

109TH CONGRESS
1ST SESSION

H. R. 2835

To amend the Elementary and Secondary Education Act of 1965, the Higher Education Act of 1965, and the Internal Revenue Code of 1986 to improve recruitment, preparation, distribution, and retention of public elementary and secondary school teachers and principals, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 9, 2005

Mr. GEORGE MILLER of California (for himself, Mr. KILDEE, Mr. OWENS, Mr. PAYNE, Ms. WOOLSEY, Mr. ANDREWS, Mr. SCOTT of Virginia, Mr. HINOJOSA, Mrs. MCCARTHY, Mr. TIERNEY, Mr. KUCINICH, Mr. HOLT, Mr. DAVIS of Illinois, Mr. GRIJALVA, Ms. MCCOLLUM of Minnesota, Mr. VAN HOLLEN, Mr. RYAN of Ohio, Mr. BISHOP of New York, Mr. BARROW, Ms. SLAUGHTER, Mr. CONYERS, Mr. BROWN of Ohio, Mr. CAPUANO, Mrs. JONES of Ohio, Mr. WEINER, Ms. LEE, Ms. WATSON, Mr. WEXLER, Mr. HIGGINS, Mr. ISRAEL, Ms. WASSERMAN SCHULTZ, Ms. CORRINE BROWN of Florida, Mr. BERMAN, Mr. CLEAVER, Ms. DELAURO, Mr. BACA, Mr. DELAHUNT, Ms. BALDWIN, Mr. ABERCROMBIE, Mr. FATTAH, Mr. FALEOMAVAEGA, Mr. FORD, Mr. ETHERIDGE, Ms. ESHOO, Mr. CUMMINGS, and Mr. FRANK of Massachusetts) introduced the following bill; which was referred to the Committee on Education and the Workforce, and in addition to the Committee on Ways and Means, 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

A BILL

To amend the Elementary and Secondary Education Act of 1965, the Higher Education Act of 1965, and the Internal Revenue Code of 1986 to improve recruitment, preparation, distribution, and retention of public elemen-

tary and secondary school teachers and principals, and for other purposes.

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 “Teacher Excellence
 5 for All Children Act of 2005”.

6 **SEC. 2. TABLE OF CONTENTS.**

7 The table of contents of this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. Table of contents.
- Sec. 3. Findings.

TITLE I—RECRUITING TALENTED NEW TEACHERS

Sec. 101. Amendments to Higher Education Act of 1965.

“PART C—TEACH GRANTS

- “Sec. 231. Purposes.
- “Sec. 232. Program established.
- “Sec. 233. Eligibility and applications for Grants.

“PART D—RECRUITING TEACHERS WITH MATH, SCIENCE, OR LANGUAGE
 MAJORS

- “Sec. 241. Program authorized.
- “Sec. 242. Authorization of appropriations.
- Sec. 102. Extending and expanding teacher loan forgiveness.

TITLE II—CLOSING THE TEACHER DISTRIBUTION GAP

Sec. 201. Grants to local educational agencies to provide premium pay to teachers in high-need schools.

“PART E—TEACHER EXCELLENCE FOR ALL CHILDREN

- “Sec. 2500. Definitions.

“SUBPART 1—DISTRIBUTION

- “Sec. 2501. Premium pay; loan repayment.
- “Sec. 2502. Career ladders for teachers program.

TITLE III—IMPROVING TEACHER PREPARATION

Sec. 301. Amendment to Elementary and Secondary Education Act of 1965.

“SUBPART 2—PREPARATION

- “Sec. 2511. Establishing state-of-the-art teacher induction programs.
- “Sec. 2512. Peer mentoring and review programs.
- “Sec. 2513. Establishing state-of-the-art principal training and induction programs and performance-based principal certification.
- “Sec. 2514. Study on developing a portable performance-based teacher assessment.
- Sec. 302. Amendment to the Higher Education Act of 1965: Teacher Quality Enhancement Grants.
 - “Sec. 206. Accountability and evaluation.
 - “Sec. 207. Accountability for programs that prepare teachers.
 - “Sec. 208. State functions.
 - “Sec. 209. General provisions.
- Sec. 303. Enforcing NCLB’s teacher equity provision.
 - “Sec. 9537. Assurance of reasonable progress toward equitable access to teacher quality.

TITLE IV—EQUIPPING TEACHERS, SCHOOLS, LOCAL EDUCATIONAL AGENCIES, AND STATES WITH THE 21ST CENTURY DATA, TOOLS, AND ASSESSMENTS THEY NEED

- Sec. 401. 21st Century Data, Tools, and Assessments.

“SUBPART 3—21ST CENTURY DATA, TOOLS, AND ASSESSMENTS

- “Sec. 2521. Developing value-added data systems.
- Sec. 402. Collecting national data on distribution of teachers.

TITLE V—RETENTION: KEEPING OUR BEST TEACHERS IN THE CLASSROOM

- Sec. 501. Amendment to Elementary and Secondary Education Act of 1965.

“SUBPART 4—RETENTION AND WORKING CONDITIONS

- “Sec. 2531. Improving professional development opportunities.
- Sec. 502. Exclusion from gross income of compensation of teachers and principals in certain high-need schools or teaching high-need subjects.
 - “Sec. 139B. Compensation of certain teachers and principals.
- Sec. 503. Above-the-line deduction for certain expenses of elementary and secondary school teachers increased and made permanent.

TITLE VI—MISCELLANEOUS PROVISIONS

- Sec. 601. Conforming amendments.

1 SEC. 3. FINDINGS.

2 The Congress finds as follows:

- 3 (1) There are not enough qualified teachers in
- 4 the Nation’s classrooms, and an unprecedented num-
- 5 ber of teachers will retire over the next 5 years. Over

1 the next decade, the Nation will need to bring
2 2,000,000 new teachers into public schools.

3 (2) Too many teachers and principals do not re-
4 ceive adequate preparation for their jobs.

5 (3) More than one-third of children in grades
6 7–12 are taught by a teacher who lacks both a col-
7 lege major and certification in the subject being
8 taught. Rates of “out-of-field teaching” are espe-
9 cially high in high-poverty schools.

10 (4) Seventy percent of math classes in high-pov-
11 erty middle schools are assigned to teachers without
12 even a minor in math or a related field.

13 (5) Teacher turnover is a serious problem, par-
14 ticularly in urban and rural areas. Over one-third of
15 new teachers leave the profession within their first
16 3 years of teaching, and 14 percent of new teachers
17 leave the field within the first year. After 5 years—
18 the average time it takes for teachers to maximize
19 students’ learning—half of all new teachers will have
20 exited the profession. Rates of teacher attrition are
21 highest in high-poverty schools. Between 2000 and
22 2001, 1 out of 5 teachers in the Nation’s high-pov-
23 erty schools either left to teach in another school or
24 dropped out of teaching altogether.

1 (6) Fourth graders who are poor score dramati-
2 cally lower on the National Assessment of Edu-
3 cational Progress (NAEP) than their counterparts.
4 Over 85 percent of fourth graders who are poor
5 failed to attain NAEP proficiency standards in
6 2003.

7 (7) African-American, Latino, and low-income
8 students are much less likely than other students to
9 have highly-qualified teachers.

10 (8) Research shows that individual teachers
11 have a great impact on how well their students
12 learn. The most effective teachers have been shown
13 to be able to boost their pupils' learning by a full
14 grade level relative to students taught by less effec-
15 tive teachers.

16 (9) Although nearly half (42 percent) of all
17 teachers hold a master's degree, fewer than 1 in 4
18 secondary teachers have a master's degree in the
19 subject they teach.

20 (10) Young people with high SAT and ACT
21 scores are much less likely to choose teaching as a
22 career. Those who have higher SAT or ACT scores
23 are twice as likely to leave the profession after only
24 a few years.

1 (11) Only 16 States finance new teacher induc-
2 tion programs, and fewer still require inductees to
3 be matched with mentors who teach the same sub-
4 ject.

5 **TITLE I—RECRUITING**
6 **TALENTED NEW TEACHERS**

7 **SEC. 101. AMENDMENTS TO HIGHER EDUCATION ACT OF**
8 **1965.**

9 (a) TEACH GRANTS.—Title II of the Higher Edu-
10 cation Act of 1965 (20 U.S.C. 1021 et seq.) is amended
11 by adding at the end the following new part:

12 **“PART C—TEACH GRANTS**

13 **“SEC. 231. PURPOSES.**

14 “The purposes of the part are—

15 “(1) to improve student academic achievement;

16 “(2) to help recruit and prepare teachers to
17 meet the national demand for a highly qualified
18 teacher in every classroom; and

19 “(3) to increase opportunities for Americans of
20 all educational, ethnic, class, and geographic back-
21 grounds to become highly qualified teachers.

22 **“SEC. 232. PROGRAM ESTABLISHED.**

23 “(a) PROGRAM AUTHORITY.—

24 “(1) PAYMENTS REQUIRED.—For each of the
25 fiscal years 2006 through 2013, the Secretary shall

1 pay to each eligible institution such sums as may be
2 necessary to pay to each eligible student (defined in
3 accordance with section 484) who files an applica-
4 tion and agreement in accordance with section 233,
5 and qualifies under subsection (a)(2) of such section,
6 a TEACH Grant in the amount of \$4,000 for each
7 academic year during which that student is in at-
8 tendance at an institution of higher education.

9 “(2) REFERENCE.—Grants made under this
10 part shall be known as ‘Teacher Education Assist-
11 ance for College and Higher Education Grants’ or
12 ‘TEACH Grants’ .

13 “(b) PAYMENT METHODOLOGY.—

14 “(1) PREPAYMENT.—Not less than 85 percent
15 of such sums shall be advanced to eligible institu-
16 tions prior to the start of each payment period and
17 shall be based upon an amount requested by the in-
18 stitution as needed to pay eligible students until
19 such time as the Secretary determines and publishes
20 in the Federal Register with an opportunity for com-
21 ment, an alternative payment system that provides
22 payments to institutions in an accurate and timely
23 manner, except that this sentence shall not be con-
24 strued to limit the authority of the Secretary to

1 place an institution on a reimbursement system of
2 payment.

3 “(2) DIRECT PAYMENT.—Nothing in this sec-
4 tion shall be interpreted to prohibit the Secretary
5 from paying directly to students, in advance of the
6 beginning of the academic term, an amount for
7 which they are eligible, in cases where the eligible in-
8 stitution elects not to participate in the disburse-
9 ment system required by paragraph (1).

