

107TH CONGRESS
2^D SESSION

H. R. 4123

To amend the Higher Education Act of 1965 to establish student loan forgiveness programs for adult education instructors.

IN THE HOUSE OF REPRESENTATIVES

APRIL 9, 2002

Ms. WATERS introduced the following bill; which was referred to the Committee on Education and the Workforce

A BILL

To amend the Higher Education Act of 1965 to establish student loan forgiveness programs for adult education instructors.

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 “Adult Education In-
5 structor Recruitment and Retention Act of 2002”.

6 **SEC. 2. FINDINGS.**

7 The Congress finds the following:

8 (1) Adult literacy and remedial education teach-
9 ers provide adults and out-of-school youths basic
10 skills that equip them to solve problems and become

1 active participants in our society, to hold a job, and
2 to further their education.

3 (2) Students in adult literacy and remedial edu-
4 cation classes are made up of those who dropped out
5 of school or have passed through the school system
6 without an adequate education. It also includes stu-
7 dents who want to take the General Educational De-
8 velopment examination and, increasingly, immi-
9 grants whose native language is not English.

10 (3) In the year 1998, there were over 4,000,000
11 students enrolled in adult education programs
12 throughout the United States.

13 (4) Nearly one-fourth of the 4,000,000 students
14 enrolled were unemployed. Another 24 percent were
15 working poor. Welfare recipients comprised almost
16 10 percent of all students in 1998.

17 (5) That same year, there were 177,943 adult
18 education instructors. Nearly 23,000 of those were
19 working full-time, with another 69,129 working
20 part-time. The remaining 85,924 teachers were vol-
21 unteers.

22 (6) Adult education has been shown to assist
23 persons in achieving job skills and gain or advance
24 in employment. For example, in 1998, over 150,000
25 adult education students went on to do other train-

1 ing; nearly 300,000 students retained, advanced, or
2 gained employment.

3 (7) As employers increasingly require a more
4 literate workforce, workers' demand will grow for all
5 types of literacy and remedial classes.

6 (8) A softening economy may require more stu-
7 dents to obtain additional education to get a job.

8 (9) Adult education instructors often feel they
9 are not as respected by education departments as
10 their general education peers. Funding is generally
11 inadequate, and resources are often old or non-
12 existent. Funding level changes can cause the num-
13 ber of teaching jobs to fluctuate from year to year.

14 (10) Median hourly earnings of adult literacy
15 and remedial education teachers and high school
16 equivalency instructors were \$16.12 in 2000. Yet,
17 many adult education teachers have high student
18 loans that they need to repay.

19 **SEC. 3. LOAN FORGIVENESS FOR ADULT EDUCATION IN-**
20 **STRUCTORS.**

21 (a) **GUARANTEED STUDENT LOANS.**—Part B of title
22 IV of the Higher Education Act of 1965 is amended by
23 inserting after section 428K (20 U.S.C. 1078–11) the fol-
24 lowing new section:

1 **“SEC. 428L. LOAN FORGIVENESS FOR ADULT EDUCATION**
2 **INSTRUCTORS.**

3 “(a) PURPOSE.—It is the purpose of this section—

4 “(1) to bring more highly trained individuals
5 into the adult education profession; and

6 “(2) to keep more highly trained adult edu-
7 cation instructors in the adult education field for
8 longer periods of time.

9 “(b) DEFINITIONS.—In this section:

10 “(1) ADULT EDUCATION FACILITY.—The term
11 ‘adult education facility’ means a facility that pro-
12 vides any of the following types of educational in-
13 struction for individuals 16 years old and older:

14 “(A) Education for adults with limited
15 English proficiency.

16 “(B) Adult secondary education.

17 “(C) Literacy education for older adults.

18 “(D) Adult basic education programs for
19 adults with disabilities.

20 “(2) YEAR.—The term ‘year’, when applied to
21 service as an adult education instructor means any
22 period of 365 consecutive days.

23 “(3) LOW-INCOME FAMILY.—The term ‘low-in-
24 come family’ means a low-income family, as deter-
25 mined by the local educational agency for purposes
26 of allocating funds to schools under section

1 1113(e)(1) of the Elementary and Secondary Edu-
2 cation Act of 1965 (20 U.S.C. 6313(e)(1)).

