

Summary of Laws and Bills Referenced in Issue Briefs

LAWS

INDIVIDUALS WITH DISABILITIES ACT (IDEA):

IDEA makes available a free appropriate public education and early intervention services to eligible children with disabilities throughout the nation. The IDEA governs how states and public agencies provide early intervention, special education, and related services to more than 7 million eligible infants, toddlers, children, and youth with disabilities. Infants and toddlers, birth through age two, with disabilities and their families receive early intervention services under IDEA Part C. Children and youth ages three through 21 receive special education and related services under IDEA Part B.

- **PART B:** Assistance for Education of All Children with Disabilities, which includes (among other things) Authorization, Use of Funds, State and Local Eligibility, Evaluation, Individualized Education Programs (IEPs), Procedural Safeguards, Monitoring, and Preschool Grants;
- **PART C:** Infants and Toddlers with Disabilities, which includes (among other things) Findings, Definitions, Eligibility, Requirements for Statewide System, Individualized Family Service Plans (IFSPs), State Application and Assurances, Use of Funds, Procedural Safeguards, and Authorization; and
- **PART D:** National Activities to improve Education of Children with Disabilities, which includes State Personnel Development Grants; Personnel Preparation, Technical Assistance, Model Demonstration Projects and Dissemination of Information; Supports to Improve Results for Children with Disabilities; and General Provisions.

IDEA PART D: PERSONNEL PREPARATION GRANTS: The Personnel Preparation program helps meet state-identifies needs for adequate numbers of fully certified personnel to serve children with disabilities by supporting competitive awards to:

- Provide research-based training and professional development to prepare special education, related services, early intervention, and regular education personnel to work with children with disabilities;
- Ensure that those personnel are fully qualified, and possess the skills and knowledge that are needed to serve children with disabilities.

The Department is required to make competitive grants that support training activities in a few high priority areas, including: general personnel development and preparing beginning special educators, personnel serving children with low incidence disabilities, and leadership personnel. These grants are typically 5 years in length.

IDEA PART D STATE PERSONNEL GRANTS: The State Personnel Development (SPD) program focuses on professional development needs. Each state must spend at least 90 percent of its funds on professional development activities, including the recruitment and retention of qualified special education teachers. No more than 10 percent of the state's funds can be spent on state activities, such as reforming special education and regular education teacher certification (including recertification) or licensing requirements and carrying out programs that

establish, expand, or improve alternative routes for state certification of special education teachers. Awards are based on state personnel development plans that identify and address state and local needs for the preparation and professional development of personnel who serve infants, toddlers, preschoolers, or children with disabilities, as well as individuals who provide direct supplementary aids and services to children with disabilities.

EDUCATION SCIENCES REFORM ACT (ESRA):

- **NATIONAL CENTER FOR SPECIAL EDUCATION RESEARCH (NCSEER):** One of the four Centers within the Institute of Education Sciences, NCSEER, supports rigorous research on infants, toddlers, children, and youth with and at risk for disabilities through advancing the understanding of and practices for teaching, learning, and organizing education systems. NCSEER supports such research through its research grants program to identify existing practices, programs, or policies that may be associated with student outcomes; develop new, or modify existing, interventions; evaluate the efficacy and effectiveness of fully developed interventions; and develop and validate measures and assessments. NCSEER-supported Research and Development Centers aim to address important issues in special education by implementing large-scale but focused programs of research and leadership activities. Through its research training programs, NCSEER supports institutions to train postdoctoral fellows, individual early career scientists, and methodology training institutes to develop the research skills in our next generation of special education researchers.

