

SUBPART 9—TEACH Grants

SEC. 420L. [U.S.C. 1070g] DEFINITIONS.

For the purposes of this subpart—

- (1) **ELIGIBLE INSTITUTION.** —The term ‘eligible institution’ means an institution of higher education, as defined in section 102, that the Secretary determines—
- (A) Provides high quality teacher preparation and professional development services, including extensive clinical experience as part of pre-service preparation;
 - (B) Is financially sound;
 - (C) Provides pedagogical course work, or assistance in the provision of such coursework, including the monitoring of student performance, and formal instruction related to the theory and practices of teaching; and
 - (D) Provides supervision and support services to teachers, or assistance in the provision of such services, including mentoring focused on developing effective teaching skills and strategies.
- (2) **POST-BACCALAUREATE.** —The term ‘post-baccalaureate’ means a program of instruction for individuals who have completed a baccalaureate degree, that does not lead to a graduate degree, and that consists of courses required by a State in order for a teacher candidate to receive a professional certification or licensing credential that is required for employment as a teacher in an elementary school or secondary school in that State, except that such term shall not include any program of instruction offered by an eligible institution that offers a baccalaureate degree in education.
- (3) **TEACHER CANDIDATE.** —The term ‘teacher candidate’ means a student or teacher described in subparagraph (A) or (B) of section 420N(a)(2).

Sec. 420M Higher Education Act of 1965, as amended 69

SEC. 420M. [U.S.C. 1070g-1] PROGRAM ESTABLISHED.

(a) **PROGRAM AUTHORITY.** —

- (1) **PAYMENTS REQUIRED.** —The Secretary shall pay to each eligible institution such sums as may be necessary to pay to each teacher candidate who files an application and agreement in accordance with section 420N, and who qualifies under paragraph (2) of section 420N(a), a TEACH Grant in the amount of \$4,000 for each academic year during which that teacher candidate is in attendance at the institution.
- (2) **REFERENCES.** —Grants made under paragraph (1) shall be known as ‘Teacher Education Assistance for College and Higher Education Grants’ or TEACH Grants.

(b) **PAYMENT METHODOLOGY.** —

- (1) **PREPAYMENT.** —Not less than 85 percent of any funds provided to an eligible institution under subsection (a) shall be advanced to the eligible institution prior to the start of each payment period and shall be based upon an amount requested by the institution as needed to pay teacher candidates until such time as the Secretary determines and publishes in the Federal

Register with an opportunity for comment, an alternative payment system that provides payments to institutions in an accurate and timely manner, except that this sentence shall not be construed to limit the authority of the Secretary to place an institution on a reimbursement system of payment.

(2) DIRECT PAYMENT. —Nothing in this section shall be interpreted to prohibit the Secretary from paying directly to teacher candidates, in advance of the beginning of the academic term, an amount for which teacher candidates are eligible, in cases where the eligible institution elects not to participate in the disbursement system required by paragraph (1).

(3) DISTRIBUTION OF GRANTS TO TEACHER CANDIDATES. —Payments under this subpart shall be made, in accordance with regulations promulgated by the Secretary for such purpose, in such manner as will best accomplish the purpose of this subpart. Any disbursement allowed to be made by crediting the teacher candidate's account shall be limited to tuition and fees and, in the case of institutionally-owned housing, room and board. The teacher candidate may elect to have the institution provide other such goods and services by crediting the teacher candidate's account.

(c) REDUCTIONS IN AMOUNT. —

(1) PART-TIME STUDENTS. —In any case where a teacher candidate attends an eligible institution on less than a full-time basis (including a teacher candidate who attends an eligible institution on less than a half-time basis) during any academic year, the amount of a grant under this subpart for which that teacher candidate is eligible shall be reduced in proportion to the degree to which that teacher candidate is not attending on a full-time basis, in accordance with a schedule of reductions established by the Secretary for the purposes of this subpart, computed in accordance with this subpart. Such schedule of reductions shall be established by regulation and published in the Federal Register in accordance with section 482 of this Act.

(2) NO EXCEEDING COST. —The amount of a grant awarded under this subpart, in combination with Federal assistance and other student assistance, shall not exceed the cost of attendance (as defined in section 472) at the eligible institution at which that teacher candidate is in attendance. If, with respect to any teacher candidate for any academic year, it is determined that the amount of a TEACH Grant exceeds the cost of attendance for that year, the amount of the TEACH Grant shall be reduced until such grant does not exceed the cost of attendance at the eligible institution.

(d) PERIOD OF ELIGIBILITY FOR GRANTS. —

(1) UNDERGRADUATE AND POST-BACCALAUREATE STUDENTS. —The period during which an undergraduate or post-baccalaureate student may receive grants under this subpart shall be the period required for the completion of the first undergraduate baccalaureate or post-baccalaureate course of study being pursued by the teacher candidate at the eligible institution at which the teacher candidate is in attendance, except that—

(A) Any period during which the teacher candidate is enrolled in a noncredit or remedial course of study as described in paragraph (3) shall not be counted for the purpose of this paragraph; and
(B) The total number that a teacher candidate may receive under this subpart for undergraduate or postbaccalaureate study shall not exceed \$16,000.

