

106TH CONGRESS
1ST SESSION

S. 667

To improve and reform elementary and secondary education.

IN THE SENATE OF THE UNITED STATES

MARCH 18, 1999

Mr. MCCAIN introduced the following bill; which was read twice and referred
to the Committee on Finance

A BILL

To improve and reform elementary and secondary education.

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; TABLE OF CONTENTS; DEFINI-**
4 **TIONS.**

5 (a) SHORT TITLE.—This Act may be cited as the
6 “EDucating America’s Children for Tomorrow (ED–
7 ACT)”.

8 (b) TABLE OF CONTENTS.—

Sec. 1. Short title; table of contents; definitions.

TITLE I—EMPOWERING PARENTS AND STUDENTS

Sec. 101. Empowering parents and students.

TITLE II—PROHIBITION REGARDING FUNDING FOR DEVELOPING OR IMPLEMENTING NATIONAL EDUCATION STANDARDS

Sec. 201. Prohibition regarding funding for developing or implementing national education standards.

TITLE III—TROOPS-TO-TEACHERS PROGRAM

Sec. 301. Short title.

Sec. 302. Improvement and transfer of jurisdiction of troops-to-teachers program.

TITLE IV—ENGLISH PLUS AND MULTILINGUALISM

Sec. 401. English plus.

Sec. 402. Multilingualism study.

TITLE V—EDUCATIONAL OPPORTUNITIES FOR DISADVANTAGED CHILDREN

Sec. 501. Purposes.

Sec. 502. Authorization of appropriations; program authority.

Sec. 503. Eligibility.

Sec. 504. Scholarships.

Sec. 505. Eligible children; award rules.

Sec. 506. Applications.

Sec. 507. Approval of programs.

Sec. 508. Amounts and length of grants.

Sec. 509. Uses of funds.

Sec. 510. Effect of programs.

Sec. 511. National evaluation.

Sec. 512. Enforcement.

Sec. 513. Definitions.

TITLE VI—TAX PROVISIONS

Sec. 601. Credit for contributions to schools.

Sec. 602. Increase in annual contribution limit for education individual retirement accounts.

TITLE VII—DEVELOPING BETTER EDUCATION TOOLS

Sec. 701. Educational tools for underserved students.

Sec. 702. Teacher training.

Sec. 703. Putting the best teachers in the classroom.

TITLE VIII—EMPOWERING STUDENTS

Sec. 801. Empowering students.

1 (c) DEFINITIONS.—In this Act:

2 (1) COMPTROLLER GENERAL.—The term
3 “Comptroller General” means the Comptroller Gen-
4 eral of the United States.

1 (2) ELEMENTARY SCHOOL; LOCAL EDU-
 2 CATIONAL AGENCY; PARENT; SECONDARY SCHOOL;
 3 STATE EDUCATIONAL AGENCY.—The terms “elemen-
 4 tary school”, “local educational agency”, “parent”,
 5 “secondary school”, and “State educational agency”
 6 have the meanings given the terms in section 14101
 7 of the Elementary and Secondary Education Act of
 8 1965 (20 U.S.C. 8801 et seq.).

9 (3) POVERTY LINE.—The term “poverty line”
 10 means the poverty line (as defined by the Office of
 11 Management and Budget, and revised annually in
 12 accordance with section 673(2) of the Community
 13 Services Block Grant Act (42 U.S.C. 9902(2)) appli-
 14 cable to a family of the size involved.

15 (4) SECRETARY.—The term “Secretary” means
 16 the Secretary of Education.

17 (5) STATE.—The term “State” means each of
 18 the several States of the United States and the Dis-
 19 trict of Columbia.

20 **TITLE I—EMPOWERING** 21 **PARENTS AND STUDENTS**

22 **SEC. 101. EMPOWERING PARENTS AND STUDENTS.**

23 (a) DIRECT AWARDS TO LOCAL EDUCATIONAL
 24 AGENCIES.—

1 (1) IN GENERAL.—Notwithstanding any other
2 provision of law, for each fiscal year the Secretary
3 shall award the total amount of funds described in
4 paragraph (2) directly to local educational agencies
5 in accordance with paragraph (4) to enable the local
6 educational agencies to carry out the authorized ac-
7 tivities described in paragraph (5).

8 (2) APPLICABLE FUNDING.—The total amount
9 of funds referred to in paragraph (1) are all funds
10 that are appropriated for the Department of Edu-
11 cation for a fiscal year to carry out programs or ac-
12 tivities under the following provisions of law:

13 (A) Title III of the Goals 2000: Educate
14 America Act (20 U.S.C. 5881 et seq.).

15 (B) Title IV of the Goals 2000: Educate
16 America Act (20 U.S.C. 5911 et seq.).

17 (C) Title VI of the Goals 2000: Educate
18 America Act (20 U.S.C. 5951).

19 (D) The School-to-Work Opportunities Act
20 of 1994 (20 U.S.C. 6101 et seq.).

21 (E) Section 1502 of the Elementary and
22 Secondary Education Act of 1965 (20 U.S.C.
23 6492).

1 (F) Title II of the Elementary and Sec-
2 ondary Education Act of 1965 (20 U.S.C. 6601
3 et seq.).

4 (G) Title III of the Elementary and Sec-
5 ondary Education Act of 1965 (20 U.S.C. 6801
6 et seq.).

7 (H) Title IV of the Elementary and Sec-
8 ondary Education Act of 1965 (20 U.S.C. 7101
9 et seq.).

10 (I) Part A of title V of the Elementary and
11 Secondary Education Act of 1965 (20 U.S.C.
12 7201 et seq.).

13 (J) Part B of title V of the Elementary
14 and Secondary Education Act of 1965 (20
15 U.S.C. 7231 et seq.).

16 (K) Title VI of the Elementary and Sec-
17 ondary Education Act of 1965 (20 U.S.C. 7301
18 et seq.).

19 (L) Title VII of the Elementary and Sec-
20 ondary Education Act of 1965 (20 U.S.C. 7401
21 et seq.).

22 (M) Part B of title IX of the Elementary
23 and Secondary Education Act of 1965 (20
24 U.S.C. 7901 et seq.).

1 (N) Part C of title IX of the Elementary
2 and Secondary Education Act of 1965 (20
3 U.S.C. 7931 et seq.).

4 (O) Part A of title X of the Elementary
5 and Secondary Education Act of 1965 (20
6 U.S.C. 8001 et seq.).

7 (P) Part B of title X of the Elementary
8 and Secondary Education Act of 1965 (20
9 U.S.C. 8031 et seq.).

10 (Q) Part D of title X of the Elementary
11 and Secondary Education Act of 1965 (20
12 U.S.C. 8091 et seq.).

13 (R) Part F of title X of the Elementary
14 and Secondary Education Act of 1965 (20
15 U.S.C. 8141 et seq.).

16 (S) Part G of title X of the Elementary
17 and Secondary Education Act of 1965 (20
18 U.S.C. 8161 et seq.).

19 (T) Part I of title X of the Elementary
20 and Secondary Education Act of 1965 (20
21 U.S.C. 8241 et seq.).

22 (U) Part J of title X of the Elementary
23 and Secondary Education Act of 1965 (20
24 U.S.C. 8271 et seq.).

1 (V) Part K of title X of the Elementary
 2 and Secondary Education Act of 1965 (20
 3 U.S.C. 8331 et seq.).

4 (W) Part L of title X of the Elementary
 5 and Secondary Education Act of 1965 (20
 6 U.S.C. 8351 et seq.).