EVERY STUDENT SUCCEEDS ACT (ESSA):

- **JACOB K. JAVITS GIFTED AND TALENTED STUDENTS EDUCATION ACT:** The purpose of this program is to carry out a coordinated program of evidence-based research, demonstration projects, innovative strategies, and similar activities designed to build and enhance the ability of elementary schools and secondary schools nationwide to identify gifted and talented students and meet their special educational needs. The major emphasis of the program is on serving students traditionally underrepresented in gifted and talented programs, particularly economically disadvantaged, limited English proficient (LEP), and disabled students, to help reduce the serious gap in achievement among certain groups of students at the highest levels of achievement. Grants are awarded under two priorities. Priority One supports initiatives to develop and scale up models serving students who are underrepresented in gifted and talented programs. Priority Two supports state and local efforts to improve services for gifted and talented students.
- **TITLE II, PART A: BUILDING SYSTEMS OF SUPPORT FOR EXCELLENT TEACHING AND LEADING:** The Title II, Part A program is designed to increase student achievement; improve the quality and effectiveness of teachers, principals, and other school leaders; increase the number of teachers, principals, and other school leaders who are effective at improving student academic achievement; and provide students from low-income families and minority students greater access to effective teachers, principals, and other school leaders. Title II, Part A investments should align with an SEA's or LEA's overall strategies to support effective instruction in order to improve student academic outcomes.
- **TITLE IV, PART A: STUDENT SUPPORT AND ACADEMIC ENRICHMENT GRANTS:** Title IV, Part A is a flexible block grant program known as Student Support and Academic Enrichment Grants (SSAEG) which is authorized at \$1.6 billion in fiscal year 2019. Title IV, Part A authorizes activities in three broad areas:
 1. Providing students with a well-rounded education including programs such as college and career counseling, STEM, arts, civics and International Baccalaureate/Advanced Placement.
 2. Supporting safe and healthy students with comprehensive school mental health, drug and violence prevention, training on trauma-informed practices, and health and physical education.

3. Supporting the effective use of technology that is backed by professional development, blended learning and ed tech devices.

HIGHER EDUCATION ACT (HEA)

- **TEACH GRANT PROGRAM:** Teacher Education Assistance for College and Higher Education (TEACH) grants are authorized in the College Cost Reduction and Access Act, which was enacted into law in fall 2007 to amend Title IV, Part A, of the Higher Education Act. These non-need based grants are used to recruit teachers into hard-to-staff fields and hard-to-staff schools. Grants of up to \$16,000 (\$4,000/year) for undergraduates and \$8,000 for graduate students preparing to be teachers in high-need fields can be used to cover the cost of tuition and related expenses. Students at eligible institutions qualify to receive TEACH grants by scoring in the top 25th percentile on college admissions tests such as the SAT or ACT and remain eligible by maintaining at least a cumulative 3.25 GPA. Upon completion of their program, grantees must complete a 4-year teaching service obligation in a high-need field, including special education, at a school that receives Title I funds. Note that if the service obligation is not completed, the TEACH grant funds convert to a loan for which the recipient is responsible.
- **TEACHER QUALITY PARTNERSHIP GRANT PROGRAM:** The Teacher Quality Partnership (TQP) Grant Program aims to increase student achievement by improving the quality of new prospective teachers by enhancing the preparation of prospective teachers and the professional development activities for current teachers; holding teacher preparation programs at institutions of higher education (IHEs) accountable for preparing talented, certified or licensed and effective teachers; and recruiting effective individuals, including minorities and individuals from other occupations, into the teaching force.

More specifically, the TQP Grant Program seeks to improve the quality of new teachers by creating partnerships among IHEs, their schools/colleges of education and arts and sciences, high-need school districts (local educational agencies (LEAs)), their high-need schools, and/or high-need early childhood education (ECE) programs. These partnerships will create model teacher preparation programs at the pre-baccalaureate level (or in a 5th year initial licensing program) through the implementation of specific reforms of the IHE's existing teacher preparation programs, or model teaching residency programs for individuals with strong academic and/or professional backgrounds but without teaching experience.

