

114TH CONGRESS
1ST SESSION

S. 2428

To amend the National and Community Service Act of 1990 to establish a National Service for Schools Program, and for other purposes.

IN THE SENATE OF THE UNITED STATES

DECEMBER 18, 2015

Mr. BENNET) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To amend the National and Community Service Act of 1990 to establish a National Service for Schools Program, 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 “Service for Schools
5 Act of 2015”.

6 **SEC. 2. SERVICE FOR SCHOOLS.**

7 Subtitle H of title I of the National and Community
8 Service Act of 1990 (42 U.S.C. 12653 et seq.) is amended
9 by adding at the end the following:

1 **“PART VI—NATIONAL SERVICE FOR SCHOOLS**2 **“SEC. 198T. SERVICE OPPORTUNITY REGISTRY.**

3 “(a) DEFINITIONS.—

4 “(1) ELIGIBLE SERVICE OPPORTUNITY.—The
5 term ‘eligible service opportunity’ means a national
6 service opportunity—7 “(A) that achieves purposes specified in
8 section 2(b), including meeting an unmet
9 human, educational, environmental, or public
10 safety need of the United States, without dis-
11 placing existing (as of the first date of the op-
12 portunity) workers, as determined by the Chief
13 Executive Officer; and

14 “(B) for which—

15 “(i) a participant may receive com-
16 pensation but, except as provided in
17 clauses (ii) and (iii), the total compensa-
18 tion, in the aggregate, shall not exceed the
19 product of—

20 “(I) \$10.00 per hour; and

21 “(II) the number of the quali-
22 fying hours of service involved;23 “(ii) a participant may receive total
24 compensation that exceeds the product de-
25 scribed in clause (i), if the excess is sub-
26 tracted from the amount of the partici-

1 participant's corresponding award under sub-
2 section (d); and

3 “(iii) a participant in a professional
4 corps program described in section
5 122(c)(1)(D), who is engaged in a serv-
6 ice opportunity that meets human, edu-
7 cational, environmental, or public safety
8 needs in a high-need community with an
9 inadequate number of such professionals,
10 as determined by the Chief Executive Offi-
11 cer, may receive compensation without re-
12 gard to clauses (i) and (ii).

13 “(2) ELIGIBLE STUDENT.—The term ‘eligible
14 student’ means an individual who—

15 “(A) completed 2000 qualifying hours of
16 service when the individual was a qualified stu-
17 dent, which hours are recorded by a State Com-
18 mission under subsection (c); and

19 “(B) is not older than age 35.

20 “(3) QUALIFIED STUDENT.—The term ‘quali-
21 fied student’ means an individual who is not younger
22 than age 12 or older than age 30.

23 “(4) QUALIFYING HOUR OF SERVICE.—The
24 term ‘qualifying hour of service’ means an hour of
25 service performed for an eligible service opportunity

1 and for which the participant did not receive a pay-
2 ment under part C of title IV of the Higher Edu-
3 cation Act of 1965 (42 U.S.C. 2751 et seq.).

4 “(b) REGISTRY.—

5 “(1) IN GENERAL.—The Corporation shall es-
6 tablish and carry out directly, in partnership with a
7 nonprofit organization or State Commission or
8 through a grant or subgrant to a nonprofit organiza-
9 tion or State Commission, activities concerning a
10 Service Opportunity Registry (referred to in this sec-
11 tion as the ‘Registry’), which shall list eligible serv-
12 ice opportunities and the registered organizations of-
13 fering the opportunities.

14 “(2) APPLICATION.—To be eligible to be reg-
15 istered in the Registry, an organization that offers
16 an eligible service opportunity shall submit an appli-
17 cation to the Corporation at such time, in such man-
18 ner, and containing such information as the Cor-
19 poration may require.

20 “(3) REGISTRY INFORMATION.—On receipt of
21 an application that meets the requirements of para-
22 graph (2) from an organization that the Chief Exec-
23 utive Officer determines offers an eligible service op-
24 portunity, the Corporation shall register the organi-
25 zation by listing in the Registry—

1 “(A) the names and contact information
2 for the organization; and

3 “(B) a description of the eligible service
4 opportunity.