7 (X) Part A of title XIII of the Elementary
 8 and Secondary Education Act of 1965 (20
 9 U.S.C. 8621 et seq.).

10 (Y) Part C of title XIII of the Elementary
 11 and Secondary Education Act of 1965 (20
 12 U.S.C. 8671 et seq.).

13 (Z) Part B of title VII of the Stewart B.
 14 McKinney Homeless Assistance Act (42 U.S.C.
 15 11421 et seq.).

16 (3) CENSUS DETERMINATION.—

17 (A) IN GENERAL.—Each local educational
 18 agency shall conduct a census to determine the
 19 number of kindergarten through grade 12 stu-
 20 dents that are in the school district served by
 21 the local educational agency for an academic
 22 year.

23 (B) PRIVATE SCHOOL STUDENTS.—In car-
 24 rying out subparagraph (A), each local edu-
 25 cational agency shall determine the number of

1 private school students described in such para-
2 graph for an academic year on the basis of data
3 the local educational agency determines reliable.

4 (C) SUBMISSION.—Each local educational
5 agency shall submit the total number of public
6 and private school children described in this
7 paragraph for an academic year to the Sec-
8 retary not later than March 1 of the academic
9 year.

10 (D) PENALTY.—If the Secretary deter-
11 mines that a local educational agency has know-
12 ingly submitted false information under this
13 subsection for the purpose of gaining additional
14 funds under this section, then the local edu-
15 cational agency shall be fined an amount equal
16 to twice the difference between the amount the
17 local educational agency received under this sec-
18 tion, and the correct amount the local edu-
19 cational agency would have received if the agen-
20 cy had submitted accurate information under
21 this subsection.

22 (4) DETERMINATION OF ALLOTMENTS.—From
23 the total applicable funding available for a fiscal
24 year, the Secretary shall make allotments to each

1 local educational agency in a State in an amount
2 that bears the same relation—

3 (A) to 50 percent of such total applicable
4 funding as the number of individuals in the
5 school district served by the local educational
6 agency who are aged 5 through 17 bears to the
7 total number of such individuals in all school
8 districts served by all local educational agencies
9 in all States; and

10 (B) to 50 percent of such total amount as
11 the total amount all local educational agencies
12 in the State are eligible to receive under part A
13 of title I of the Elementary and Secondary
14 Education Act of 1965 (20 U.S.C. 6311 et
15 seq.) for the fiscal year bears to the total
16 amount all local educational agencies in all
17 States are eligible to receive under such part
18 for the fiscal year.

19 (5) AUTHORIZED ACTIVITIES.—

20 (A) IN GENERAL.—A local educational
21 agency receiving an allotment under paragraph
22 (4) shall use the allotted funds for innovative
23 assistance programs described in subparagraph
24 (B).

1 (B) INNOVATIVE ASSISTANCE.—The inno-
2 vative assistance programs referred to in sub-
3 paragraph (A) include—

4 (i) technology programs related to the
5 implementation of school-based reform pro-
6 grams, including professional development
7 to assist teachers and other school officials
8 regarding how to use effectively such
9 equipment and software;

10 (ii) programs for the acquisition and
11 use of instructional and educational mate-
12 rials, including library services and mate-
13 rials (including media materials), assess-
14 ments, reference materials, computer soft-
15 ware and hardware for instructional use,
16 and other curricular materials that—

17 (I) are tied to high academic
18 standards;

19 (II) will be used to improve stu-
20 dent achievement; and

21 (III) are part of an overall edu-
22 cation reform program;

23 (iii) promising education reform pro-
24 grams, including effective schools and mag-
25 net schools;

1 (iv) programs to improve the higher
 2 order thinking skills of disadvantaged ele-
 3 mentary school and secondary school stu-
 4 dents and to prevent students from drop-
 5 ping out of school;

6 (v) programs to combat illiteracy in
 7 the student and adult populations, includ-
 8 ing parent illiteracy;

9 (vi) programs to provide for the edu-
 10 cational needs of gifted and talented chil-
 11 dren;

12 (vii) hiring of teachers or teaching as-
 13 sistants to decrease a school, school dis-
 14 trict, or statewide student-to-teacher ratio;
 15 and

16 (viii) school improvement programs or
 17 activities described in sections 1116 and
 18 1117 of the Elementary and Secondary
 19 Education Act of 1965.

20 (6) ACCOUNTABILITY.—

21 (A) LOCAL EDUCATIONAL AGENCY.—A
 22 local educational agency that receives funds
 23 under this section in any fiscal year shall make
 24 available for review by parents, community

1 members, the State educational agency and the
2 Department of Education—

3 (i) a proposed budget regarding how
4 such funds shall be used; and

5 (ii) an accounting of the actual use of
6 such funds at the end of the fiscal year of
7 the local educational agency.

8 (B) SCHOOL.—Each school receiving as-
9 sistance under this section in any fiscal year
10 shall prepare and submit to the Secretary and
11 make available to the public a detailed plan
12 that outlines—

13 (i) clear academic performance objec-
14 tives for students at the school;

15 (ii) a timetable for improving the aca-
16 demic performance of the students; and

17 (iii) methods for officially evaluating
18 and measuring the academic growth or
19 progress of the students.

20 (b) DIRECT AWARDS OF PART A OF TITLE I FUND-
21 ING.—

22 (1) IN GENERAL.—Notwithstanding any other
23 provision of law and subject to paragraph (3), the
24 Secretary shall award the total amount of funds ap-
25 propriated to carry out part A of title I of the Ele-

1 mentary and Secondary Education Act of 1965 (20
2 U.S.C. 6311 et seq.) for a fiscal year directly to
3 local educational agencies in accordance with para-
4 graph (2) to enable the local educational agencies to
5 support programs or activities, for kindergarten
6 through grade 12 students, that the local edu-
7 cational agencies deem appropriate.

8 (2) ELIGIBLE LOCAL EDUCATIONAL AGEN-
9 CIES.—The Secretary shall make awards under this
10 section for a fiscal year only to local educational
11 agencies that are eligible for assistance under part
12 A of title I of the Elementary and Secondary Edu-
13 cation Act of 1965 for the fiscal year.

14 (3) AMOUNT.—Each local educational agency
15 shall receive an amount awarded under this sub-
16 section for a fiscal year equal to the amount the
17 local educational agency is eligible to receive under
18 part A of title I of the Elementary and Secondary
19 Education Act of 1965 for the fiscal year.

1 **TITLE II—PROHIBITION RE-**
 2 **GARDING FUNDING FOR DE-**
 3 **VELOPING OR IMPLE-**
 4 **MENTING NATIONAL EDU-**
 5 **CATION STANDARDS**

6 **SEC. 201. PROHIBITION REGARDING FUNDING FOR DEVEL-**
 7 **OPING OR IMPLEMENTING NATIONAL EDU-**
 8 **CATION STANDARDS.**

9 No Federal funds may be obligated or expended to
 10 develop or implement national education standards.

11 **TITLE III—TROOPS-TO-**
 12 **TEACHERS PROGRAM**

13 **SEC. 301. SHORT TITLE.**

14 This title may be cited as the “Troops-to-Teachers
 15 Program Improvement Act of 1999”.

16 **SEC. 302. IMPROVEMENT AND TRANSFER OF JURISDICTION**
 17 **OF TROOPS-TO-TEACHERS PROGRAM.**

18 (a) RECODIFICATION, IMPROVEMENT, AND TRANS-
 19 FER OF PROGRAM.—(1) Section 1151 of title 10, United
 20 States Code, is amended to read as follows:

21 **“§ 1151. Assistance to certain separated or retired**
 22 **members to obtain certification and em-**
 23 **ployment as teachers**

24 **“(a) PROGRAM AUTHORIZED.—**The Secretary of
 25 Education, in consultation with the Secretary of Defense

1 and the Secretary of Transportation with respect to the
2 Coast Guard, may carry out a program—

3 “(1) to assist eligible members of the armed
4 forces after their discharge or release, or retirement,
5 from active duty to obtain certification or licensure
6 as elementary or secondary school teachers or as vo-
7 cational or technical teachers; and

8 “(2) to facilitate the employment of such mem-
9 bers by local educational agencies identified under
10 subsection (b)(1).