10 “(3) DISTRIBUTION OF GRANTS TO STU-
11 DENTS.—Payments under this part shall be made, in
12 accordance with regulations promulgated by the Sec-
13 retary for such purpose, in such manner as will best
14 accomplish the purpose of this part. Any disburse-
15 ment allowed to be made by crediting the student’s
16 account shall be limited to tuition and fees and, in
17 the case of institutionally owned housing, room and
18 board. The student may elect to have the institution
19 provide other such goods and services by crediting
20 the student’s account.

21 “(c) REDUCTIONS IN AMOUNT.—

22 “(1) PART TIME STUDENTS.—In any case
23 where a student attends an institution of higher edu-
24 cation on less than a full-time basis (including a stu-
25 dent who attends an institution of higher education

1 on less than a half-time basis) during any academic
2 year, the amount of the TEACH Grant for which
3 that student is eligible shall be reduced in proportion
4 to the degree to which that student is not so attend-
5 ing on a full-time basis, in accordance with a sched-
6 ule of reductions established by the Secretary for the
7 purposes of this part, computed in accordance with
8 this part. Such schedule of reductions shall be estab-
9 lished by regulation and published in the Federal
10 Register in accordance with section 482 of this Act.

11 “(2) NO EXCEEDING COST.—No TEACH Grant
12 under this part shall exceed the the cost of attend-
13 ance (as defined in section 472) at the institution at
14 which that student is in attendance. If, with respect
15 to any student, it is determined that the amount of
16 a TEACH Grant exceeds the cost of attendance for
17 that year, the amount of the TEACH Grant shall be
18 reduced until the TEACH Grant does not exceed the
19 cost of attendance at such institution.

20 “(d) PERIOD OF ELIGIBILITY FOR GRANTS.—

21 “(1) UNDERGRADUATE STUDENTS.—The period
22 during which an undergraduate student may receive
23 TEACH Grants shall be the period required for the
24 completion of the first undergraduate baccalaureate
25 course of study being pursued by that student at the

1 institution at which the student is in attendance ex-
2 cept that—

3 “(A) any period during which the student
4 is enrolled in a noncredit or remedial course of
5 study as defined in paragraph (3) shall not be
6 counted for the purpose of this paragraph; and

7 “(B) the total amount that a student may
8 receive under this part for undergraduate study
9 shall not exceed \$16,000.

10 “(2) GRADUATE STUDENTS.—The period dur-
11 ing which a graduate student may receive TEACH
12 Grants shall be the period required for the comple-
13 tion of a master’s degree course of study being pur-
14 sued by that student at the institution at which the
15 student is in attendance, except that the total
16 amount that a student may receive under this part
17 for graduate study shall not exceed \$8,000.

18 “(3) REMEDIAL COURSE; STUDY ABROAD.—
19 Nothing in this section shall exclude from eligibility
20 courses of study which are noncredit or remedial in
21 nature (including courses in English language acqui-
22 sition) which are determined by the institution to be
23 necessary to help the student be prepared for the
24 pursuit of a first undergraduate baccalaureate de-
25 gree or certificate or, in the case of courses in

1 English language instruction, to be necessary to en-
2 able the student to utilize already existing knowl-
3 edge, training, or skills. Nothing in this section shall
4 exclude from eligibility programs of study abroad
5 that are approved for credit by the home institution
6 at which the student is enrolled.

7 **“SEC. 233. ELIGIBILITY AND APPLICATIONS FOR GRANTS.**

8 “(a) APPLICATIONS; DEMONSTRATION OF ELIGI-
9 BILITY.—

10 “(1) FILING REQUIRED.—The Secretary shall
11 from time to time set dates by which students shall
12 file applications for TEACH Grants under this part.
13 Each student desiring a TEACH Grant for any year
14 shall file an application therefore containing such in-
15 formation and assurances as the Secretary may
16 deem necessary to enable the Secretary to carry out
17 the functions and responsibilities of this part.

18 “(2) DEMONSTRATION OF ELIGIBILITY.—Each
19 such application shall contain such information as is
20 necessary to demonstrate that—

21 “(A) if the applicant is an enrolled stu-
22 dent—

23 “(i) the student is an eligible student
24 for purposes of section 484 (other than
25 subsection (r) of such section);

1 “(ii) the student—

2 “(I) has a grade point average
3 that is determined, under standards
4 prescribed by the Secretary, to be
5 comparable to a 3.25 average on a
6 zero to 4.0 scale, except that, if the
7 student is in the first year of a pro-
8 gram of undergraduate education,
9 such grade point average shall be de-
10 termined on the basis of the student’s
11 cumulative high school grade point av-
12 erage; or

13 “(II) displayed high academic ap-
14 titude by receiving a score above the
15 75th percentile on at least one of the
16 batteries in a undergraduate or grad-
17 uate school admissions test; and

18 “(iii) the student is completing
19 coursework and other requirements nec-
20 essary to begin a career in teaching, or
21 plans to complete such coursework and re-
22 quirements prior to graduating; or

23 “(B) if the applicant is a current or pro-
24 spective teacher applying for a grant to obtain
25 a graduate degree—

1 “(i) the applicant is a teacher or a re-
2 tiree from another occupation with exper-
3 tise in a field in which there is a shortage
4 of teachers, such as math, science, special
5 education, English language acquisition, or
6 another high-need subject; or

7 “(ii) the applicant is or was a teacher
8 who is using high-quality alternative cer-
9 tification routes, such as Teach for Amer-
10 ica, to get certified.

11 “(b) AGREEMENTS TO SERVE.—Each application
12 under subsection (a) shall contain or be accompanied by
13 an agreement by the applicant that—

14 “(1) the applicant will—

15 “(A) serve as a full-time teacher for a total
16 of not less than 4 academic years within 8
17 years after completing the course of study for
18 which the applicant received a TEACH Grant
19 under this part;

20 “(B) teach—

21 “(i) in a school described in section
22 465(a)(2)(A); and

23 “(ii) in any of the following fields:
24 mathematics, science, a foreign language,
25 bilingual education, or special education, or

1 as a reading specialist, or another field
2 documented as high-need by the Federal
3 Government, State government, or local
4 education agency and submitted to the
5 Secretary; and

6 “(C) submit evidence of such employment
7 in the form of a certification by the chief ad-
8 ministrative officer of the school upon comple-
9 tion of each year of such service; and

10 “(D) comply with the requirements for
11 being a highly qualified teacher as defined in
12 section 9101 of the Elementary and Secondary
13 Education Act of 1965; and

14 “(2) in the event that the applicant is deter-
15 mined to have failed or refused to carry out such
16 service obligation, the sum of the amounts of such
17 Grants will be treated as a loan and collected from
18 the applicant in accordance with subsection (c) and
19 the regulations thereunder.

20 “(c) REPAYMENT FOR FAILURE TO COMPLETE SERV-
21 ICE.—In the event that any recipient of an TEACH Grant
22 fails or refuses to comply with the service obligation in
23 the agreement under subsection (b), the sum of the
24 amounts of such Grants provided to such recipient shall
25 be treated as a Direct Loan under part D of title IV, and

1 shall be subject to repayment in accordance with terms
2 and conditions specified by the Secretary in regulations
3 under this part.”.

4 (b) RECRUITING TEACHERS WITH MATH, SCIENCE,
5 OR LANGUAGE MAJOR.—Title II of the Higher Education
6 Act of 1965 is further amended by adding after part C
7 (as added by subsection (a)) the following new part:

8 **“PART D—RECRUITING TEACHERS WITH MATH,**
9 **SCIENCE, OR LANGUAGE MAJORS**

10 **“SEC. 241. PROGRAM AUTHORIZED.**

11 “(a) GRANTS AUTHORIZED.—From the amounts ap-
12 propriated under section 242, the Secretary shall make
13 competitive grants to institutions of higher education to
14 improve the availability and recruitment of teachers from
15 among students majoring in math, science, foreign lan-
16 guages, special education, or teaching the English lan-
17 guage to students with limited English proficiency. In
18 making such grants, the Secretary shall give priority to
19 programs that focus on preparing teachers in subjects in
20 which there is a shortage of highly qualified teachers and
21 that prepare students to teach in high-need schools.

22 “(b) APPLICATION.—Any institution of higher edu-
23 cation desiring to obtain a grant under this part shall sub-
24 mit to the Secretary an application at such time, in such

1 form, and containing such information and assurances as
2 the Secretary may require, which shall—

3 “(1) include reporting on baseline production of
4 teachers with expertise in math, science, a foreign
5 language, or teaching English language learners;
6 and

7 “(2) establish a goal and timeline for increasing
8 the number of such teachers who are prepared by
9 the institution.

10 “(c) USE OF FUNDS.—Funds made available by
11 grant under this part—

12 “(1) shall be used to create new recruitment in-
13 centives to teaching from other majors, with an em-
14 phasis on high-need subjects such as math, science,
15 foreign languages, and teaching the English lan-
16 guage to students with limited English proficiency;

17 “(2) may be used to upgrade curriculum in
18 order to provide all students studying to become
19 teachers with high-quality instructional strategies for
20 teaching reading and teaching the English language
21 to students with limited English proficiency, and for
22 modifying instruction to teach students with special
23 needs;

24 “(3) may be used to integrate school of edu-
25 cation faculty with other arts and science faculty in

1 math, science, foreign languages, and teaching the
2 English language to students with limited English
3 proficiency through steps such as—

4 “(A) dual appointments for faculty be-
5 tween schools of education and schools of arts
6 and science; and

7 “(B) integrating coursework with clinical
8 experience; and

9 “(4) may be used to develop strategic plans be-
10 tween schools of education and local school districts
11 to better prepare teachers for high-need schools, in-
12 cluding the creation of professional development
13 partnerships for training new teachers in state-of-
14 the-art practice.

15 **“SEC. 242. AUTHORIZATION OF APPROPRIATIONS.**

16 “There are authorized to be appropriated to make
17 grants under this part \$200,000,000 for fiscal year 2006
18 and such sums as may be necessary for each of the 5 suc-
19 ceeding fiscal years.”.

20 (c) PART A AUTHORIZATION.—Section 210 of the
21 Higher Education Act of 1965 (20 U.S.C. 1030) is
22 amended—

23 (1) by striking “\$300,000,000 for fiscal year
24 1999” and inserting “\$400,000,000 for fiscal year
25 2006”; and

1 (2) by striking “4 succeeding” and inserting “5
2 succeeding”.

