR TITLE I.—Section  
24 1001(d)(4) of the Elementary and Secondary Education  
25 Act of 1965 (20 U.S.C. 6301(d)(4)) is amended by insert-  
26 ing “, giving attention to the role technology can play in

1 professional development and improved teaching and  
2 learning” before the semicolon.

3 (b) SCHOOL IMPROVEMENT.—Section 1116(c)(3) of  
4 such Act (20 U.S.C. 6317(c)(3)) is amended by adding  
5 at the end the following:

6 “(D) In carrying out professional development  
7 under this paragraph a school shall give attention to  
8 professional development that incorporates tech-  
9 nology used to improve teaching and learning.”.

10 (c) PROFESSIONAL DEVELOPMENT.—Section  
11 1119(b) of such Act (20 U.S.C. 6320(b)) is amended—

12 (1) in paragraph (1)—

13 (A) in subparagraph (D), by striking  
14 “and” after the semicolon;

15 (B) in subparagraph (E), by striking the  
16 period and inserting “; and”; and

17 (C) by adding at the end the following:

18 “(F) include instruction in the use of tech-  
19 nology.”; and

20 (2) in paragraph (2)—

21 (A) by striking subparagraph (D); and

22 (B) by redesignating subparagraphs (E)  
23 through (I) as subparagraphs (D) through (H),  
24 respectively.

1 (d) PURPOSES FOR TITLE II.—Section 2002(2) of  
2 such Act (20 U.S.C. 6602(2)) is amended—

3 (1) in subparagraph (E), by striking “and”  
4 after the semicolon;

5 (2) in subparagraph (F), by striking the period  
6 and inserting “; and”; and

7 (3) by adding at the end the following:

8 “(G) uses technology to enhance the teach-  
9 ing and learning process.”.

10 (e) NATIONAL TEACHER TRAINING PROJECT.—Sec-  
11 tion 2103(b)(2) of such Act (20 U.S.C. 6623(b)(2)) is  
12 amended by adding at the end the following:

13 “(J) Technology.”.

14 (f) LOCAL PLAN FOR IMPROVING TEACHING AND  
15 LEARNING.—Section 2208(d)(1)(F) of such Act (20  
16 U.S.C. 6648(d)(1)(F)) is amended by inserting “, tech-  
17 nologies,” after “strategies”.

18 (g) AUTHORIZED ACTIVITIES.—Section  
19 2210(b)(2)(C) of such Act (20 U.S.C. 6650(b)(2)(C)) is  
20 amended by striking “and practices” and inserting “prac-  
21 tices, and technology”.

22 (h) HIGHER EDUCATION ACTIVITIES.—Section  
23 2211(a)(1)(C) of such Act (20 U.S.C. 6651(a)(1)(C)) is  
24 amended by inserting “, including technological innova-  
25 tion,” after “innovation”.



1 **SEC. 204. SENSE OF CONGRESS.**

2 It is the sense of Congress that—

3 (1) local educational agencies should use na-  
4 tional standardized tests to evaluate student per-  
5 formance in mathematics and English at the end of  
6 each school year; and

7 (2) schools should end social promotion of stu-  
8 dents to the next grade level.

○