11 “(b) IDENTIFICATION OF LOCAL EDUCATIONAL
12 AGENCIES AND STATES.—(1)(A) In carrying out the pro-
13 gram authorized by subsection (a), the Secretary of Edu-
14 cation shall periodically identify local educational agencies
15 that—

16 “(i) are receiving grants under title I of the El-
17 ementary and Secondary Education Act of 1965 (20
18 U.S.C. 6301 et seq.) as a result of having within
19 their jurisdictions concentrations of children from
20 low-income families; or

21 “(ii) are experiencing a shortage of qualified
22 teachers, in particular a shortage of science, mathe-
23 matics, reading, special education, or vocational or
24 technical teachers.

1 “(B) The Secretary may identify local educational
2 agencies under subparagraph (A) through surveys con-
3 ducted for that purpose or by utilizing information on local
4 educational agencies that is available to the Secretary
5 from other sources.

6 “(2) In carrying out the program, the Secretary shall
7 also conduct a survey of States to identify those States
8 that have alternative certification or licensure require-
9 ments for teachers, including those States that grant cred-
10 it for service in the armed forces toward satisfying certifi-
11 cation or licensure requirements for teachers.

12 “(c) ELIGIBLE MEMBERS.—(1) The following mem-
13 bers shall be eligible for selection to participate in the pro-
14 gram:

15 “(A) Any member who—

16 “(i) during the period beginning on Octo-
17 ber 1, 1990, and ending on September 30,
18 1999, was involuntarily discharged or released
19 from active duty for purposes of a reduction of
20 force after six or more years of continuous ac-
21 tive duty immediately before the discharge or
22 release; and

23 “(ii) satisfies such other criteria for selec-
24 tion as the Secretary of Education, in consulta-

tion with the Secretary of Defense and the Secretary of Transportation, may prescribe.

“(B) Any member—

“(i) who, on or after October 1, 1999—

“(I) is retired for length of service with at least 20 years of active service computed under section 3925, 3926, 8925, or 8926 of this title or for purposes of chapter 571 of this title; or

“(II) is retired under section 1201 or 1204 of this title;

“(ii) who—

“(I) in the case of a member applying for assistance for placement as an elementary or secondary school teacher, has received a baccalaureate or advanced degree from an accredited institution of higher education; or

“(II) in the case of a member applying for assistance for placement as a vocational or technical teacher—

“(aa) has received the equivalent of one year of college from an accredited institution of higher education and has 10 or more years of military

1 experience in a vocational or technical
2 field; or

3 “(bb) otherwise meets the certifi-
4 cation or licensure requirements for a
5 vocational or technical teacher in the
6 State in which such member seeks as-
7 sistance for placement under the pro-
8 gram; and

9 “(iii) who satisfies the criteria prescribed
10 under subparagraph (A)(ii).

11 “(2) A member who is discharged or released from
12 active duty, or retires from service, under other than hon-
13 orable conditions shall not be eligible to participate in the
14 program.

15 “(d) INFORMATION REGARDING PROGRAM.—(1) The
16 Secretary of Education, in consultation with the Secretary
17 of Defense and the Secretary of Transportation, shall pro-
18 vide information regarding the program, and make appli-
19 cations for the program available, to members as part of
20 preseparation counseling provided under section 1142 of
21 this title.

22 “(2) The information provided to members shall—

23 “(A) indicate the local educational agencies
24 identified under subsection (b)(1); and

1 “(B) identify those States surveyed under sub-
2 section (b)(2) that have alternative certification or
3 licensure requirements for teachers, including those
4 States that grant credit for service in the armed
5 forces toward satisfying such requirements.

6 “(e) SELECTION OF PARTICIPANTS.—(1)(A) Selec-
7 tion of members to participate in the program shall be
8 made on the basis of applications submitted to the Sec-
9 retary of Education on a timely basis. An application shall
10 be in such form and contain such information as the Sec-
11 retary may require.

12 “(B) An application shall be considered to be sub-
13 mitted on a timely basis if the application is submitted
14 as follows:

15 “(i) In the case of an applicant who is eligible
16 under subsection (c)(1)(A), not later than September
17 30, 2003.

18 “(ii) In the case of an applicant who is eligible
19 under subsection (c)(1)(B), not later than four years
20 after the date of the retirement of the applicant
21 from active duty.

22 “(2) In selecting participants to receive assistance for
23 placement as elementary or secondary school teachers or
24 vocational or technical teachers, the Secretary shall give
25 priority to members who—

1 “(A) have educational or military experience in
 2 science, mathematics, reading, special education, or
 3 vocational or technical subjects and agree to seek
 4 employment as science, mathematics, reading, or
 5 special education teachers in elementary or sec-
 6 ondary schools or in other schools under the jurisdic-
 7 tion of a local educational agency; or

8 “(B) have educational or military experience in
 9 another subject area identified by the Secretary, in
 10 consultation with the National Governors Associa-
 11 tion, as important for national educational objectives
 12 and agree to seek employment in that subject area
 13 in elementary or secondary schools.

14 “(3) The Secretary may not select a member to par-
 15 ticipate in the program unless the Secretary has sufficient
 16 appropriations for the program available at the time of
 17 the selection to satisfy the obligations to be incurred by
 18 the United States under subsection (g) with respect to
 19 that member.

20 “(f) AGREEMENT.—A member selected to participate
 21 in the program shall be required to enter into an agree-
 22 ment with the Secretary of Education in which the mem-
 23 ber agrees—

24 “(1) to obtain, within such time as the Sec-
 25 retary may require, certification or licensure as an

1 elementary or secondary school teacher or vocational
2 or technical teacher; and

3 “(2) to accept an offer of full-time employment
4 as an elementary or secondary school teacher or vo-
5 cational or technical teacher for not less than four
6 school years with a local educational agency identi-
7 fied under subparagraph (A) or (B) of subsection
8 (b)(1), to begin the school year after obtaining that
9 certification or licensure.

10 “(g) STIPEND AND BONUS FOR PARTICIPANTS.—

11 (1)(A) Subject to subparagraph (B), the Secretary of Edu-
12 cation shall pay to each participant in the program a sti-
13 pend in an amount equal to \$5,000.

14 “(B) The total number of stipends that may be paid
15 under this paragraph in any fiscal year may not exceed
16 3,000.

17 “(2)(A) Subject to subparagraph (B), the Secretary
18 may, in lieu of paying a stipend under paragraph (1), pay
19 a bonus of \$10,000 to each participant in the program
20 who agrees under subsection (f) to accept full-time em-
21 ployment as an elementary or secondary school teacher or
22 vocational or technical teacher for not less than four years
23 in a high need school.