3 **SEC. 102. EXTENDING AND EXPANDING TEACHER LOAN**
4 **FORGIVENESS.**

5 (a) PERMANENT EXTENSION.—Section 3(b)(3) of the
6 Taxpayer-Teacher Protection Act of 2004 (P.L. 108–409,
7 118 Stat. 2300) is amended by striking “1998, and before
8 October 1, 2005” and inserting “1998”.

9 (b) INCREASED AMOUNT; APPLICABILITY OF EX-
10 PANDED PROGRAM TO READING SPECIALIST.—Sections
11 428J(c)(3) and 460(c)(3) of the Higher Education Act of
12 1965 (20 U.S.C. 1078–10(c)(3), 1087j(c)(3)) are each
13 amended—

14 (1) by striking “\$17,500” and inserting
15 “\$20,000”;

16 (2) by striking “and” at the end of subpara-
17 graph (A);

18 (3) by striking the period at the end of sub-
19 paragraph (B) and inserting “; and”; and

20 (4) by adding at the end the following new sub-
21 paragraph:

22 “(C) an elementary or secondary school
23 teacher who primarily teaches reading and
24 who—

1 “(i) has obtained a separate reading
2 instruction credential from the State in
3 which the teacher is employed; and

4 “(ii) who is certified by the chief ad-
5 ministrative officer of the public or non-
6 profit private elementary or secondary
7 school in which the borrower is employed
8 to teach reading—

9 “(I) as being proficient in teach-
10 ing the essential components of read-
11 ing instruction as defined in section
12 1208 of the Elementary and Sec-
13 ondary Education Act of 1965; and

14 “(II) as having such credential.”.

15 (c) ANNUAL INCREMENTS INSTEAD OF END OF
16 SERVICE LUMP SUMS.—Sections 428J(e) and 460(e) of
17 such Act are further amended by adding at the end the
18 following new paragraph:

19 “(4) ANNUAL INCREMENTS.—Notwithstanding
20 paragraph (1), in the case of an individual quali-
21 fying for loan forgiveness under paragraph (3), the
22 Secretary shall, in lieu of waiting to assume an obli-
23 gation only upon completion of 5 complete years of
24 service, assume the obligation to repay—

1 “(A) after each of the first or second years
 2 of service by an individual in a position quali-
 3 fying under paragraph (3), 15 percent of the
 4 total amount of principal and interest of the
 5 loans described in paragraph (1) to such indi-
 6 vidual that are outstanding immediately pre-
 7 ceding such first year of such service;

8 “(B) after each of the third or fourth years
 9 of such service, 20 percent of such total
 10 amount; and

11 “(C) after the fifth year of such service, 30
 12 percent of such total amount.”.

13 **TITLE II—CLOSING THE**
 14 **TEACHER DISTRIBUTION GAP**

15 **SEC. 201. GRANTS TO LOCAL EDUCATIONAL AGENCIES TO**
 16 **PROVIDE PREMIUM PAY TO TEACHERS IN**
 17 **HIGH-NEED SCHOOLS.**

18 Title II of the Elementary and Secondary Education
 19 Act of 1965 (20 U.S.C. 6601 et seq.) is amended by add-
 20 ing at the end the following:

21 **“PART E—TEACHER EXCELLENCE FOR ALL**
 22 **CHILDREN**

23 **“SEC. 2500. DEFINITIONS.**

24 “In this part:

1 “(1) The term ‘high-need local educational
2 agency’ means a local educational agency—

3 “(A) that serves not fewer than 10,000
4 children from families with incomes below the
5 poverty line, or for which not less than 20 per-
6 cent of the children served by the agency are
7 from families with incomes below the poverty
8 line; and

9 “(B) that is having or expected to have
10 difficulty filling teacher vacancies or hiring new
11 teachers who are highly qualified.

12 “(2) The term ‘value-added longitudinal data
13 system’ means a longitudinal data system for deter-
14 mining value-added student achievement gains.

15 “(3) The term ‘value-added student achieve-
16 ment gains’ means student achievement gains deter-
17 mined by means of a system that—

18 “(A) is sufficiently sophisticated and
19 valid—

20 “(i) to deal with the problem of stu-
21 dents with incomplete records;

22 “(ii) to enable estimates to be precise
23 and to use all the data for all students in
24 multiple years, regardless of sparseness, in
25 order to avoid measurement error in test

1 scores (such as by using multivariate, lon-
2 gitudinal analyses); and

3 “(iii) to protect against inappropriate
4 testing practices or improprieties in test
5 administration;

6 “(B) includes a way to acknowledge the ex-
7 istence of influences on student growth, such as
8 pull-out programs for support beyond standard
9 delivery of instruction, so that affected teachers
10 do not receive an unfair advantage; and

11 “(C) has the capacity to assign various
12 proportions of student growth to multiple teach-
13 ers when the classroom reality, such as team
14 teaching and departmentalized instruction,
15 makes such type of instruction an issue.

16 **“Subpart 1—Distribution**

17 **“SEC. 2501. PREMIUM PAY; LOAN REPAYMENT.**

18 “(a) GRANTS.—The Secretary shall make grants to
19 local educational agencies to provide higher salaries to ex-
20 emplary, highly qualified principals and exemplary, highly
21 qualified teachers with at least 3 years of experience, in-
22 cluding teachers certified by the National Board for Pro-
23 fessional Teaching Standards, if the principal or teacher
24 agrees to serve full-time for a period of 4 consecutive

1 school years at a public high-need elementary school or
2 a public high-need secondary school.

3 “(b) USE OF FUNDS.—A local educational agency
4 that receives a grant under this section may use funds
5 made available through the grant—

6 “(1) to provide to exemplary, highly qualified
7 principals up to \$15,000 as an annual bonus for
8 each of 4 consecutive school years if the principal
9 commits to work full-time for such period in a public
10 high-need elementary school or a public high-need
11 secondary school; and

12 “(2) to provide to exemplary, highly qualified
13 teachers—

14 “(A) up to \$10,000 as an annual bonus for
15 each of 4 consecutive school years if the teacher
16 commits to work full-time for such period in a
17 public high-need elementary school or a public
18 high-need secondary school; or

19 “(B) up to \$12,500 as an annual bonus
20 for each of 4 consecutive school years if the
21 teacher commits to work full-time for such pe-
22 riod teaching a subject for which there is a doc-
23 umented shortage of teachers in a public high-
24 need elementary school or a public high-need
25 secondary school.

1 “(c) TIMING OF PAYMENT.—A local educational
2 agency providing an annual bonus to a principal or teacher
3 under subsection (b) shall pay the bonus on completion
4 of the service requirement by the principal or teacher for
5 the applicable year.

6 “(d) GRANT PERIOD.—The Secretary shall make
7 grants under this section in yearly installments for a total
8 period of 4 years.

9 “(e) OBSERVATION, FEEDBACK, AND EVALUA-
10 TION.—The Secretary may make a grant to a local edu-
11 cational agency under this section only if the State in
12 which the agency is located or the agency has in place
13 or proposes a plan, developed on a collaborative basis with
14 the local teacher organization, to develop a system in
15 which principals and, if available, master teachers rate
16 teachers as exemplary. Such a system shall be—

17 “(1) based on strong learning gains for stu-
18 dents;

19 “(2) based on classroom observation and feed-
20 back at least four times annually;

21 “(3) conducted by multiple sources, including
22 master teachers and principals; and

23 “(4) evaluated against research-validated ru-
24 brics that use planning, instructional, and learning

1 environment standards to measure teaching perform-
2 ance.

3 “(f) APPLICATION REQUIREMENTS.—To seek a grant
4 under this section, a local educational agency shall submit
5 an application at such time, in such manner, and con-
6 taining such information as the Secretary reasonably re-
7 quires. At a minimum, the application shall include the
8 following:

9 “(1) A description of the agency’s proposed new
10 teacher hiring timeline, including interim goals for
11 any phase-in period.

12 “(2) An assurance that the agency will—

13 “(A) pay matching funds for the program
14 carried out with the grant, which matching
15 funds may be derived from funds received under
16 other provisions of this title;

17 “(B) commit to making the program sus-
18 tainable over time;

19 “(C) create incentives to bring a critical
20 mass of exemplary, highly qualified teachers to
21 each school whose teachers will receive assist-
22 ance under this section;

23 “(D) improve the school’s working condi-
24 tions through activities that may include but
25 are not limited to—

1 “(i) reducing class size;

2 “(ii) ensuring availability of classroom
3 materials, textbooks, and other supplies;

4 “(iii) improving or modernizing facili-
5 ties; and

6 “(iv) upgrading safety; and

7 “(E) accelerate the timeline for hiring new
8 teachers in order to minimize the withdrawal of
9 high-quality teacher applicants and secure the
10 best new teacher talent for their hardest-to-
11 staff schools.

12 “(3) An assurance that, in identifying exem-
13 plary teachers, the system described in paragraph
14 (1) will take into consideration—

15 “(A) growth of the teacher’s students on
16 any tests required by the State educational
17 agency;

18 “(B) value-added student achievement
19 gains if such teacher is in a State that uses
20 value-added longitudinal data system;

21 “(C) National Board for Professional
22 Teaching Standards certification; and

23 “(D) evidence of teaching skill documented
24 in performance-based assessments.

1 “(g) HIRING HIGHLY QUALIFIED TEACHERS EARLY
2 AND IN A TIMELY MANNER.—

3 “(1) IN GENERAL.—In addition to the require-
4 ments of subsection (f), an application under such
5 subsection shall include a description of the steps
6 the local educational agency will take to enable all
7 or a subset of the agency’s schools to hire new high-
8 ly qualified teachers early and in a timely manner,
9 including—

10 “(A) requiring a clear and early notifica-
11 tion date for retiring teachers that is no later
12 than March 15 each year;

13 “(B) providing schools with their staffing
14 allocations no later than April of the preceding
15 school year;

16 “(C) enabling schools to consider external
17 candidates at the same time as internal can-
18 didates for available positions;

19 “(D) moving up the teacher transfer pe-
20 riod to April and not requiring schools to hire
21 transferring or ‘excessed’ teachers from other
22 schools without selection and consent; and

23 “(E) establishing and implementing a new
24 principal accountability framework to ensure

1 that principals with increased hiring authority
2 are improving teacher quality.

3 “(2) RULE OF CONSTRUCTION.—Nothing in
4 this subsection shall be construed to alter or other-
5 wise affect the rights, remedies, and procedures af-
6 forded school or district employees under Federal,
7 State, or local laws (including applicable regulations
8 or court orders) or under the terms of collective bar-
9 gaining agreements, memoranda of understanding,
10 or other agreements between such employees and
11 their employers.