3 “(4) LOW-INCOME COMMUNITY.—An adult edu-
4 cation facility is serving a low-income community if
5 at least 70 percent of the students enrolled at the
6 facility are from low-income families.

7 “(5) FULL-TIME.—The term ‘full-time’ means
8 employment that includes at least 30 hours per week
9 of adult education teaching.

10 “(c) PROGRAM AUTHORIZED.—The Secretary shall
11 carry out a program, through the holder of the loan, of
12 assuming the obligation to repay a qualified loan amount
13 for a loan made under section 428 or 428H, in accordance
14 with subsection (d) of this section, for any borrower who—

15 “(1) has been employed as a full-time teacher
16 for 3 consecutive years in an adult education facility
17 that serves a low-income community; and

18 “(2) is not in default on a loan for which the
19 borrower seeks forgiveness.

20 “(d) LOAN REPAYMENT.—

21 “(1) IN GENERAL.—The Secretary shall assume
22 the obligation to repay a qualified loan amount for
23 each year of employment described in subsection
24 (c)(1) completed after the date of enactment of this
25 section, but counting consecutive years before or

1 after such date for purposes of determining the
2 number of consecutive years. Such qualified loan
3 amount shall be equal to—

4 “(A) \$500 for the third consecutive year of
5 employment;

6 “(B) \$1,000 for the fourth consecutive
7 year of such employment;

8 “(C) \$1,500 for the fifth consecutive year
9 of such employment; and

10 “(D) \$2,000 for the sixth consecutive year
11 of such employment.

12 “(2) NO REFUNDS.—Nothing in this section
13 shall be construed to authorize the refunding of any
14 repayment of a loan made under this part.

15 “(3) INTEREST.—If a portion of a loan is re-
16 paid by the Secretary under this section for any
17 year, the proportionate amount of interest on such
18 loan which accrues for such year shall be repaid by
19 the Secretary.

20 “(4) INELIGIBILITY OF NATIONAL SERVICE
21 AWARD RECIPIENTS.—No student borrower may, for
22 the same service, receive a benefit under both this
23 section and subtitle D of title I of the National and
24 Community Service Act of 1990 (42 U.S.C. 12601
25 et seq.).

1 “(e) REPAYMENT TO ELIGIBLE LENDERS.—The Sec-
2 retary shall pay to each eligible lender or holder for each
3 fiscal year an amount equal to the aggregate amount of
4 loans which are subject to repayment pursuant to this sec-
5 tion for such year.

6 “(f) APPLICATION FOR REPAYMENT.—

7 “(1) IN GENERAL.—Each eligible individual de-
8 siring loan repayment under this section shall sub-
9 mit a complete and accurate application to the Sec-
10 retary at such time, in such manner, and containing
11 such information as the Secretary may require.

12 “(2) CONDITIONS.—An eligible individual may
13 apply for loan repayment under this section after
14 completing each year of qualifying employment. The
15 borrower shall receive forbearance while engaged in
16 qualifying employment unless the borrower is in
17 deferment while so engaged.

18 “(g) REGULATIONS.—The Secretary is authorized to
19 prescribe such regulations as may be necessary to carry
20 out the provisions of this section.

21 “(h) AUTHORIZATION OF APPROPRIATIONS.—There
22 are authorized to be appropriated to carry out this section
23 \$50,000,000 for fiscal year 2003, and such sums as may
24 be necessary for succeeding fiscal years.”.

1 (b) DIRECT LOANS.—Part D of title IV of the Higher
2 Education Act of 1965 is amended by inserting after sec-
3 tion 460 (20 U.S.C. 1087j) the following new section:

4 **“SEC. 460A. LOAN FORGIVENESS FOR ADULT EDUCATION**
5 **INSTRUCTORS.**

6 “(a) PURPOSE.—It is the purpose of this section—

7 “(1) to bring more highly trained individuals
8 into the adult education profession; and

9 “(2) to keep more highly trained adult edu-
10 cation instructors in the adult education field for
11 longer periods of time.

12 “(b) DEFINITIONS.—In this section:

13 “(1) ADULT EDUCATION FACILITY.—The term
14 ‘adult education facility’ means a facility that pro-
15 vides any of the following types of educational in-
16 struction for individuals 16 years old and older:

17 “(A) Education for adults with limited
18 English proficiency.