1 “(B) The total number of bonuses that may be paid
2 under this paragraph in any fiscal year may not exceed
3 1,000.

4 “(C) In this paragraph, the term ‘high need school’
5 means an elementary school or secondary school that
6 meets one or more of the following criteria:

7 “(i) A school with a drop out rate that exceeds
8 the national average school drop out rate.

9 “(ii) A school having a large percentage of stu-
10 dents (as determined by the Secretary in consulta-
11 tion with the National Assessment Governing Board)
12 who speak English as a second language.

13 “(iii) A school having a large percentage of stu-
14 dents (as so determined) who are at risk of edu-
15 cational failure by reason of limited proficiency in
16 English, poverty, race, geographic location, or eco-
17 nomic circumstances.

18 “(iv) A school at least one-half of whose stu-
19 dents are from families with an income below the
20 poverty line (as that term is defined by the Office
21 of Management and Budget and revised annually in
22 accordance with section 673(2) of the Community
23 Services Block Grant Act (42 U.S.C. 9902(2)) appli-
24 cable to a family of the size involved.

1 “(v) A school with a large percentage of stu-
 2 dents (as so determined) who qualify for assistance
 3 under part B of the Individuals with Disabilities
 4 Education Act (20 U.S.C. 1411 et seq.).

5 “(vi) A school located on an Indian reservation
 6 (as that term is defined in section 403(9) of the In-
 7 dian Child Protection and Family Violence Preven-
 8 tion Act (25 U.S.C. 3202(9)).

9 “(vii) A school located in a rural area.

10 “(viii) A school meeting any other criteria es-
 11 tablished by the Secretary in consultation with the
 12 National Governors Association.

13 “(3) Stipends and bonuses paid under this subsection
 14 shall be taken into account in determining the eligibility
 15 of the participant concerned for Federal student financial
 16 assistance provided under title IV of the Higher Education
 17 Act of 1965 (20 U.S.C. 1070 et seq.).

18 “(h) REIMBURSEMENT UNDER CERTAIN CIR-
 19 CUMSTANCES.—(1) If a participant in the program fails
 20 to obtain teacher certification or licensure or employment
 21 as an elementary or secondary school teacher or vocational
 22 or technical teacher as required under the agreement or
 23 voluntarily leaves, or is terminated for cause, from the em-
 24 ployment during the four years of required service, the
 25 participant shall be required to reimburse the Secretary

1 of Education for any stipend paid to the participant under
2 subsection (g)(1) in an amount that bears the same ratio
3 to the amount of the stipend as the unserved portion of
4 required service bears to the four years of required service.

5 “(2) If a participant in the program who is paid a
6 bonus under subsection (g)(2) fails to obtain employment
7 for which such bonus was paid, or voluntarily leaves or
8 is terminated for cause from the employment during the
9 four years of required service, the participant shall be re-
10 quired to reimburse the Secretary for any bonus paid to
11 the participant under that subsection in an amount that
12 bears the same ratio to the amount of the bonus as the
13 unserved portion of required service bears to the four
14 years of required service.

15 “(3)(A) The obligation to reimburse the Secretary
16 under this subsection is, for all purposes, a debt owing
17 the United States.

18 “(B) A discharge in bankruptcy under title 11 shall
19 not release a participant from the obligation to reimburse
20 the Secretary.

21 “(C) Any amount owed by a participant under para-
22 graph (1) or (2) shall bear interest at the rate equal to
23 the highest rate being paid by the United States on the
24 day on which the reimbursement is determined to be due
25 for securities having maturities of ninety days or less and

1 shall accrue from the day on which the participant is first
 2 notified of the amount due.

3 “(i) EXCEPTIONS TO REIMBURSEMENT PROVI-
 4 SIONS.—(1) A participant in the program shall not be con-
 5 sidered to be in violation of an agreement entered into
 6 under subsection (f) during any period in which the
 7 participant—

8 “(A) is pursuing a full-time course of study re-
 9 lated to the field of teaching at an eligible institu-
 10 tion;

11 “(B) is serving on active duty as a member of
 12 the armed forces;

13 “(C) is temporarily totally disabled for a period
 14 of time not to exceed three years as established by
 15 sworn affidavit of a qualified physician;

16 “(D) is unable to secure employment for a pe-
 17 riod not to exceed 12 months by reason of the care
 18 required by a spouse who is disabled;

19 “(E) is seeking and unable to find full-time em-
 20 ployment as a teacher in an elementary or secondary
 21 school or as a vocational or technical teacher for a
 22 single period not to exceed 27 months; or

23 “(F) satisfies the provisions of additional reim-
 24 bursement exceptions that may be prescribed by the
 25 Secretary of Education.

1 “(2) A participant shall be excused from reimburse-
 2 ment under subsection (h) if the participant becomes per-
 3 manently totally disabled as established by sworn affidavit
 4 of a qualified physician. The Secretary may also waive re-
 5 imbursement in cases of extreme hardship to the partici-
 6 pant, as determined by the Secretary in consultation with
 7 the Secretary of Defense or the Secretary of Transpor-
 8 tation, as the case may be.

9 “(j) RELATIONSHIP TO EDUCATIONAL ASSISTANCE
 10 UNDER MONTGOMERY GI BILL.—The receipt by a partic-
 11 ipant in the program of any assistance under the program
 12 shall not reduce or otherwise affect the entitlement of the
 13 participant to any benefits under chapter 30 of title 38
 14 or chapter 1606 of this title.

15 “(k) DISCHARGE OF STATE ACTIVITIES THROUGH
 16 CONSORTIA OF STATES.—The Secretary of Education
 17 may permit States participating in the program author-
 18 ized by this section to carry out activities authorized for
 19 such States under this section through one or more con-
 20 sortia of such States.

21 “(l) ASSISTANCE TO STATES IN ACTIVITIES UNDER
 22 PROGRAM.—(1) Subject to paragraph (2), the Secretary
 23 of Education may make grants to States participating in
 24 the program authorized by this section, or to consortia of
 25 such States, in order to permit such States or consortia

1 of States to operate offices for purposes of recruiting eligi-
 2 ble members for participation in the program and facili-
 3 tating the employment of participants in the program in
 4 schools in such States or consortia of States.

5 “(2) The total amount of grants under paragraph (1)
 6 in any fiscal year may not exceed \$4,000,000.

7 “(m) LIMITATION ON USE OF FUNDS FOR MANAGE-
 8 MENT INFRASTRUCTURE.—The Secretary of Education
 9 may utilize not more than five percent of the funds avail-
 10 able to carry out the program authorized by this section
 11 for a fiscal year for purposes of establishing and maintain-
 12 ing the management infrastructure necessary to support
 13 the program.

14 “(n) DEFINITIONS.—In this section:

15 “(1) The term ‘State’ includes the District of
 16 Columbia, American Samoa, the Federated States of
 17 Micronesia, Guam, the Republic of the Marshall Is-
 18 lands, the Commonwealth of the Northern Mariana
 19 Islands, the Commonwealth of Puerto Rico, the Re-
 20 public of Palau, and the United States Virgin Is-
 21 lands.

22 “(2) The term ‘alternative certification or licen-
 23 sure requirements’ means State or local teacher cer-
 24 tification or licensure requirements that permit a
 25 demonstrated competence in appropriate subject

1 areas gained in careers outside of education to be
 2 substituted for traditional teacher training course
 3 work.”.

4 (2) The table of sections at the beginning of chapter
 5 58 of such title is amended by striking the item relating
 6 to section 1151 and inserting the following new item:

“1151. Assistance to certain separated or retired members to obtain certification
 and employment as teachers.”.