12 “(h) PRIORITY.—In providing higher salaries to prin-
13 cipals and teachers under this section, a local educational
14 agency shall give priority to principals and teachers at
15 schools identified under section 1116 for school improve-
16 ment, corrective action, or restructuring.

17 “(i) DEFINITIONS.—In this section:

18 “(1) The term ‘high-need’ means, with respect
19 to an elementary school or a secondary school, a
20 school that serves an eligible school attendance area
21 in which not less than 65 percent of the children are
22 from low-income families, based on the number of
23 children eligible for free and reduced priced lunches
24 under the Richard B. Russell National School Lunch

1 Act, or in which not less than 65 percent of the chil-
2 dren enrolled are from such families.

3 “(2) The term ‘documented shortage of teach-
4 ers’—

5 “(A) means a shortage of teachers docu-
6 mented in the needs assessment submitted
7 under section 2122 by the local educational
8 agency involved or some other official dem-
9 onstration of shortage by the local educational
10 agency; and

11 “(B) may include such a shortage in math,
12 science, a foreign language, special education,
13 bilingual education, or reading.

14 “(3) The term ‘exemplary, highly qualified prin-
15 cipal’ means a principal who—

16 “(A) demonstrates a belief that every stu-
17 dent can achieve at high levels;

18 “(B) demonstrates an ability to drive sub-
19 stantial gains in academic achievement for all
20 students while closing the achievement gap for
21 those farthest from meeting standards;

22 “(C) uses data to drive instructional im-
23 provement;

24 “(D) provides ongoing support and devel-
25 opment for teachers; and

1 “(E) builds a positive school community,
2 treating every student with respect and rein-
3 forcing high expectations for all.

4 “(4) The term ‘exemplary, highly qualified
5 teacher’ means a highly qualified teacher who is
6 rated as exemplary pursuant to a system described
7 in subsection (e).

8 “(j) AUTHORIZATION OF APPROPRIATIONS.—To
9 carry out this section, there are authorized to be appro-
10 priated \$2,200,000,000 for fiscal year 2006 and such
11 sums as may be necessary for each of the 5 succeeding
12 fiscal years.

13 **“SEC. 2502. CAREER LADDERS FOR TEACHERS PROGRAM.**

14 “(a) GRANTS.—The Secretary may make grants to
15 local educational agencies to establish and implement a
16 Career Ladders for Teachers Program in which the agen-
17 cy—

18 “(1) augments the salary of teachers in high-
19 need elementary schools and secondary schools to
20 correspond to the increasing responsibilities and
21 leadership roles assumed by the teachers as they
22 take on new professional roles (such as serving on
23 school leadership teams, serving as instructional
24 coaches, and serving in hybrid roles), including by—

1 “(A) providing up to \$10,000 as an annual
2 augmentation to master teachers (including
3 teachers serving as master teachers as part of
4 a state-of the-art teacher induction program
5 under section 2511); and

6 “(B) providing up to \$5,000 as an annual
7 augmentation to mentor teachers (including
8 teachers serving as mentor teachers as part of
9 a state-of the-art teacher induction program
10 under section 2511);

11 “(2) provides up to \$4,000 as an annual bonus
12 to all career teachers, master teachers, and mentor
13 teachers in high-need elementary schools and sec-
14 ondary schools based on a combination of—

15 “(A) at least 3 classroom evaluations over
16 the course of the year; and

17 “(B) the performance of the teacher’s stu-
18 dents as determined by—

19 “(i) student growth on any test that is
20 required by the State educational agency
21 or local educational agency and is adminis-
22 tered to the teacher’s students; and

23 “(ii) in States or local educational
24 agencies with value-added longitudinal
25 data systems, whole-school value-added

1 student achievement gains and classroom-
2 level value-added student achievement
3 gains; or

4 “(3) provides up to \$4,000 as an annual bonus
5 to principals in elementary schools and secondary
6 schools based on the performance of the school’s stu-
7 dents, taking into consideration whole-school value-
8 added student achievement gains in States that have
9 value-added longitudinal data systems and in which
10 information on whole-school value-added student
11 achievement gains is available.

12 “(b) DEMONSTRATED LEVEL OF PROFICIENCY.—

13 “(1) REQUIREMENT.—A local educational agen-
14 cy may not use a grant to augment a teacher’s sal-
15 ary through a performance bonus under subsection
16 (a)(2) unless the teacher demonstrates an increased
17 level of proficiency as demonstrated through—

18 “(A) in States without value-added longitu-
19 dinal data systems, multiple annual evaluations
20 described in paragraph (2); and

21 “(B) in States with value-added longitu-
22 dinal data systems, value-added student
23 achievement gains.

24 “(2) EVALUATIONS.—An evaluation described
25 in this paragraph shall—

1 “(A) be conducted by multiple evaluators,
2 including master teachers and the principal;

3 “(B) be based on classroom observation at
4 least 3 times annually; and

5 “(C) be evaluated against research-vali-
6 dated benchmarks that use planning, instruc-
7 tional, and learning environment standards to
8 measure teacher performance.

9 “(c) ELIGIBILITY REQUIREMENT.—A local edu-
10 cational agency may not use any funds under this section
11 to establish or implement a Career Ladders for Teachers
12 Program unless—

13 “(1) the percentage of teachers required by pre-
14 vailing union rules votes affirmatively to adopt the
15 program; or

16 “(2) in States that do not recognize collective
17 bargaining between local educational agencies and
18 teacher organizations, at least 75 percent of the
19 teachers in the local educational agency must vote
20 affirmatively to adopt the program.

21 “(d) DEFINITIONS.—In this section:

22 “(1) The term ‘career teacher’ means a teacher
23 who has a bachelor’s degree and full credentials or
24 alternative certification including a passing level on

1 elementary or secondary subject matter assessments
2 and professional knowledge assessments.

3 “(2) The term ‘mentor teacher’ means a teach-
4 er who—

5 “(A) has a bachelor’s degree and full cre-
6 dentials or alternative certification including a
7 passing level on any applicable elementary or
8 secondary subject matter assessments and pro-
9 fessional knowledge assessments;

10 “(B) has a portfolio and a classroom dem-
11 onstration showing instructional excellence;

12 “(C) has an ability, as demonstrated by
13 student data, to increase student achievement
14 through utilizing specific instructional strate-
15 gies;

16 “(D) has a minimum of 3 years of teach-
17 ing experience;

18 “(E) is recommended by the principal and
19 other current master and mentor teachers;

20 “(F) is an excellent instructor and commu-
21 nicator with an understanding of how to facili-
22 tate growth in the teachers they are mentoring;
23 and

1 “(G) performs well as a mentor in estab-
2 lished induction and peer review and mentoring
3 programs.

4 “(3) The term ‘master teacher’ means a teacher
5 who—

6 “(A) holds a master’s degree in the rel-
7 evant academic discipline;

8 “(B) has at least 5 years of successful
9 teaching experience, as measured by perform-
10 ance evaluations, a portfolio of work, or Na-
11 tional Board for Professional Teaching Stand-
12 ards certification;

13 “(C) demonstrates expertise in content,
14 curriculum development, student learning, test
15 analysis, mentoring, and professional develop-
16 ment, as demonstrated by an advanced degree,
17 advanced training, career experience, or Na-
18 tional Board for Professional Teaching Stand-
19 ards certification;

20 “(D) presents student data that illustrates
21 the teacher’s ability to increase student achieve-
22 ment through utilizing specific instructional
23 interventions;

24 “(E) has instructional expertise dem-
25 onstrated through model teaching, team teach-

1 ing, video presentations, student achievement
2 gains, or National Board for Professional
3 Teaching Standards certification;

4 “(F) may hold a valid National Board for
5 Professional Teaching Standards certificate,
6 may have passed another rigorous standard, or
7 may have been selected as a school, district, or
8 State teacher of the year; and

9 “(G) is currently participating, or has pre-
10 viously participated, in a professional develop-
11 ment program that supports classroom teachers
12 as mentors.

13 “(4) The term ‘high-need’, with respect to an
14 elementary school or a secondary school, has the
15 meaning given to that term in section 2501.

16 “(e) AUTHORIZATION OF APPROPRIATIONS.—To
17 carry out this section, there are authorized to be appro-
18 priated \$200,000,000 for fiscal year 2006 and such sums
19 as may be necessary for each of the 5 succeeding fiscal
20 years.”.

1 **TITLE III—IMPROVING TEACHER**
2 **PREPARATION**

3 **SEC. 301. AMENDMENT TO ELEMENTARY AND SECONDARY**
4 **EDUCATION ACT OF 1965.**

5 Part E of title II of the Elementary and Secondary
6 Education Act of 1965 (20 U.S.C. 6601 et seq.), as added
7 by title II of this Act, is amended by adding at the end
8 the following:

9 **“Subpart 2—Preparation**

10 **“SEC. 2511. ESTABLISHING STATE-OF-THE-ART TEACHER IN-**
11 **DUCTION PROGRAMS.**

12 “(a) GRANTS.—The Secretary may make grants to
13 States and eligible local educational agencies for the pur-
14 pose of developing state-of-the-art teacher induction pro-
15 grams.

16 “(b) ELIGIBLE LOCAL EDUCATIONAL AGENCY.—In
17 this section, the term ‘eligible local educational agency’
18 means—

19 “(1) a high-need local educational agency; or

20 “(2) a partnership of a high-need local edu-
21 cational agency and an institution of higher edu-
22 cation, a teacher organization, or any other non-
23 profit education organization.