5 “(4) WEB SITE.—The Corporation shall make
6 the Registry available to the public through a Na-
7 tional Service for Schools Web site.

8 “(5) RE-REGISTRATION.—Not less often than
9 every 2 years, a listed organization that offers an el-
10 igible service opportunity shall re-apply for listing in
11 the Registry.

12 “(c) SERVICE.—

13 “(1) APPLICATION.—To be eligible to partici-
14 pate in and receive credit for service in service op-
15 portunities listed in the Registry, a qualified student
16 shall submit an application to the student’s State
17 Commission, at such time, in such manner, and con-
18 taining the qualified student’s name, the qualified
19 student’s contact information, and such other infor-
20 mation as the Corporation, after consultation with
21 the State Commissions, may require.

22 “(2) DESIGNATION.—In order for students in a
23 State to participate in and receive credit for that
24 service, the State Commission shall participate in
25 the program carried out under this part. On receipt

1 of an application that meets the requirements of
2 paragraph (1) from a qualified student, the State
3 Commission shall designate the qualified student as
4 eligible to so participate and receive such credit.

5 “(3) CONTACT.—A qualified student who wish-
6 es to participate in a service opportunity listed in
7 the Registry shall contact and make arrangements
8 with the organization providing the opportunity.

9 “(4) RECORD OF SERVICE.—

10 “(A) ORGANIZATION.—The organization
11 shall record the qualifying hours of service com-
12 pleted by each qualified student who partici-
13 pates in an eligible service opportunity with the
14 organization.

15 “(B) STATE COMMISSION.—The organiza-
16 tion shall, not less often than annually, notify
17 the appropriate State Commission of the num-
18 ber of qualifying hours of service completed by
19 each qualified student on an eligible service op-
20 portunity with the organization since the last
21 notification. The State Commission shall record
22 the qualifying hours of service in a record for
23 the qualified student. The State Commission
24 shall make the record available to the Corpora-
25 tion on request.

1 “(5) TRANSFER OF APPLICATION AND
2 RECORD.—At the request of a qualified student, a
3 State Commission shall transfer to another State
4 Commission the qualified student’s application for
5 service under paragraph (1) and record of hours of
6 service under paragraph (4)(B).

7 “(6) EFFECT OF ERRONEOUS CERTIFI-
8 CATIONS.—If the State Commission or the Corpora-
9 tion determines that the organization’s record of
10 service under paragraph (4) is erroneous due to a
11 willful act of the organization or is incorrect, and
12 the Corporation makes any associated payment from
13 the National Service Trust due to the erroneous or
14 incorrect record of service, the Corporation may as-
15 sess against the organization a charge for the
16 amount of the payment. In assessing the amount of
17 the charge, the Corporation shall consider the full
18 facts and circumstances surrounding the erroneous
19 or incorrect recording of hours.

20 “(d) AWARDS.—

21 “(1) IN GENERAL.—Subject to appropriations,
22 an eligible student shall receive an award of \$10,000
23 from the National Service for Schools Account, es-
24 tablished in section 145A, to be used as described in
25 subsection (f), except that—

1 “(A) the eligible student may not receive
2 more than 4 of such awards; and

3 “(B) the eligible student may not receive
4 both an award under this section and a national
5 service educational award for the same hours of
6 service.

7 “(2) APPLICATION.—An eligible student seeking
8 such an award shall submit an application to the
9 Corporation at such time, in such manner, and con-
10 taining such information as the Corporation may re-
11 quire.

12 “(e) CREDIT OF HOURS OF SERVICE FOR NATIONAL
13 SERVICE PARTICIPANTS.—A participant who is eligible to
14 receive a national service educational award from the Na-
15 tional Service Trust under section 146 may opt to use the
16 hours certified under section 146A towards an award
17 under subsection (d). The Corporation shall establish a
18 process allowing such participants to elect to use their
19 hours certified under section 146A towards that award in-
20 stead of towards a national service educational award.

21 “(f) USE OF FUNDS.—

22 “(1) IN GENERAL.—Award funds provided
23 under this section shall be available—

24 “(A) to repay eligible student loans in ac-
25 cordance with section 148(b); and

1 “(B) to pay all or part of the cost of at-
2 tendance or other educational expenses at an
3 institution of higher education in accordance
4 with section 148(c).