7 (b) EFFECTIVE DATE.—The amendments made by
 8 subsection (a) shall take effect on October 1, 1999.

9 (c) TRANSFER OF JURISDICTION OVER CURRENT
 10 PROGRAM.—(1) The Secretary of Defense, Secretary of
 11 Transportation, and Secretary of Education shall provide
 12 for the transfer to the Secretary of Education of any on-
 13 going functions and responsibilities of the Secretary of De-
 14 fense and the Secretary of Transportation with respect the
 15 program authorized by section 1151 of title 10, United
 16 States Code, for the period beginning on October 23,
 17 1992, and ending on September 30, 1999.

18 (2) The Secretaries shall complete the transfer under
 19 paragraph (1) not later than October 1, 1999.

20 (d) REPORTS.—(1) Not later than March 31, 2002,
 21 the Secretary of Education and the Comptroller General
 22 shall each submit to Congress a report on the effectiveness
 23 of the program authorized by section 1151 of title 10,
 24 United States Code (as amended by subsection (a)), in the

1 recruitment and retention of qualified personnel by local
2 educational agencies identified under subsection (b)(1) of
3 such section 1151 (as so amended).

4 (2) The report under paragraph (1) shall include in-
5 formation on the following:

6 (A) The number of participants in the program.

7 (B) The schools in which such participants are
8 employed.

9 (C) The grade levels at which such participants
10 teach.

11 (D) The subject matters taught by such partici-
12 pants.

13 (E) The effectiveness of the teaching of such
14 participants, as indicated by any relevant test scores
15 of the students of such participants.

16 (F) The extent of any academic improvement in
17 the schools in which such participants teach by rea-
18 son of their teaching.

19 (G) The rates of retention of such participants
20 by the local educational agencies employing such
21 participants.

22 (H) The effect of any stipends or bonuses
23 under subsection (g) of such section 1151 (as so
24 amended) in enhancing participation in the program
25 or in enhancing recruitment or retention of partici-

1 pants in the program by the local educational agen-
 2 cies employing such participants.

3 (I) Such other matters as the Secretary or the
 4 Comptroller General, as the case may be, considers
 5 appropriate.

6 (3) The report of the Comptroller General under
 7 paragraph (1) shall also include any recommendations of
 8 the Comptroller General as to means of improving the pro-
 9 gram, including means of enhancing the recruitment and
 10 retention of participants in the program.

11 (e) AUTHORIZATION OF APPROPRIATIONS.—There is
 12 authorized to be appropriated for the Department of Edu-
 13 cation \$25,000,000 for each of fiscal years 2000 through
 14 2004 for purposes of carrying out the program authorized
 15 by section 1151 of title 10, United States Code (as amend-
 16 ed by subsection (a)).

17 **TITLE IV—ENGLISH PLUS AND** 18 **MULTILINGUALISM**

19 **SEC. 401. ENGLISH PLUS.**

20 (a) FINDINGS.—Congress makes the following find-
 21 ings:

22 (1) Immigrants to the United States have pow-
 23 erful incentives to learn English in order to fully
 24 participate in American society and the Nation's
 25 economy, and 90 percent of all immigrant families

1 become fluent in English within the second genera-
2 tion.

3 (2) A common language promotes unity among
4 citizens, and fosters greater communication.

5 (3) The reality of a global economy is an ever-
6 present international development that is fostered by
7 trade.

8 (4) The United States is well postured for the
9 global economy and international development with
10 its diverse population and rich heritage of cultures
11 and languages from around the world.

12 (5) Foreign language skills are a tremendous
13 resource to the United States and enhance American
14 competitiveness in the global economy.

15 (6) It is clearly in the interest of the United
16 States to encourage educational opportunities for all
17 citizens and to take steps to realize the opportuni-
18 ties.

19 (7) Many American Indian languages are pre-
20 served, encouraged, and utilized, as the languages
21 were during World War II when the Navajo Code
22 Talkers created a code that could not be broken by
23 the Japanese or the Germans, for example.

24 (b) SENSE OF CONGRESS.—It is the sense of Con-
25 gress that—

1 (1) our Nation must support literacy programs,
 2 including programs designed to teach English, as
 3 well as those dedicated to helping Americans learn
 4 and maintain languages in addition to English;

5 (2) our Nation must recognize the importance
 6 of English as the unifying language of the United
 7 States;

8 (3) as a Nation we must support and encourage
 9 Americans of every age to master English in order
 10 to succeed in American society and ensure a produc-
 11 tive workforce;

12 (4) our Nation must recognize that a skilled
 13 labor force is crucial to United States competitive-
 14 ness in a global economy, and the ability to speak
 15 languages in addition to English is a significant
 16 skill; and

17 (5) our Nation must recognize the benefits,
 18 both on an individual and a national basis, of devel-
 19 oping the Nation's linguistic resources.

20 **SEC. 402. MULTILINGUALISM STUDY.**

21 (a) FINDINGS.—Congress finds that—

22 (1) even though all residents of the United
 23 States should be proficient in English, without re-
 24 gard to their country of birth, it is also of vital im-
 25 portance to the competitiveness of the United States

1 that those residents be encouraged to learn other
2 languages; and

3 (2) education is the primary responsibility of
4 State and local governments and communities, and
5 the governments and communities are responsible
6 for developing policies in the area of education.

7 (b) RESIDENT OF THE UNITED STATES DEFINED.—
8 In this section, the term “resident of the United States”
9 means an individual who resides in the United States,
10 other than an alien who is not lawfully present in the
11 United States.

12 (c) STUDY.—

13 (1) IN GENERAL.—Not later than 180 days
14 after the date of enactment of this Act, the Comp-
15 troller General shall conduct a study of
16 multilingualism in the United States in accordance
17 with this section.

18 (2) REQUIREMENTS.—

19 (A) IN GENERAL.—The study conducted
20 under this section shall determine—

21 (i) the percentage of residents in the
22 United States who are proficient in
23 English and at least 1 other language;

1 (ii) the predominant language other
2 than English in which residents referred to
3 in clause (i) are proficient;

4 (iii) the percentage of the residents
5 described in clause (i) who were born in a
6 foreign country;

7 (iv) the percentage of the residents
8 described in clause (i) who were born in
9 the United States;

10 (v) the percentage of the residents de-
11 scribed in clause (iv) who are second-gen-
12 eration residents of the United States; and

13 (vi) the percentage of the residents
14 described in clause (iv) who are third-gen-
15 eration residents of the United States.

16 (B) AGE-SPECIFIC CATEGORIES.—The
17 study under this section shall, with respect to
18 the residents described in subparagraph (A)(i),
19 determine the number of those residents in each
20 of the following categories:

21 (i) Residents who have not attained
22 the age of 12.

23 (ii) Residents who have attained the
24 age of 12, but have not attained the age of
25 18.

1 (iii) Residents who have attained the
2 age of 18, but have not attained the age of
3 50.

4 (iv) Residents who have attained the
5 age of 50.

6 (C) FEDERAL PROGRAMS.—In conducting
7 the study under this section, the Comptroller
8 General shall establish a list of each Federal
9 program that encourages multilingualism with
10 respect to any category of residents described in
11 subparagraph (B).

12 (D) COMPARISONS.—In conducting the
13 study under this section, the Comptroller Gen-
14 eral shall compare the multilingual population
15 described in subparagraph (A) with the multi-
16 lingual populations of foreign countries—

17 (i) in the Western Hemisphere; and

18 (ii) in Asia.