24 “(c) USE OF FUNDS.—A State or an eligible local
25 educational agency that receives a grant under subsection

1 (a) shall use the funds made available through the grant
2 to develop a state-of the-art teacher induction program
3 that—

4 “(1) provides new teachers a minimum of 3
5 years of extensive, high-quality, comprehensive in-
6 duction into the field of teaching; and

7 “(2) includes—

8 “(A) structured mentoring from highly
9 qualified master or mentor teachers who are
10 certified, have teaching experience similar to
11 the grade level or subject assignment of the new
12 teacher, and are trained to mentor new teach-
13 ers;

14 “(B) at least 90 minutes each week of
15 common meeting time for a new teacher to dis-
16 cuss student work and teaching under the direc-
17 tor of a master or mentor teacher;

18 “(C) regular classroom observation in the
19 new teacher’s classroom;

20 “(D) observation by the new teacher of the
21 mentor teacher’s classroom;

22 “(E) intensive professional development ac-
23 tivities for new teachers that result in improved
24 teaching leading to student achievement, includ-
25 ing lesson demonstration by master and mentor

1 teachers in the classroom, observation, and
2 feedback;

3 “(F) training in effective instructional
4 services and classroom management strategies
5 for mainstream teachers serving students with
6 disabilities and students with limited English
7 proficiency;

8 “(G) observation of teachers and feedback
9 at least 4 times each school year by multiple
10 evaluators, including master teachers and the
11 principals, using research-validated benchmarks
12 of teaching skills and standards that are devel-
13 oped with input from teachers;

14 “(H) paid release time for the mentor
15 teacher for mentoring, or salary supplements
16 under section 2502, for mentoring new teachers
17 at a ratio of one full-time mentor to every 12
18 new teachers;

19 “(I) a transition year to the classroom that
20 includes a reduced workload for beginning
21 teachers; and

22 “(J) a standards-based assessment of
23 every beginning teacher to determine whether
24 the teacher should move forward in the teach-
25 ing profession, which assessment may include

1 examination of practice and a measure of gains
2 in student learning.

3 “(d) **ADDITIONAL REQUIREMENT.**—The Secretary
4 shall commission an independent evaluation of state-of
5 the-art teacher induction programs supported under this
6 section in order to compare the design and outcome of
7 various models of induction programs.

8 “(e) **AUTHORIZATION OF APPROPRIATIONS.**—To
9 carry out this section, there are authorized to be appro-
10 priated \$300,000,000 for fiscal year 2006 and such sums
11 as may be necessary for each of the 5 succeeding fiscal
12 years.

13 **“SEC. 2512. PEER MENTORING AND REVIEW PROGRAMS.**

14 “(a) **GRANTS.**—The Secretary shall make grants to
15 local educational agencies for peer mentoring and review
16 programs.

17 “(b) **USE OF FUNDS.**—A local educational agency
18 that receives a grant under this section shall use the funds
19 made available through the grant to establish and imple-
20 ment a peer mentoring and review program. Such a pro-
21 gram shall be established through collective bargaining
22 agreements or, in States that do not recognize collective
23 bargaining between local educational agencies and teacher
24 organizations, through joint agreements between the local
25 educational agency and affected teacher organizations.

1 “(c) APPLICATION.—To seek a grant under this sec-
2 tion, a local educational agency shall submit an application
3 at such time, in such manner, and containing such infor-
4 mation as the Secretary may reasonably require. The Sec-
5 retary shall require each such application to include the
6 following:

7 “(1) Data from the applicant on recruitment
8 and retention prior to implementing the induction
9 program.

10 “(2) Measurable goals for increasing retention
11 after the induction program is implemented.

12 “(3) Measures that will be used to determine
13 whether teacher effectiveness is improved through
14 participation in the induction program.

15 “(4) A plan for evaluating and reporting
16 progress toward meeting the applicant’s goals.

17 “(d) PROGRESS REPORTS.—The Secretary shall re-
18 quire each grantee under this section to submit progress
19 reports on an annual basis.

20 “(e) AUTHORIZATION OF APPROPRIATIONS.—To
21 carry out this section, there are authorized to be appro-
22 priated \$50,000,000 for fiscal year 2006 and such sums
23 as may be necessary for each of the 5 succeeding fiscal
24 years.

1 **“SEC. 2513. ESTABLISHING STATE-OF-THE-ART PRINCIPAL**
2 **TRAINING AND INDUCTION PROGRAMS AND**
3 **PERFORMANCE-BASED PRINCIPAL CERTIFI-**
4 **CATION.**

5 “(a) GRANTS.—The Secretary may make grants to
6 not more than 10 States to develop, implement, and evalu-
7 ate pilot programs for performance-based certification and
8 training of exemplary, highly qualified principals who can
9 drive gains in academic achievement for all children.

10 “(b) PROGRAM REQUIREMENTS.—A pilot program
11 developed under this section—

12 “(1) shall pilot the development, implementa-
13 tion, and evaluation of a statewide performance-
14 based system for certifying principals;

15 “(2) shall pilot and demonstrate the effective-
16 ness of statewide performance-based certification
17 through support for innovative performance-based
18 programs on a smaller scale;

19 “(3) shall provide for certification of principals
20 by institutions with strong track records, such as a
21 local educational agency, nonprofit organization, or
22 business school, that is approved by the State for
23 purposes of such certification and has formalized
24 partnerships with in-State local educational agencies;

25 “(4) may be used to develop, sustain, and ex-
26 pand model programs for recruiting and training as-

1 piring and new principals in both instructional lead-
2 ership and general management skills;

3 “(5) shall include evaluation of the results of
4 the pilot program and other in-State programs of
5 principal preparation (which evaluation may include
6 value-added assessment scores of all children in a
7 school and should emphasize the correlation of aca-
8 demic achievement gains in schools led by partici-
9 pating principals and the characteristics and skills
10 demonstrated by those individuals when applying to
11 and participating in the program) to inform the de-
12 sign of certification of individuals to become school
13 leaders in the State; and

14 “(6) shall make possible interim certification
15 for up to 2 years for aspiring principals partici-
16 pating in the pilot program who—

17 “(A) have not yet attained full certifi-
18 cation;

19 “(B) are serving as assistant principals or
20 principal residents, or in positions of similar re-
21 sponsibility; and

22 “(C) have met clearly defined criteria for
23 entry into the program that are approved by
24 the applicable local educational agency.

1 “(c) PRIORITY.—In selecting grant recipients under
2 this section, the Secretary shall give priority to States that
3 will use the grants for one or more high-need local edu-
4 cational agencies and schools.

5 “(d) TERMS OF GRANT.—A grant under this sec-
6 tion—

7 “(1) shall be for not more than 5 years; and

8 “(2) shall be performance-based, permitting the
9 Secretary to discontinue funding based on failure of
10 the State to meet benchmarks identified by the
11 State.

12 “(e) USE OF EVALUATION RESULTS.—A State re-
13 ceiving a grant under this section shall use the evaluation
14 results of the pilot program conducted pursuant to the
15 grant and similar evaluations of other in-State programs
16 of principal preparation (especially the correlation of aca-
17 demic achievement gains in schools led by participating
18 principals and the characteristics and skills demonstrated
19 by those individuals when applying to and participating
20 in the pilot program) to inform the design of certification
21 of individuals to become school leaders in the State.

22 “(f) DEFINITIONS.—For the purposes of this section:

23 “(1) The term ‘exemplary, highly qualified prin-
24 cipal’ has the meaning given to that term in section
25 2501.

1 “(2) The term ‘performance-based certification
2 system’ means a certification system that—

3 “(A) is based on a clearly defined set of
4 standards for skills and knowledge needed by
5 new principals;

6 “(B) is not based on numbers of hours en-
7 rolled in particular courses;

8 “(C) certifies participating individuals to
9 become school leaders primarily based on—

10 “(i) their demonstration of those skills
11 through a formal assessment aligned to
12 these standards; and

13 “(ii) academic achievement results in
14 a school leadership role such as a residency
15 or an assistant principalship; and

16 “(D) awards certification to individuals
17 who successfully complete programs at institu-
18 tions that include local educational agencies,
19 nonprofit organizations, and business schools
20 approved by the State for purposes of such cer-
21 tification and have formalized partnerships with
22 in-State local educational agencies.

23 “(g) AUTHORIZATION OF APPROPRIATIONS.—To
24 carry out this section, there are authorized to be appro-
25 priated \$100,000,000 for fiscal year 2006 and such sums

1 as may be necessary for each of the 5 succeeding fiscal
2 years.

3 **“SEC. 2514. STUDY ON DEVELOPING A PORTABLE PER-**
4 **FORMANCE-BASED TEACHER ASSESSMENT.**

5 “(a) STUDY.—

6 “(1) IN GENERAL.—The Secretary shall enter
7 into an arrangement with an objective evaluation
8 firm to conduct a study to assess the validity of any
9 test used for teacher certification or licensure by
10 multiple States, taking into account the passing
11 scores adopted by multiple States. The study shall
12 determine the following:

13 “(A) The extent to which tests of content
14 knowledge represent subject mastery at the bac-
15 calaureate level.

16 “(B) Whether tests of pedagogy reflect the
17 latest research on teaching and learning.

18 “(C) The relationship, if any, between
19 teachers’ scores on licensure and certification
20 exams and other measures of teacher effective-
21 ness, including learning gains achieved by the
22 teachers’ students.

23 “(2) REPORT.—The Secretary shall submit a
24 report to the Congress on the results of the study
25 conducted under this subsection.

1 “(b) GRANT TO CREATE A MODEL PERFORMANCE-
2 BASED ASSESSMENT.—

3 “(1) GRANT.—The Secretary may make 1
4 grant to an eligible partnership to create a model
5 performance-based assessment of teaching skills that
6 reliably evaluates teaching skills in practice and can
7 be used to facilitate the portability of teacher cre-
8 dentials and licensing from one State to another.

9 “(2) CONSIDERATION OF STUDY.—In creating a
10 model performance-based assessment of teaching
11 skills, the recipient of a grant under this section
12 shall take into consideration the results of the study
13 conducted under subsection (a).

14 “(3) ELIGIBLE PARTNERSHIP.—In this section,
15 the term ‘eligible partnership’ means a partnership
16 of—

17 “(A) an independent professional organiza-
18 tion; and

19 “(B) an organization that represents ad-
20 ministrators of State educational agencies.”.

1 **SEC. 302. AMENDMENT TO THE HIGHER EDUCATION ACT**
2 **OF 1965: TEACHER QUALITY ENHANCEMENT**
3 **GRANTS.**

4 Part A of title II of the Higher Education Act of
5 1965 is amended by striking sections 206 through 209
6 (20 U.S.C. 1026–1029) and inserting the following:

7 **“SEC. 206. ACCOUNTABILITY AND EVALUATION.**

8 “(a) STATE GRANT ACCOUNTABILITY REPORT.—An
9 eligible State that receives a grant under section 202 shall
10 submit an annual accountability report to the Secretary,
11 the Committee on Health, Education, Labor, and Pen-
12 sions of the Senate, and the Committee on Education and
13 the Workforce of the House of Representatives. Such re-
14 port shall include a description of the degree to which the
15 eligible State, in using funds provided under such section,
16 has made substantial progress in meeting the following
17 goals:

18 “(1) PERCENTAGE OF HIGHLY QUALIFIED
19 TEACHERS.—Increasing the percentage of highly
20 qualified teachers in the State as required by section
21 1119 of the Elementary and Secondary Education
22 Act of 1965 (20 U.S.C. 6319).