5 “(2) APPLICATION.—For purposes of the appli-
6 cation of subsections (b) and (c) of section 148
7 under paragraph (1), a reference in those sub-
8 sections—

9 “(A) to a national service educational
10 award shall be considered to be a reference to
11 an award under this section;

12 “(B) to an eligible individual shall be con-
13 sidered to be a reference to an eligible student
14 who has met the requirements for an award
15 under this section;

16 “(C) to the National Service Trust shall be
17 considered to be a reference to the National
18 Service for Schools Account established in sec-
19 tion 145A;

20 “(D) to a position shall be considered to be
21 a reference to activities under this section; and

22 “(E) to a term of service shall be consid-
23 ered to be a term of service under this section.

24 “(g) NATIONAL SERVICE FOR SCHOOLS ACCOUNT.—

1 “(1) INVESTMENT.—The Secretary of the
2 Treasury shall invest in full the amounts appro-
3 priated under subsection (i)(1)(B) to the National
4 Service for Schools Account in section 145A. Except
5 as otherwise provided in this section, the only provi-
6 sions of subtitle D relating to funds in the National
7 Service Trust that apply to amounts in the Account
8 shall be section 145(b) and subsections (b) and (c)
9 of section 148.

10 “(2) OBLIGATIONS FOR AWARDS.—Notwith-
11 standing section 149, the Federal Credit Reform Act
12 of 1990 (2 U.S.C. 661a et seq.), subchapter III of
13 chapter 13 of title 31, United States Code, and any
14 other Federal law, the Corporation shall not record
15 an obligation for an award under this section until
16 such time as the Corporation approves the cor-
17 responding application under subsection (d)(2).

18 “(h) ANNUAL ESTIMATES.—Not later than January
19 31 of each fiscal year, the Corporation and the Director
20 of the Congressional Budget Office shall jointly—

21 “(1) estimate the amount necessary to make
22 award payments under subsection (d) in the next fis-
23 cal year; and

24 “(2) submit a report containing the estimate to
25 the Committee on Appropriations of the House of

1 Representatives and the Committee on Appropria-
2 tions of the Senate.

3 “(i) APPROPRIATIONS.—

4 “(1) IN GENERAL.—There is authorized to be
5 appropriated for a fiscal year—

6 “(A) such sums as may be necessary to
7 carry out the Registry under this section; and

8 “(B) such sums as may be necessary for
9 the National Service for Students Account, to
10 make award payments under subsection (d).

11 “(2) INSUFFICIENT APPROPRIATIONS.—If, for
12 any fiscal year, the funds appropriated for award
13 payments under this part are insufficient to make all
14 the awards for which applications are submitted and
15 approved under subsection (d)(2), the Corporation
16 shall promptly transmit a notice of such insuffi-
17 ciency to each House of Congress, and identify in
18 such notice the additional amount that would be re-
19 quired to be appropriated to make all such awards.”.

20 **SEC. 3. ESTABLISHMENT OF THE NATIONAL SERVICE FOR**
21 **SCHOOLS ACCOUNT.**

22 Subtitle D of title I of the National and Community
23 Service Act of 1990 is amended by inserting after section
24 145 (42 U.S.C. 12601) the following:

1 **“SEC. 145A. NATIONAL SERVICE FOR SCHOOLS ACCOUNT.**

2 “(a) **ESTABLISHMENT.**—There is established in the
3 National Service Trust a National Service for Schools Ac-
4 count.

5 “(b) **AMOUNTS IN THE ACCOUNT.**—The Account
6 shall consist of—

7 “(1) the amounts appropriated under section
8 198T(i)(1)(B);

9 “(2) any amounts received by the Corporation
10 as gifts, bequests, devises, or otherwise pursuant to
11 section 196(a)(2), if the terms of such donations di-
12 rect that the donated amounts be deposited in the
13 Account; and

14 “(3) the interest on, and proceeds from the sale
15 or redemption of, any obligations held by the Ac-
16 count.

17 “(c) **ADMINISTRATION.**—The Account shall be ad-
18 ministered as described in section 198T.”.

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