19 (d) REPORT.—Upon completion of the study under
20 this section, the Comptroller General shall prepare, and
21 submit to Congress, a report that contains the results of
22 the study conducted under this section, and such findings
23 and recommendations as the Comptroller General deter-
24 mines to be appropriate.

1 **TITLE V—EDUCATIONAL OPPOR-**
2 **TUNITIES FOR DISADVAN-**
3 **TAGED CHILDREN**

4 **SEC. 501. PURPOSES.**

5 The purposes of this title are—

6 (1) to assist and encourage States and localities
7 to—

8 (A) give children from low-income families
9 more of the same choices of all elementary and
10 secondary schools and other academic programs
11 that children from wealthier families already
12 have;

13 (B) improve schools and other academic
14 programs by giving low-income parents in-
15 creased consumer power to choose the schools
16 and programs that the parents determine best
17 fit the needs of their children; and

18 (C) more fully engage low-income parents
19 in their children's schooling; and

20 (2) to demonstrate, through a competitive dis-
21 cretionary grant program, the effects of State and
22 local programs that give middle- and low-income
23 families more of the same choices of all schools, pub-
24 lic, private or religious, that wealthier families have.

1 **SEC. 502. AUTHORIZATION OF APPROPRIATIONS; PROGRAM**
2 **AUTHORITY.**

3 (a) AUTHORIZATION OF APPROPRIATIONS.—For the
4 purpose of carrying out this title, there are authorized to
5 be appropriated such sums as may be necessary for each
6 of the fiscal years 2001 through 2003.

7 (b) PROGRAM AUTHORITY.—The Secretary is author-
8 ized to award grants to not more than 10 States or local-
9 ities, on a competitive basis, to enable the States or local-
10 ities to carry out educational choice programs in accord-
11 ance with this title.

12 **SEC. 503. ELIGIBILITY.**

13 A State or locality is eligible for a grant under this
14 title if—

15 (1) the State or locality has taken significant
16 steps to provide a choice of schools to families with
17 school children residing in the program area de-
18 scribed in the application submitted under section
19 506, including families who are not eligible for schol-
20 arships under this title;

21 (2) during the year for which assistance is
22 sought, the State or locality provides assurances in
23 the application submitted under section 506 that if
24 awarded a grant under this title such State or local-
25 ity will provide scholarships to parents of eligible
26 children that may be redeemed for elementary

1 schools or secondary education for their children at
 2 a broad variety of public and private elementary
 3 schools and secondary schools, including religious
 4 schools, if any, serving the area;

5 (3) the State or locality agrees to match 50 per-
 6 cent of the Federal funds provided for the scholar-
 7 ships; and

8 (4) the State or locality allows lawfully oper-
 9 ating public and private elementary schools and sec-
 10 ondary schools, including religious schools, if any,
 11 serving the area to participate in the program.

12 **SEC. 504. SCHOLARSHIPS.**

13 (a) SCHOLARSHIP AWARDS.—With funds awarded
 14 under this title, each State or locality awarded a grant
 15 under this title shall provide scholarships to the parents
 16 of eligible children, in accordance with section 505.

17 (b) SCHOLARSHIP VALUE.—The value of each schol-
 18 arship shall be the sum of—

19 (1) \$2,000 from funds provided under this title;

20 (2) \$1,000 in matching funds from the State or
 21 locality; and

22 (3) an additional amount, if any, of State, local,
 23 or nongovernmental funds.

24 (c) TAX EXEMPTION.—Scholarships awarded under
 25 this title shall not be considered income of the parents for

1 Federal income tax purposes or for determining eligibility
 2 for any other Federal program.

3 **SEC. 505. ELIGIBLE CHILDREN; AWARD RULES.**

4 (a) ELIGIBLE CHILD.—In this title the term “eligible
 5 child” means a child who—

6 (1) resides in the program area described in the
 7 application submitted under section 506;

8 (2) will attend a public or private elementary
 9 school or secondary school that is participating in
 10 the program; and

11 (3) subject to subsection (b)(1)(C), is from a
 12 low-income family, as determined by the State or lo-
 13 cality in accordance with regulations of the Sec-
 14 retary, except that the maximum family income for
 15 eligibility under this title shall not exceed the State
 16 or national median family income adjusted for fam-
 17 ily size, whichever is higher, as determined by the
 18 Secretary, in consultation with the Bureau of the
 19 Census, on the basis of the most recent satisfactory
 20 data available.

21 (b) AWARD RULES.—

22 (1) CONTINUING ELIGIBILITY.—Each State or
 23 locality receiving a grant under this title shall pro-
 24 vide a scholarship in each year of its program to

1 each child who received a scholarship during the pre-
2 vious year of the program, unless—

3 (A) the child no longer resides in the pro-
4 gram area;

5 (B) the child no longer attends school;

6 (C) the child's family income exceeds, by
7 20 percent or more, the maximum family in-
8 come of families who received scholarships in
9 the preceding year; or

10 (D) the child is expelled or convicted of a
11 felony, including felonious drug possession, pos-
12 session of a weapon on school grounds, or vio-
13 lent acts against other students or a member of
14 the school's faculty.

15 (2) PRIORITY.—If the amount of the grant pro-
16 vided under this title is not sufficient to provide a
17 scholarship to each eligible child from a family that
18 meets the requirements of subsection (a)(3), the
19 State or locality shall provide scholarships to eligible
20 children from the lowest income families.

21 **SEC. 506. APPLICATIONS.**

22 (a) APPLICATION.—Each State or locality that wishes
23 to receive a grant under this title shall submit an applica-
24 tion to the Secretary at such time and in such manner
25 as the Secretary may reasonably require.

1 (b) CONTENTS.—Each such application shall
2 contain—

3 (1) a description of the program area;

4 (2) an economic profile of children residing in
5 the program area, in terms of family income and
6 poverty status;

7 (3) the family income range of children who will
8 be eligible to participate in the proposed program,
9 consistent with section 505(a)(3), and a description
10 of the applicant's method for identifying children
11 who fall within that range;

12 (4) an estimate of the number of children, with-
13 in the income range specified in paragraph (3), who
14 will be eligible to receive scholarships under the pro-
15 gram;

16 (5) information demonstrating that the appli-
17 cant's proposed program complies with the require-
18 ments of section 503 and with the other require-
19 ments of this title;

20 (6) a description of the procedures the appli-
21 cant has used, including timely and meaningful con-
22 sultation with private school officials—

23 (A) to encourage public and private ele-
24 mentary schools and secondary schools to par-
25 ticipate in the program; and

1 (B) to ensure maximum educational
2 choices for the parents of eligible children and
3 for other children residing in the program area;

4 (7) an identification of the public, private, and
5 religious elementary schools and secondary schools
6 that are eligible and have chosen to participate in
7 the program;

8 (8) a description of how the applicant will in-
9 form children and their parents of the program and
10 of the choices available to the parents under the pro-
11 gram, including the availability of supplementary
12 academic services under section 509(2);

13 (9) a description of the procedures to be used
14 to provide scholarships to parents and to enable par-
15 ents to use such scholarships, such as the issuance
16 of checks payable to schools;

17 (10) a description of the procedures by which a
18 school will make a pro rata refund to the Depart-
19 ment of Education for any participating child who,
20 before completing 50 percent of the school attend-
21 ance period for which the scholarship was
22 provided—

23 (A) is released or expelled from the school;

24 or

25 (B) withdraws from school for any reason;

1 (11) a description of procedures the applicant
2 will use to—

3 (A) determine a child’s continuing eligi-
4 bility to participate in the program; and

5 (B) bring new children into the program;

6 (12) an assurance that the applicant will co-
7 operate in carrying out the national evaluation de-
8 scribed in section 511;

9 (13) an assurance that the applicant will main-
10 tain such records relating to the program as the
11 Secretary may require and will comply with the Sec-
12 retary’s reasonable requests for information about
13 the program;

14 (14) a description of State or local funds (in-
15 cluding tax benefits) and nongovernmental funds,
16 that will be available under section 504(b)(2) to sup-
17 plement scholarship funds provided under this title;
18 and

19 (15) such other assurance and information as
20 the Secretary may require.