23 “(2) STUDENT ACADEMIC ACHIEVEMENT.—In-
24 creasing student academic achievement for all stu-
25 dents, which may be measured through the use of

1 value-added assessments, as defined by the eligible
2 State.

3 “(3) RAISING STANDARDS.—Raising the State
4 academic standards required to enter the teaching
5 profession as a highly qualified teacher.

6 “(4) INITIAL CERTIFICATION OR LICENSURE.—
7 Increasing success in the pass rate for initial State
8 teacher certification or licensure, or increasing the
9 numbers of qualified individuals being certified or li-
10 censed as teachers through alternative routes to cer-
11 tification and licensure.

12 “(5) DECREASING TEACHER SHORTAGES.—De-
13 creasing shortages of highly qualified teachers in
14 poor urban and rural areas.

15 “(6) INCREASING OPPORTUNITIES FOR RE-
16 SEARCH-BASED PROFESSIONAL DEVELOPMENT.—In-
17 creasing opportunities for enhanced and ongoing
18 professional development that—

19 “(A) improves the academic content knowl-
20 edge of teachers in the subject areas in which
21 the teachers are certified or licensed to teach or
22 in which the teachers are working toward cer-
23 tification or licensure to teach; and

24 “(B) promotes strong teaching skills.

1 “(7) TECHNOLOGY INTEGRATION.—Increasing
2 the number of teachers prepared effectively to inte-
3 grate technology into curricula and instruction and
4 who use technology to collect, manage, and analyze
5 data to improve teaching, learning, and parental in-
6 volvement decisionmaking for the purpose of increas-
7 ing student academic achievement.

8 “(b) ELIGIBLE PARTNERSHIP EVALUATION.—Each
9 eligible partnership applying for a grant under section 203
10 shall establish, and include in the application submitted
11 under section 203(c), an evaluation plan that includes
12 strong performance objectives. The plan shall include ob-
13 jectives and measures for—

14 “(1) increased student achievement for all stu-
15 dents, as measured by the partnership;

16 “(2) increased teacher retention in the first 3
17 years of a teacher’s career;

18 “(3) increased success in the pass rate for ini-
19 tial State certification or licensure of teachers;

20 “(4) increased percentage of highly qualified
21 teachers; and

22 “(5) increasing the number of teachers trained
23 effectively to integrate technology into curricula and
24 instruction and who use technology to collect, man-
25 age, and analyze data to improve teaching, learning,

1 and decisionmaking for the purpose of improving
2 student academic achievement.

3 “(c) REVOCATION OF GRANT.—

4 “(1) REPORT.—Each eligible State or eligible
5 partnership receiving a grant under section 202 or
6 203 shall report annually on the progress of the eli-
7 gible State or eligible partnership toward meeting
8 the purposes of this part and the goals, objectives,
9 and measures described in subsections (a) and (b).

10 “(2) REVOCATION.—

11 “(A) ELIGIBLE STATES AND ELIGIBLE AP-
12 PPLICANTS.—If the Secretary determines that an
13 eligible State or eligible applicant is not making
14 substantial progress in meeting the purposes,
15 goals, objectives, and measures, as appropriate,
16 by the end of the second year of a grant under
17 this part, then the grant payment shall not be
18 made for the third year of the grant.

19 “(B) ELIGIBLE PARTNERSHIPS.—If the
20 Secretary determines that an eligible partner-
21 ship is not making substantial progress in
22 meeting the purposes, goals, objectives, and
23 measures, as appropriate, by the end of the
24 third year of a grant under this part, then the

1 grant payments shall not be made for any suc-
2 ceeding year of the grant.

3 “(d) **EVALUATION AND DISSEMINATION.**—The Sec-
4 retary shall evaluate the activities funded under this part
5 and report annually the Secretary’s findings regarding the
6 activities to the Committee on Health, Education, Labor,
7 and Pensions of the Senate and the Committee on Edu-
8 cation and the Workforce of the House of Representatives.
9 The Secretary shall broadly disseminate successful prac-
10 tices developed by eligible States and eligible partnerships
11 under this part, and shall broadly disseminate information
12 regarding such practices that were found to be ineffective.

13 **“SEC. 207. ACCOUNTABILITY FOR PROGRAMS THAT PRE-
14 PARE TEACHERS.**

15 “(a) **STATE REPORT CARD ON THE QUALITY OF
16 TEACHER AND PRINCIPAL PREPARATION.**—Each State
17 that receives funds under this Act shall provide to the Sec-
18 retary annually, in a uniform and comprehensible manner
19 that conforms with the definitions and methods estab-
20 lished by the Secretary, a State report card on the quality
21 of teacher preparation in the State, both for traditional
22 certification or licensure programs and for alternative cer-
23 tification or licensure programs, which shall include at
24 least the following:

1 “(1) A description of the teacher and principal
2 certification and licensure assessments, and any
3 other certification and licensure requirements, used
4 by the State.

5 “(2) The standards and criteria that prospec-
6 tive teachers and principals must meet in order to
7 attain initial teacher and principal certification or li-
8 censure and to be certified or licensed to teach par-
9 ticular subjects or in particular grades within the
10 State.

11 “(3) A demonstration of the extent to which the
12 assessments and requirements described in para-
13 graph (1) are aligned with the State’s standards and
14 assessments for students.

15 “(4) The percentage of students who have com-
16 pleted at least 50 percent of the requirements for a
17 teacher preparation program at an institution of
18 higher education or alternative certification program
19 and who have taken and passed each of the assess-
20 ments used by the State for teacher certification and
21 licensure, and the passing score on each assessment
22 that determines whether a candidate has passed that
23 assessment.

24 “(5) For students who have completed at least
25 50 percent of the requirements for a teacher prepa-

1 ration program at an institution of higher education
2 or alternative certification program, and who have
3 taken and passed each of the assessments used by
4 the State for teacher certification and licensure,
5 each such institution’s and each such program’s av-
6 erage raw score, ranked by teacher preparation pro-
7 gram, which shall be made available widely and pub-
8 licly.

9 “(6) A description of each State’s alternative
10 routes to teacher certification, if any, and the num-
11 ber and percentage of teachers certified through
12 each alternative certification route who pass State
13 teacher certification or licensure assessments.

14 “(7) For each State, a description of proposed
15 criteria for assessing the performance of teacher and
16 principal preparation programs in the State, includ-
17 ing indicators of teacher and principal candidate
18 skills, placement and retention rates (to the extent
19 feasible), and academic content knowledge and evi-
20 dence of gains in student academic achievement.

21 “(8) For each teacher preparation program in
22 the State, the number of students in the program,
23 the number of minority students in the program, the
24 average number of hours of supervised practice
25 teaching required for those in the program, and the

1 number of full-time equivalent faculty, adjunct fac-
2 ulty, and students in supervised practice teaching.

3 “(9) For the State as a whole, and for each
4 teacher preparation program in the State, the num-
5 ber of teachers prepared, in the aggregate and re-
6 ported separately by—

7 “(A) minority status;

8 “(B) level (elementary or secondary);

9 “(C) academic major;

10 “(D) subject or subjects for which the stu-
11 dent has been prepared to teach; and

12 “(E) teacher candidates who speak a lan-
13 guage other than English and have been trained
14 specifically to teach English-language learners.

15 “(10) The State shall refer to the data gen-
16 erated for paragraph (9) to report on the extent to
17 which teacher preparation programs are helping to
18 address shortages of qualified teachers, by level, sub-
19 ject, and specialty, in the State’s public schools, es-
20 pecially in poor urban and rural areas as required by
21 section 206(a)(5).

22 “(b) REPORT OF THE SECRETARY ON THE QUALITY
23 OF TEACHER PREPARATION.—

24 “(1) REPORT CARD.—The Secretary shall pro-
25 vide to Congress, and publish and make widely avail-

1 able, a report card on teacher qualifications and
2 preparation in the United States, including all the
3 information reported in paragraphs (1) through (11)
4 of subsection (a). Such report shall identify States
5 for which eligible States and eligible partnerships re-
6 ceived a grant under this part. Such report shall be
7 so provided, published and made available annually.

8 “(2) REPORT TO CONGRESS.—The Secretary
9 shall report to Congress—

10 “(A) a comparison of States’ efforts to im-
11 prove teaching quality; and

12 “(B) regarding the national mean and me-
13 dian scores on any standardized test that is
14 used in more than 1 State for teacher certifi-
15 cation or licensure.

16 “(3) SPECIAL RULE.—In the case of programs
17 with fewer than 10 students who have completed at
18 least 50 percent of the requirements for a teacher
19 preparation program taking any single initial teacher
20 certification or licensure assessment during an aca-
21 demic year, the Secretary shall collect and publish
22 information with respect to an average pass rate on
23 State certification or licensure assessments taken
24 over a 3-year period.

1 “(c) COORDINATION.—The Secretary, to the extent
2 practicable, shall coordinate the information collected and
3 published under this part among States for individuals
4 who took State teacher certification or licensure assess-
5 ments in a State other than the State in which the indi-
6 vidual received the individual’s most recent degree.

7 “(d) INSTITUTION AND PROGRAM REPORT CARDS ON
8 QUALITY OF TEACHER PREPARATION.—

9 “(1) REPORT CARD.—Each institution of higher
10 education or alternative certification program that
11 conducts a teacher preparation program that enrolls
12 students receiving Federal assistance under this Act
13 shall report annually to the State and the general
14 public, in a uniform and comprehensible manner
15 that conforms with the definitions and methods es-
16 tablished by the Secretary, both for traditional cer-
17 tification or licensure programs and for alternative
18 certification or licensure programs, the following in-
19 formation, disaggregated by major racial and ethnic
20 groups:

21 “(A) PASS RATE.—(i) For the most recent
22 year for which the information is available, the
23 pass rate of each student who has completed at
24 least 50 percent of the requirements for the
25 teacher preparation program on the teacher cer-

1 tification or licensure assessments of the State
2 in which the institution is located, but only for
3 those students who took those assessments
4 within 3 years of receiving a degree from the
5 institution or completing the program.

6 “(ii) A comparison of the institution or
7 program’s pass rate for students who have com-
8 pleted at least 50 percent of the requirements
9 for the teacher preparation program with the
10 average pass rate for institutions and programs
11 in the State.