(2) GRADUATE STUDENTS. —The period during which a graduate student may receive grants under this subpart shall be the period required for the completion of a master's degree course of study pursued by the teacher candidate at the eligible institution at which the teacher

candidate is in attendance, except that the total amount that a teacher candidate may receive under this subpart for graduate study shall not exceed \$8,000.

(3) REMEDIAL COURSE; STUDY ABROAD. —Nothing in the section shall be construed to exclude from eligibility courses of study which are noncredit or remedial in nature (including courses in English language acquisition) which are determined by the eligible institution to be necessary to help the teacher candidate be prepared for the pursuit of a first undergraduate baccalaureate or post-baccalaureate degree or certificate or, in the case of courses in English language instruction, to be necessary to enable the teacher candidate to utilize already existing knowledge, training, or skills. Nothing in the section shall be construed to exclude from eligibility programs of study abroad that are approved for credit by the home institution at which the teacher candidate is enrolled.

Sec. 420N Higher Education Act of 1965, as amended 70

SEC. 420N. [U.S.C. 1070g-2] APPLICATIONS; ELIGIBILITY.

(a) APPLICATIONS; DEMONSTRATION OF ELIGIBILITY. —

(1) FILING REQUIRED. —The Secretary shall periodically set dates by which teacher candidates shall file applications for grants under this subpart. Each teacher candidate desiring a grant under this subpart for any year shall file an application containing such information and assurances as the Secretary may determine necessary to enable the Secretary to carry out the functions and responsibilities of this subpart.

(2) DEMONSTRATION OF TEACH GRANT ELIGIBILITY. —Each application submitted under paragraph (1) shall contain such information as is necessary to demonstrate that—

(A) If the applicant is an enrolled student—

(i) The student is an eligible student for purposes of section 484;

(ii) The student—

(I) Has a grade point average that is determined, under standards prescribed by the Secretary, to be comparable to a 3.25 average on a zero to 4.0 scale, except that, if the student is in the first year of a program of undergraduate education, such grade point average shall be determined on the basis of the student's cumulative secondary school grade point average; or

(II) Displayed high academic aptitude by receiving a score above the 75th percentile on at least one of the batteries in an undergraduate, post-baccalaureate, or graduate school admissions test; and

(iii) The student is completing coursework and other requirements necessary to begin a career in teaching or plans to complete such coursework and requirements prior to graduating; or

(B) If the applicant is a current or prospective teacher applying for a grant to obtain a graduate degree—

(i) The applicant is a teacher or a retiree from another occupation with expertise in a field in which there is a shortage of teachers, such as mathematics, science, special education, English language acquisition, or another high-need subject; or

(ii) The applicant is or was a teacher who is using high-quality alternative certification routes, such as Teach for America, to get certified.

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

(1) The applicant will—

- (A) Serve as a full-time teacher for a total of not less than 4 academic years within 8 years after completing the course of study for which the applicant received a TEACH Grant under this subpart;
 - (B) Teach in a school described in section 465(a)(2)(A);
 - (C) Teach in any of the following fields:
 - (i) Mathematics;
 - (ii) Science;
 - (iii) A foreign language;
 - (iv) Bilingual education;
 - (v) Special education;
 - (vi) As a reading specialist; or
 - (vii) Another field documented as high-need by the Federal Government, State government, or local educational agency, and approved by the Secretary;
 - (D) Submit evidence of such employment in the form of a certification by the chief administrative officer of the school upon completion of each year of such service; and
 - (E) Comply with the requirements for being a highly qualified teacher as defined in section 9101 of the Elementary and Secondary Education Act of 1965; and
- (2) In the event that the applicant is determined to have failed or refused to carry out such service obligation, the sum of the amounts of any TEACH Grants received by such applicant will be treated as a loan and collected from the applicant in accordance with subsection (c) and the regulations thereunder.

(c) **REPAYMENT FOR FAILURE TO COMPLETE SERVICE.** —In the event that any recipient of a grant under this subpart fails or refuses to comply with the service obligation in the agreement under subsection (b), the sum of the amounts of any TEACH Grants received by such recipient shall, upon a determination of such a failure or refusal in such service obligation, be treated as a Federal Direct Unsubsidized Stafford Loan under part D of title IV, and shall be subject to repayment, together with interest thereon accruing from the date of the grant award, in accordance with terms and conditions specified by the Secretary in regulations under this subpart.

Sec. 4200 Higher Education Act of 1965, as amended 71

SEC. 4200. [U.S.C. 1070g-3] PROGRAM PERIOD AND FUNDING.

Beginning on July 1, 2008, there shall be available to the Secretary to carry out this subpart, from funds not otherwise appropriated, such sums as may be necessary to provide TEACH Grants in accordance with this subpart to each eligible applicant.