21 (c) REVISIONS.—Each such application shall be up-
22 dated annually as may be needed to reflect revised condi-
23 tions.

1 **SEC. 507. APPROVAL OF PROGRAMS.**

2 (a) SELECTION.—From applications received each
3 year the Secretary shall select not more than 10 scholar-
4 ship programs on the basis of—

5 (1) the number and variety of educational
6 choices that are available under the program to fam-
7 ilies of eligible children;

8 (2) the extent to which educational choices
9 among public, private, and religious schools are
10 available to all families in the program area, includ-
11 ing families that are not eligible for scholarships
12 under this title;

13 (3) the proportion of children who will partici-
14 pate in the program who are from families at or
15 below the poverty line;

16 (4) the applicant's financial support of the pro-
17 gram, including the amount of State, local, and non-
18 governmental funds that will be provided to match
19 Federal funds, including not only direct expenditures
20 for scholarships, but also other economic incentives
21 provided to families participating in the program,
22 such as a tax relief program; and

23 (5) other criteria established by the Secretary.

24 (b) GEOGRAPHIC DISTRIBUTION.—The Secretary
25 shall ensure that, to the extent feasible, grants are award-

1 ed for programs in urban and rural areas and in a variety
 2 of geographic areas throughout the Nation.

3 (c) CONSIDERATION.—In considering the factor de-
 4 scribed in subsection (a)(4), the Secretary shall consider
 5 differences in local conditions.

6 **SEC. 508. AMOUNTS AND LENGTH OF GRANTS.**

7 (a) AWARDS.—The Secretary shall award not more
 8 than 10 grants annually taking into consideration the
 9 availability of appropriations, the number and quality of
 10 applications, and other factors related to the purposes of
 11 this title that the Secretary determines are appropriate.

12 (b) RENEWAL.—Each grant under this title shall be
 13 awarded for a period of not more than 3 years.

14 **SEC. 509. USES OF FUNDS.**

15 The Federal portion of any scholarship awarded
 16 under this title shall be used as follows:

17 (1) FIRST.—First, for—

18 (A) the payment of tuition and fees at the
 19 school selected by the parents of the child for
 20 whom the scholarship was provided; and

21 (B) the reasonable costs of the child's
 22 transportation to the school, if the school is not
 23 in the school district to which the child would
 24 be assigned in the absence of a program under
 25 this title.

1 (2) SECOND.—If the parents so choose, to ob-
 2 tain supplementary academic services for the child,
 3 at a cost of not more than \$500, from any provider
 4 chosen by the parents, that the State or locality, in
 5 accordance with regulations of the Secretary, deter-
 6 mines is capable of providing such services and has
 7 an appropriate refund policy.

8 (3) LASTLY.—Any funds that remain after the
 9 application of paragraphs (1) and (2) shall be
 10 used—

11 (A) for educational programs that help eli-
 12 gible children achieve high levels of academic
 13 excellence in the school attended by the eligible
 14 children for whom a scholarship was provided,
 15 if the eligible children attend a public school; or

16 (B) by the State or locality for additional
 17 scholarships in the year or the succeeding year
 18 of its program, in accordance with this title, if
 19 the child attends a private school.

20 **SEC. 510. EFFECT OF PROGRAMS.**

21 (a) TITLE I.—Notwithstanding any other provision
 22 of law, a local educational agency that, in the absence of
 23 an educational choice program that is funded under this
 24 title, would provide services to a participating eligible child
 25 under part A of title I of the Elementary and Secondary

1 Education Act of 1965, shall provide such services to such
2 child.

3 (b) INDIVIDUALS WITH DISABILITIES.—Nothing in
4 this title shall be construed to affect the requirements of
5 part B of the Individuals with Disabilities Education Act
6 (20 U.S.C. 1411 et seq.).

7 (c) AID.—

8 (1) IN GENERAL.—Scholarships under this title
9 are to aid families, not institutions. A parent's ex-
10 penditure of scholarship funds at a school or for
11 supplementary academic services shall not constitute
12 Federal financial aid or assistance to that school or
13 to the provider of supplementary academic services.

14 (2) SUPPLEMENTARY ACADEMIC SERVICES.—

15 (A) IN GENERAL.—Notwithstanding para-
16 graph (1), a school or provider of supple-
17 mentary academic services that receives scholar-
18 ship funds under this title shall, as a condition
19 of participation under this title, comply with the
20 antidiscrimination provisions of section 601 of
21 title VI of the Civil Rights Act of 1964 (42
22 U.S.C. 1681) and section 504 of the Rehabilita-
23 tion Act of 1973 (29 U.S.C. 794).

24 (B) REGULATIONS.—The Secretary shall
25 promulgate new regulations to implement the

1 provisions of subparagraph (A), taking into ac-
2 count the purposes of this title and the nature,
3 variety, and missions of schools and providers
4 that may participate in providing services to
5 children under this title.

6 (d) OTHER FEDERAL FUNDS.—No Federal, State, or
7 local agency may, in any year, take into account Federal
8 funds provided to a State or locality or to the parents of
9 any child under this title in determining whether to pro-
10 vide any other funds from Federal, State, or local re-
11 sources, or in determining the amount of such assistance,
12 to such State or locality or to a school attended by such
13 child.

14 (e) NO DISCRETION.—Nothing in this title shall be
15 construed to authorize the Secretary to exercise any direc-
16 tion, supervision, or control over the curriculum, program
17 of instruction, administration, or personnel of any edu-
18 cational institution or school participating in a program
19 under this title.

20 **SEC. 511. NATIONAL EVALUATION.**

21 The Inspector General of the Department of Edu-
22 cation shall conduct a national evaluation of the program
23 authorized by this title. Such evaluation shall, at a
24 minimum—

1 (1) assess the implementation of scholarship
 2 programs assisted under this title and their effect on
 3 participants, schools, and communities in the pro-
 4 gram area, including parental involvement in, and
 5 satisfaction with, the program and their children's
 6 education;

7 (2) compare the educational achievement of
 8 participating eligible children with the educational
 9 achievement of similar non-participating children be-
 10 fore, during, and after the program; and

11 (3) compare—

12 (A) the educational achievement of eligible
 13 children who use scholarships to attend schools
 14 other than the schools the children would at-
 15 tend in the absence of the program; with

16 (B) the educational achievement of chil-
 17 dren who attend the schools the children would
 18 attend in the absence of the program.

19 **SEC. 512. ENFORCEMENT.**

20 (a) **REGULATIONS.**—The Secretary shall promulgate
 21 regulations to enforce the provisions of this title.

22 (b) **PRIVATE CAUSE.**—No provision or requirement
 23 of this title shall be enforced through a private cause of
 24 action.