12 “(iii) A comparison of the institution or
13 program’s average raw score for students who
14 have completed at least 50 percent of the re-
15 quirements for the teacher preparation program
16 with the average raw scores for institutions and
17 programs in the State.

18 “(iv) In the case of programs with fewer
19 than 10 students who have completed at least
20 50 percent of the requirements for a teacher
21 preparation program taking any single initial
22 teacher certification or licensure assessment
23 during an academic year, the institution shall
24 collect and publish information with respect to

1 an average pass rate on State certification or li-
2 censure assessments taken over a 3-year period.

3 “(v) A report on the number of times can-
4 didates have to take the test before passing.

5 “(B) PROGRAM INFORMATION.—The num-
6 ber of students in the program, the average
7 number of hours of supervised practice teaching
8 required for those in the program, and the
9 number of full-time equivalent faculty and stu-
10 dents in supervised practice teaching.

11 “(C) STATEMENT.—In States that require
12 approval or accreditation of teacher education
13 programs, a statement of whether the institu-
14 tion’s program is so approved or accredited,
15 and by whom.

16 “(D) DESIGNATION AS LOW-PER-
17 FORMING.—Whether the program has been des-
18 ignated as low-performing by the State under
19 section 208(a).

20 “(2) REQUIREMENT.—The information de-
21 scribed in paragraph (1) shall be reported through
22 publications such as school catalogs and promotional
23 materials sent to potential applicants, secondary
24 school guidance counselors, and prospective employ-

1 ers of the institution’s program graduates, including
2 materials sent by electronic means.

3 “(3) FINES.—In addition to the actions author-
4 ized in section 487(c), the Secretary may impose a
5 fine not to exceed \$25,000 on an institution of high-
6 er education for failure to provide the information
7 described in this subsection in a timely or accurate
8 manner.

9 “(e) DATA QUALITY.—Either—

10 “(1) the Governor of the State; or

11 “(2) in the case of a State for which the con-
12 stitution or law of such State designates another in-
13 dividual, entity, or agency in the State to be respon-
14 sible for teacher certification and preparation activ-
15 ity, such individual, entity, or agency;

16 shall attest annually, in writing, as to the reliability, valid-
17 ity, integrity, and accuracy of the data submitted pursuant
18 to this section.

19 **“SEC. 208. STATE FUNCTIONS.**

20 “(a) STATE ASSESSMENT.—In order to receive funds
21 under this Act, a State shall have in place a procedure
22 to identify and assist, through the provision of technical
23 assistance, low-performing programs of teacher prepara-
24 tion within institutions of higher education. Such State
25 shall provide the Secretary an annual list of such low-per-

1 forming institutions that includes an identification of
2 those institutions at risk of being placed on such list. Such
3 levels of performance shall be determined solely by the
4 State and may include criteria based upon information col-
5 lected pursuant to this part. Such assessment shall be de-
6 scribed in the report under section 207(a). A State receiv-
7 ing Federal funds under this title shall develop plans to
8 close or reconstitute underperforming programs of teacher
9 preparation within institutions of higher education.

10 “(b) **TERMINATION OF ELIGIBILITY.**—Any institu-
11 tion of higher education that offers a program of teacher
12 preparation in which the State has withdrawn the State’s
13 approval or terminated the State’s financial support due
14 to the low performance of the institution’s teacher prepa-
15 ration program based upon the State assessment described
16 in subsection (a)—

17 “(1) shall be ineligible for any funding for pro-
18 fessional development activities awarded by the De-
19 partment of Education; and

20 “(2) shall not be permitted to accept or enroll
21 any student who receives aid under title IV of this
22 Act in the institution’s teacher preparation program.

23 **“SEC. 209. GENERAL PROVISIONS.**

24 “**In complying with sections 207 and 208, the Sec-**
25 **retary shall ensure that States and institutions of higher**

1 education use fair and equitable methods in reporting and
2 that the reporting methods do not allow identification of
3 individuals.”.

4 **SEC. 303. ENFORCING NCLB’S TEACHER EQUITY PROVI-**
5 **SION.**

6 Subpart 2 of part E of title IX of the Elementary
7 and Secondary Education Act of 1965 (20 U.S.C. 7901)
8 is amended by adding at the end the following:

9 **“SEC. 9537. ASSURANCE OF REASONABLE PROGRESS TO-**
10 **WARD EQUITABLE ACCESS TO TEACHER**
11 **QUALITY.**

12 “(a) IN GENERAL.—The Secretary may not provide
13 any assistance to a State under this Act unless, in the
14 State’s application for such assistance, the State—

15 “(1) provides the plan required by section
16 1111(b)(8)(C) and at least one public report pursu-
17 ant to that section;

18 “(2) clearly articulates the measures the State
19 is using to determine whether poor and minority stu-
20 dents are being taught disproportionately by inexpe-
21 rienced, unqualified, or out-of-field teachers;

22 “(3) includes an evaluation of the success of the
23 State’s plan required by section 1111(b)(8)(C) in
24 addressing any such disparities;

1 “(4) with respect to any such disparities, pro-
2 poses modifications to such plan; and

3 “(5) includes a description of the State’s activi-
4 ties to monitor the compliance of local educational
5 agencies in the State with section 1112(c)(1)(L).

6 “(b) EFFECTIVE DATE.—This section applies with
7 respect to any assistance under this Act for which an ap-
8 plication is submitted after the date of the enactment of
9 this section. ”.

10 **TITLE IV—EQUIPPING TEACH-**
11 **ERS, SCHOOLS, LOCAL EDU-**
12 **CATIONAL AGENCIES, AND**
13 **STATES WITH THE 21st CEN-**
14 **TURY DATA, TOOLS, AND AS-**
15 **SESSMENTS THEY NEED**

16 **SEC. 401. 21ST CENTURY DATA, TOOLS, AND ASSESSMENTS.**

17 Part E of title II of the Elementary and Secondary
18 Education Act of 1965 (20 U.S.C. 6601 et seq.), as added
19 by titles II and III of this Act, is amended by adding at
20 the end the following:

21 **“Subpart 3—21st Century Data, Tools, and**
22 **Assessments**

23 **“SEC. 2521. DEVELOPING VALUE-ADDED DATA SYSTEMS.**

24 “(a) TEACHER AND PRINCIPAL EVALUATION.—

1 “(1) GRANTS.—The Secretary shall make
2 grants to States to develop and implement statewide
3 data systems to collect and analyze data on the ef-
4 fectiveness of elementary school and secondary
5 school teachers and principals, based on value-added
6 student achievement gains, for the purposes of—

7 “(A) determining the distribution of effec-
8 tive teachers and principals in schools across
9 the State;

10 “(B) developing measures for helping
11 teachers and principals to improve their in-
12 struction; and

13 “(C) evaluating effectiveness of teacher
14 and principal preparation programs.

15 “(2) DATA REQUIREMENTS.—At a minimum, a
16 statewide data system under this section shall—

17 “(A) track student course-taking patterns
18 and teacher characteristics, such as certification
19 status and performance on licensure exams; and

20 “(B) allow for the analysis of gains in
21 achievement made by individual students over
22 time, including gains demonstrated through stu-
23 dent academic assessments under section 1111
24 and tests required by the State for course com-
25 pletion.

1 “(3) STANDARDS.—The Secretary shall develop
2 standards for the collection of data with grant funds
3 under this section to ensure that such data are sta-
4 tistically valid and reliable.

5 “(4) APPLICATION.—To seek a grant under this
6 section, a State shall submit an application at such
7 time, in such manner, and containing such informa-
8 tion as the Secretary may require. At a minimum,
9 each such application shall demonstrate to the Sec-
10 retary’s satisfaction that the the assessments used
11 by the State to collect and analyze data for purposes
12 of this subsection—

13 “(A) are aligned to State standards;

14 “(B) have the capacity to assess the
15 highest- and lowest-performing students; and

16 “(C) are statistically valid and reliable.

17 “(b) TEACHER TRAINING.—The Secretary may make
18 grants to institutions of higher education, local edu-
19 cational agencies, nonprofit organizations, and teacher or-
20 ganizations to develop and implement innovative programs
21 to provide preservice and in-service training to elementary
22 and secondary schools on—

23 “(1) understanding increasingly sophisticated
24 student achievement data, especially data derived
25 from value-added longitudinal data systems; and

1 “(2) using such data to improve classroom in-
2 struction.

3 “(c) STUDY.—The Secretary shall enter into an
4 agreement with the National Academy of Sciences—

5 “(1) to evaluate the quality of data on the ef-
6 fectiveness of elementary and secondary school
7 teachers, based on value-added student achievement
8 gains; and

9 “(2) to compare a range of models for collecting
10 and analyzing such data.

11 “(d) AUTHORIZATION OF APPROPRIATIONS.—To
12 carry out this section, there are authorized to be appro-
13 priated \$200,000,000 for the period of fiscal years 2006
14 and 2007 and such sums as may be necessary for each
15 of the 4 succeeding fiscal years.”.

16 **SEC. 402. COLLECTING NATIONAL DATA ON DISTRIBUTION**
17 **OF TEACHERS.**

18 Section 155 of the Education Sciences Reform Act
19 of 2002 (20 U.S.C. 9545) is amended by adding at the
20 end the following:

21 “(d) SCHOOLS AND STAFFING SURVEY.—Not later
22 than the end of fiscal year 2006, and every 3 years there-
23 after, the Statistics Commissioner shall publish the results
24 of the Schools and Staffing Survey (or any successor sur-
25 vey).”.

1 **TITLE V—RETENTION: KEEPING**
2 **OUR BEST TEACHERS IN THE**
3 **CLASSROOM**

4 **SEC. 501. AMENDMENT TO ELEMENTARY AND SECONDARY**
5 **EDUCATION ACT OF 1965.**

6 Part E of title II of the Elementary and Secondary
7 Education Act of 1965 (20 U.S.C. 6601 et seq.), as added
8 by titles II, III, and IV of this Act, is amended by adding
9 at the end the following:

10 **“Subpart 4—Retention and Working Conditions**

11 **“SEC. 2531. IMPROVING PROFESSIONAL DEVELOPMENT OP-**
12 **PORTUNITIES.**

13 “(a) GRANTS.—The Secretary may make grants to
14 eligible entities for the establishment and operation of new
15 teacher centers or the support of existing teacher centers.

16 “(b) SPECIAL CONSIDERATION.—In making grants
17 under this section, the Secretary shall give special consid-
18 eration to any application submitted by an eligible entity
19 that is—

20 “(1) a high-need local educational agency; or

21 “(2) a consortium that includes at least one
22 high-need local educational agency.