19 “(B) Adult secondary education.

20 “(C) Literacy education for older adults.

21 “(D) Adult basic education programs for
22 adults with disabilities.

23 “(2) YEAR.—The term ‘year’, when applied to
24 service as an adult education instructor means any
25 period of 365 consecutive days.

1 “(3) LOW-INCOME FAMILY.—The term ‘low-in-
2 come family’ means a low-income family, as deter-
3 mined by the local educational agency for purposes
4 of allocating funds to schools under section
5 1113(e)(1) of the Elementary and Secondary Edu-
6 cation Act of 1965 (20 U.S.C. 6313(e)(1)).

7 “(4) LOW-INCOME COMMUNITY.—An adult edu-
8 cation facility is serving a low-income community if
9 at least 70 percent of the students enrolled at the
10 facility are from low-income families.

11 “(5) FULL-TIME.—The term ‘full-time’ means
12 employment that includes at least 30 hours per week
13 of adult education teaching.

14 “(c) PROGRAM AUTHORIZED.—The Secretary shall
15 carry out a program of cancelling the obligation to repay
16 a qualified loan amount for Federal Direct Stafford Loans
17 and Federal Direct Unsubsidized Stafford Loans in ac-
18 cordance with subsection (d) of this section, for any bor-
19 rower who—

20 “(1) has been employed as a full-time teacher
21 for 3 consecutive years in an adult education facility
22 that serves a low-income community; and

23 “(2) is not in default on a loan for which the
24 borrower seeks forgiveness.

25 “(d) LOAN REPAYMENT.—

1 “(1) IN GENERAL.—The Secretary shall cancel
2 the obligation to repay a qualified loan amount for
3 each year of employment described in subsection
4 (c)(1) completed after the date of enactment of this
5 section, but counting consecutive years before or
6 after such date for purposes of determining the
7 number of consecutive years. Such qualified loan
8 amount shall be equal to—

9 “(A) \$500 for the third consecutive year of
10 employment;

11 “(B) \$1,000 for the fourth consecutive
12 year of such employment;

13 “(C) \$1,500 for the fifth consecutive year
14 of such employment; and

15 “(D) \$2,000 for the sixth consecutive year
16 of such employment.

17 “(2) NO REFUNDS.—Nothing in this section
18 shall be construed to authorize the refunding of any
19 repayment of a loan made under this part.

20 “(3) INTEREST.—If a portion of a loan is re-
21 paid by the Secretary under this section for any
22 year, the proportionate amount of interest on such
23 loan which accrues for such year shall be repaid by
24 the Secretary.

1 “(4) INELIGIBILITY OF NATIONAL SERVICE
2 AWARD RECIPIENTS.—No student borrower may, for
3 the same service, receive a benefit under both this
4 section and subtitle D of title I of the National and
5 Community Service Act of 1990 (42 U.S.C. 12601
6 et seq.).

7 “(e) REPAYMENT TO ELIGIBLE LENDERS.—The Sec-
8 retary shall pay to each eligible lender or holder for each
9 fiscal year an amount equal to the aggregate amount of
10 loans which are subject to repayment pursuant to this sec-
11 tion for such year.

12 “(f) APPLICATION FOR REPAYMENT.—

13 “(1) IN GENERAL.—Each eligible individual de-
14 siring loan repayment under this section shall sub-
15 mit a complete and accurate application to the Sec-
16 retary at such time, in such manner, and containing
17 such information as the Secretary may require.

18 “(2) CONDITIONS.—An eligible individual may
19 apply for loan repayment under this section after
20 completing each year of qualifying employment. The
21 borrower shall receive forbearance while engaged in
22 qualifying employment unless the borrower is in
23 deferment while so engaged.

1 “(g) REGULATIONS.—The Secretary is authorized to
2 prescribe such regulations as may be necessary to carry
3 out the provisions of this section.

4 “(h) AUTHORIZATION OF APPROPRIATIONS.—There
5 are authorized to be appropriated to carry out this section
6 \$50,000,000 for fiscal year 2003, and such sums as may
7 be necessary for succeeding fiscal years.”.

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