1 **SEC. 513. DEFINITIONS.**

2 In this title—

3 (1) the term “locality” means—

4 (A) a unit of general purpose local govern-
5 ment, such as a city, township, or village; or

6 (B) a local educational agency; and

7 (2) the term “State” means each of the 50
8 States, the District of Columbia, and the Common-
9 wealth of Puerto Rico.

10 **TITLE VI—TAX PROVISIONS**

11 **SEC. 601. CREDIT FOR CONTRIBUTIONS TO SCHOOLS.**

12 (a) IN GENERAL.—Subpart A of part IV of sub-
13 chapter A of chapter 1 of the Internal Revenue Code of
14 1986 (relating to nonrefundable personal credits) is
15 amended by inserting after section 25A the following:

16 **“SEC. 25B. CREDIT FOR CONTRIBUTIONS TO SCHOOLS.**

17 “(a) ALLOWANCE OF CREDIT.—In the case of an in-
18 dividual, there shall be allowed as a credit against the tax
19 imposed by this chapter for the taxable year an amount
20 equal to the qualified charitable contributions of the tax-
21 payer for the taxable year.

22 “(b) MAXIMUM CREDIT.—The credit allowed by sub-
23 section (a) for any taxable year shall not exceed \$500
24 (\$250, in the case of a married individual filing a separate
25 return).

1 “(c) QUALIFIED CHARITABLE CONTRIBUTION.—For
2 purposes of this section—

3 “(1) IN GENERAL.—The term ‘qualified chari-
4 table contribution’ means, with respect to any tax-
5 able year, the amount allowable as a deduction
6 under section 170 (determined without regard to
7 subsection (e)(1)) for cash contributions to a school.

8 “(2) SCHOOL.—The term ‘school’ means any
9 school which provides elementary education or sec-
10 ondary education (through grade 12), as determined
11 under State law.

12 “(d) DENIAL OF DOUBLE BENEFIT.—No deduction
13 shall be allowed under this chapter for any contribution
14 for which credit is allowed under this section.

15 “(e) ELECTION TO HAVE CREDIT NOT APPLY.—A
16 taxpayer may elect to have this section not apply for any
17 taxable year.”

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

“Sec. 25B. Credit for contributions to schools.”

22 (c) EFFECTIVE DATE.—The amendments made by
23 this section shall apply to taxable years beginning after
24 December 31, 1998.

1 **SEC. 602. INCREASE IN ANNUAL CONTRIBUTION LIMIT FOR**
 2 **EDUCATION INDIVIDUAL RETIREMENT AC-**
 3 **COUNTS.**

4 (a) IN GENERAL.—Section 530(b)(1)(A)(iii) of the
 5 Internal Revenue Code of 1986 (defining education indi-
 6 vidual retirement account) is amended by striking “\$500”
 7 and inserting “\$1,000”.

8 (b) CONFORMING AMENDMENT.—Section
 9 4973(e)(1)(A) of such Code is amended by striking
 10 “\$500” and inserting “\$1,000”.

11 (c) EFFECTIVE DATE.—The amendments made by
 12 this section shall apply to taxable years beginning after
 13 December 31, 1998.

14 **TITLE VII—DEVELOPING**
 15 **BETTER EDUCATION TOOLS**

16 **SEC. 701. EDUCATIONAL TOOLS FOR UNDERSERVED STU-**
 17 **DENTS.**

18 (a) FINDINGS.—Congress makes the following find-
 19 ings:

20 (1) Limited data exists regarding Native Amer-
 21 ican, Asian American and many other minority stu-
 22 dents.

23 (2) The limited data available regarding these
 24 students demonstrates potentially severe educational
 25 problems among Native American students and a

1 decline in performance among Asian American stu-
 2 dents.

3 (b) STUDY AND DATA.—The Comptroller General
 4 shall conduct a study and collect data regarding the edu-
 5 cation of minority students, including Native American
 6 students, Asian American students, and all other students
 7 who are often combined in statistical data under the cat-
 8 egory of other, in order to provide more extensive and reli-
 9 able data regarding the students and to improve the aca-
 10 demic preparation of the students.

11 (c) MATTERS STUDIED.—The study referred to in
 12 subsection (a) shall examine and compile information
 13 regarding—

- 14 (1) the environment of the students;
- 15 (2) the academic achievement scores in reading,
 16 mathematics, and science of the students;
- 17 (3) the postsecondary education of the students;
- 18 (4) the environment and education of the mem-
 19 bers of the students' families; and
- 20 (5) the parental involvement in the education of
 21 the students.

22 (d) RECOMMENDATIONS.—The Comptroller General
 23 shall develop recommendations regarding the development
 24 and implementation of strategies to meet the unique edu-
 25 cational needs of the students described in subsection (a).

1 (e) REPORT.—

2 (1) IN GENERAL.—The Comptroller General
3 shall prepare a report regarding the matters studied,
4 the information collected, and the recommendations
5 developed under this section.

6 (2) DISTRIBUTION.—The Comptroller General
7 shall distribute the report described in paragraph
8 (1) to each local educational agency and State edu-
9 cational agency in the United States, the Secretary,
10 and Congress.

11 (f) FUNDING.—The Secretary shall make available to
12 the Comptroller General, from any funds available to the
13 Secretary for salaries and expenses at the Department of
14 Education, such sums as the Comptroller General deter-
15 mines necessary to carry out this section.

16 **SEC. 702. TEACHER TRAINING.**

17 (a) FINDINGS.—Congress finds that too often inexpe-
18 rienced elementary school and secondary school teachers
19 or teachers with low levels of education are found in
20 schools predominately serving low-income students.

21 (b) STUDY.—The Comptroller General shall conduct
22 a study to determine whether requiring teacher training
23 in a specific subject matter or at least a minor degree in
24 a subject matter (such as mathematics, science, or English
25 results in improved student performance.

1 **SEC. 703. PUTTING THE BEST TEACHERS IN THE CLASS-**
2 **ROOM.**

3 It is the sense of the Senate that—

4 (1) the individual States should evaluate their
5 teachers on the basis of demonstrated ability, includ-
6 ing tests of subject matter knowledge, teaching
7 knowledge, and teaching skill;

8 (2) States in conjunction with the various local
9 education agencies should develop their own methods
10 of testing their teachers and other instructional staff
11 with respect to the specific subjects taught by the
12 teachers and staff, and should administer the test
13 every 4 years to individual teachers;

14 (3) each local educational agency should give
15 serious consideration to using a portion of the funds
16 made available under section 101 to develop and im-
17 plement a method for evaluating each individual
18 teacher's ability to provide the appropriate instruc-
19 tion in the classroom; and

20 (4) each local educational agency is encouraged
21 to give consideration to providing monetary rewards
22 to teachers by developing a compensation system
23 that supports teachers who become increasingly ex-
24 pert in a subject area, are proficient in meeting the
25 needs of students and schools, and demonstrate high
26 levels of performance measured against professional

1 teaching standards, and that will encourage teachers
2 to continue to learn needed skills and broaden the
3 teachers' expertise, thereby enhancing education for
4 all students.

5 **TITLE VIII—EMPOWERING**
6 **STUDENTS**

7 **SEC. 801. EMPOWERING STUDENTS.**

8 The Secretary, not later than October 1, 2004, shall
9 gradually reduce the sum of the costs for employees and
10 administrative expenses at the Department of Education
11 as of the date of enactment of this Act incrementally each
12 year until the sum of the costs for employees and adminis-
13 trative costs are reduced by 35 percent.

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