23 “(c) DURATION.—Each grant under this section shall
24 be for a period of 3 years.

1 “(d) REQUIRED ACTIVITIES.—A teacher center re-
2 ceiving assistance under this section shall carry out each
3 of the following activities:

4 “(1) Providing high-quality professional devel-
5 opment to teachers to assist them in improving their
6 knowledge, skills, and teaching practices in order to
7 help students to improve their achievement and meet
8 State academic standards.

9 “(2) Providing teachers with information on de-
10 velopments in curricula, assessments, and edu-
11 cational research, including the manner in which the
12 research and data can be used to improve teaching
13 skills and practice.

14 “(3) Providing training and support for new
15 teachers.

16 “(e) PERMISSIBLE ACTIVITIES.—A teacher center
17 may use assistance under this section for any of the fol-
18 lowing:

19 “(1) Assessing the professional development
20 needs of the teachers and other instructional school
21 employees, such as librarians, counselors, and para-
22 professionals, to be served by the center.

23 “(2) Providing intensive support to staff to im-
24 prove instruction in literacy, math, science, and

1 other curricular areas necessary to provide a well-
2 rounded education to students.

3 “(3) Providing support to mentors working with
4 new teachers.

5 “(4) Providing training in effective instructional
6 services and classroom management strategies for
7 mainstream teachers serving students with disabil-
8 ities and students with limited English proficiency.

9 “(5) Enabling teachers to engage in study
10 groups and other collaborative activities and collegial
11 interactions regarding instruction.

12 “(6) Paying for release time and substitute
13 teachers in order to enable teachers to participate in
14 the activities of the teacher center.

15 “(7) Creating libraries of professional materials
16 and educational technology.

17 “(8) Providing high-quality professional devel-
18 opment for other instructional staff, such as para-
19 professionals, librarians, and counselors.

20 “(9) Assisting teachers to become highly quali-
21 fied and paraprofessionals to become teachers.

22 “(10) Assisting paraprofessionals to meet the
23 requirements of section 1119.

24 “(11) Developing curricula.

1 “(12) Incorporating additional on-line profes-
2 sional development resources for participants.

3 “(13) Providing funding for individual- or
4 group-initiated classroom projects.

5 “(14) Developing partnerships with businesses
6 and community-based organizations.

7 “(15) Establishing a teacher center site.

8 “(f) TEACHER CENTER POLICY BOARD.—

9 “(1) IN GENERAL.—A teacher center receiving
10 assistance under this section shall be operated under
11 the supervision of a teacher center policy board.

12 “(2) MEMBERSHIP.—

13 “(A) TEACHER REPRESENTATIVES.—The
14 majority of the members of a teacher center
15 policy board shall be representatives of, and se-
16 lected by, the elementary and secondary school
17 teachers to be served by the teacher center.
18 Such representatives shall be selected through
19 the teacher organization, or if there is no teach-
20 er organization, by the teachers directly.

21 “(B) OTHER REPRESENTATIVES.—The
22 members of a teacher center policy board—

23 “(i) shall include at least two mem-
24 bers who are representative of, or des-
25 ignated by, the school board of the local

1 educational agency to be served by the
2 teacher center;

3 “(ii) shall include at least one member
4 who is a representative of, and is des-
5 ignated by, the institutions of higher edu-
6 cation (with departments or schools of edu-
7 cation) located in the area; and

8 “(iii) may include paraprofessionals.

9 “(g) APPLICATION.—

10 “(1) IN GENERAL.—To seek a grant under this
11 section, an eligible entity shall submit an application
12 at such time, in such manner, and accompanied by
13 such information as the Secretary may reasonably
14 require.

15 “(2) ASSURANCE OF COMPLIANCE.—An appli-
16 cation under paragraph (1) shall include an assur-
17 ance that the applicant will require any teacher cen-
18 ter receiving assistance through the grant to comply
19 with the requirements of this section.

20 “(3) TEACHER CENTER POLICY BOARD.—An
21 application under paragraph (1) shall include the
22 following:

23 “(A) An assurance that—

24 “(i) the applicant has established a
25 teacher center policy board;

1 “(ii) the board participated fully in
2 the preparation of the application; and

3 “(iii) the board approved the applica-
4 tion as submitted.

5 “(B) A description of the membership of
6 the board and the method of its selection.

7 “(h) DEFINITIONS.—In this section:

8 “(1) The term ‘eligible entity’ means a local
9 educational agency or a consortium of 2 or more
10 local educational agencies.

11 “(2) The term ‘high-need’, with respect to an
12 elementary school or a secondary school, has the
13 meaning given to that term in section 2501.

14 “(3) The term ‘teacher center policy board’
15 means a teacher center policy board described in
16 subsection (f).

17 “(i) AUTHORIZATION OF APPROPRIATIONS.—To
18 carry out this section, there are authorized to be appro-
19 priated \$100,000,000 for fiscal year 2006 and such sums
20 as may be necessary for each of the 5 succeeding fiscal
21 years.”.

1 **SEC. 502. EXCLUSION FROM GROSS INCOME OF COMPENSA-**
2 **TION OF TEACHERS AND PRINCIPALS IN CER-**
3 **TAIN HIGH-NEED SCHOOLS OR TEACHING**
4 **HIGH-NEED SUBJECTS.**

5 (a) IN GENERAL.—Part III of subchapter B of chap-
6 ter 1 of the Internal Revenue Code of 1986 is amended
7 by inserting after section 139A the following new section:

8 **“SEC. 139B. COMPENSATION OF CERTAIN TEACHERS AND**
9 **PRINCIPALS.**

10 “(a) TEACHERS AND PRINCIPALS IN HIGH-NEED
11 SCHOOLS.—

12 “(1) IN GENERAL.—In the case of an individual
13 employed as a teacher or principal in a high-need
14 school during the taxable year, gross income does
15 not include so much remuneration for such employ-
16 ment (which would but for this paragraph be includ-
17 ible in gross income) as does not exceed \$15,000.

18 “(2) HIGH-NEED SCHOOL.—For purposes of
19 this subsection, the term ‘high-need school’ means
20 any public elementary school or public secondary
21 school eligible for assistance under section 1114 of
22 the Elementary and Secondary Education Act of
23 1965 (20 U.S.C. 6314).

24 “(b) TEACHERS OF HIGH-NEED SUBJECTS.—

25 “(1) IN GENERAL.—In the case of an individual
26 employed as a teacher of high-need subjects during

1 the taxable year, gross income does not include so
2 much remuneration for such employment (which
3 would but for this paragraph be includible in gross
4 income) as does not exceed \$15,000.

5 “(2) TEACHER OF HIGH-NEED SUBJECTS.—For
6 purposes of this subsection, the term ‘teacher of
7 high-need subjects’ means any teacher in a public el-
8 ementary or secondary school who—

9 “(A)(i) teaches primarily 1 or more high-
10 need subjects in 1 or more grades 9 through
11 12, or

12 “(ii) teaches 1 or more high-need subjects
13 in 1 or more grades kindergarten through 8,

14 “(B) received a baccalaureate or similar
15 degree from an eligible educational institution
16 (as defined in section 25A(f)(2)) with a major
17 in a high-need subject, and

18 “(C) is highly qualified (as defined in sec-
19 tion 9101(23) of the Elementary and Secondary
20 Education Act of 1965).

21 “(3) HIGH-NEED SUBJECTS.—For purposes of
22 this subsection, the term ‘high-need subject’ means
23 math, science, engineering, technology, special edu-
24 cation, teaching English language learners, or any

1 other subject identified as a high-need subject by the
2 Secretary of Education for purposes of this section.

3 “(c) COORDINATION.—Subsection (b) shall not apply
4 with respect to any individual if any amount is excludible
5 from gross income under subsection (a) with respect to
6 such individual.”.

7 (b) CLERICAL AMENDMENT.—The table of section of
8 such part is amended by inserting after the item relating
9 to section 139A the following new item:

“Sec. 139B. Compensation of certain teachers and principals.”.

10 (c) EFFECTIVE DATE.—The amendments made by
11 this section shall apply to remuneration received in taxable
12 years beginning after the date of the enactment of this
13 Act.

14 **SEC. 503. ABOVE-THE-LINE DEDUCTION FOR CERTAIN EX-**
15 **PENSES OF ELEMENTARY AND SECONDARY**
16 **SCHOOL TEACHERS INCREASED AND MADE**
17 **PERMANENT.**

18 (a) IN GENERAL.—Subparagraph (D) of section
19 62(a)(2) of the Internal Revenue Code of 1986 is amended
20 by striking “In the case of” and all that follows through
21 “\$250” and inserting “The deductions allowed by section
22 162 which consist of expenses, not in excess of \$500”.

23 (b) EFFECTIVE DATE.—The amendment made by
24 this section shall apply to taxable years beginning after
25 the date of the enactment of this Act.

1 **TITLE VI—MISCELLANEOUS**
 2 **PROVISIONS**

3 **SEC. 601. CONFORMING AMENDMENTS.**

4 The table of contents at section 2 of the Elementary
 5 and Secondary Education Act of 1965 (20 U.S.C. 6301
 6 et seq.) is amended—

7 (1) by inserting after the items relating to part
 8 D of title II of such Act the following new items:

 “PART E—TEACHER EXCELLENCE FOR ALL CHILDREN

“Sec. 2500. Definitions.

 “SUBPART 1—DISTRIBUTION

“Sec. 2501. Premium pay; loan repayment.

“Sec. 2502. Career ladders for teachers program.

 “SUBPART 2—PREPARATION

“Sec. 2511. Establishing state-of-the-art teacher induction programs.

“Sec. 2512. Peer mentoring and review programs.

“Sec. 2513. Establishing state-of-the-art principal training and induction
 programs and performance-based principal certification.

“Sec. 2514. Study on developing a portable performance-based teacher as-
 sessment.

 “SUBPART 3—21ST CENTURY DATA, TOOLS, AND ASSESSMENTS

“Sec. 2521. Developing value-added data systems.

 “SUBPART 4—RETENTION AND WORKING CONDITIONS

“Sec. 2531. Improving professional development opportunities.”;

9 and

10 (2) by inserting after the items relating to sub-
 11 part 2 of part E of title IX of the Elementary and
 12 Secondary Education Act of 1965 the following new
 13 items:

“Sec. 9537. Assurance of reasonable progress toward equitable access to teacher quality.”