- **PUBLIC SERVICE LOAN FORGIVENESS (PSLF) PROGRAM:** Provides student loan forgiveness for the balance of any principal and interest that remains due on the Direct Loan program loans of borrowers who, after October 1, 2007, have made 120 full, scheduled, monthly payments (10 years) on those loans, according to certain repayment plans, while concurrently employed full-time in public service. To qualify for loan forgiveness, borrowers must be employed full-time in public service, which includes employment in public service organizations and service in AmeriCorps or the Peace Corps. Public service organizations are federal, state, local, or tribal government agencies, organizations, or entities; tribal colleges and universities; public child or family service agencies; nonprofit organizations that are tax-exempt under IRC §501 (c)(3); and private nonprofit organizations (other than labor unions or partisan political organizations). An eligible public service organization must provide any of the following public services: emergency management, military service, public safety, law enforcement, public interest law services, early childhood education, public service for individuals with disabilities and the elderly, public health, public education, public library services, and school library or other school-based services.
- **TEACHER LOAN FORGIVENESS PROGRAM:** Encourages individuals to enter into and continue in the teaching profession. To qualify for loan repayment benefits, borrowers must serve as full-time teachers for at least five consecutive complete academic years in a public nonprofit school, a private nonprofit school, or a public education service agency (ESA) that serves children from low-income families. For teaching service in a school, at least one of the five school years must be after the 2007-2008 school year. Up to \$5,000, in general, and up to \$17,500 for special education

teachers and secondary school teachers of mathematics or science. Forbearance from making loan payments may be granted during the five-year service period.

- **LOAN FORGIVENESS FOR SERVICE IN AREAS OF NATIONAL NEED:** Provides loan forgiveness to borrowers who are employed full-time in an area of national need. To qualify for forgiveness benefits, borrowers must be employed full-time in one of the following areas of national need: early childhood educator; nurse; foreign language specialist; librarian; highly qualified teacher; child welfare worker; speech-language pathologist or audiologist; school counselor; public sector employee in public safety, emergency management, public health, or public interest legal services; nutrition professional; medical specialist; mental specialist; mental health professional; dentist; employee in the science, technology, engineering, and mathematics (STEM) fields; physical therapist; superintendent, principal, or other (school) administrator; occupational therapist; and allied health professional. Up to \$2,000 per school year, academic year, or calendar year of full-time employment in an area of national need completed on or after August 14, 2008, and \$10,000 cumulatively.

BILLS

H.R. 1878, JARED HUFFMAN (D-CA) AND S. 866, CHRIS VAN HOLLEN (D-MD) IDEA FULL FUNDING ACT

*Both the House and Senate bills are identical.

This bill amends the Individual with Disabilities Act to reauthorize and make appropriations for the grant program to assist states and outlying areas in providing special education and related services to children with disabilities. The bill sets the amount to be appropriated for each fiscal year from FY2020-FY2030 as the greater of: (1) a specified percentage of an amount determined pursuant to a formula that multiplies the number of children receiving special education services by the average per-pupil expenditure in public elementary and secondary schools. The bill appropriates funds for FY2031 and each fiscal year equal to the greater of a specified amount or 40% of the amount determined using such formulas.

S. 1866, CORY BOOKER (D-NJ) AND H.R. 3139, DONALD NORCROSS (D-NJ) SUPPORTING THE TEACHING PROFESSION THROUGH REVITALIZING INVESTMENTS IN VALUABLE EDUCATORS ACT (STRIVE)

*Both the House and Senate bills are identical.

This bill amends the Higher Education Act of 1965 to provide qualifying teachers with a new, incremental loan-cancellation program. Specifically, with respect to a 12-month period, the Department of Education (ED) must cancel a specified portion of a borrower's qualifying Federal Direct Loan Program loans if the borrower: (1) has made 12 consecutive on-time monthly payments, (2) is employed in a qualifying teaching position at the time of such cancellation, and (3) was employed in a qualifying teaching position during the period in which the borrower made the 12 payments. After a borrower has received such partial loan cancellation for a specified number of years, ED must cancel the borrower's eligible loans in full.

The bill also:

- increases and extends funding for teacher training;
- makes changes to the Teacher Education Assistance for College and Higher Education grant program, including by increasing annual award amounts and making early childhood teachers eligible for such grants;
- requires ED to award grants to states to subsidize teacher certification and licensing fees for low-income individuals who have entered the teaching profession;
- expands the teacher quality partnership grant program to include early childhood educators; and
- increases the tax deduction for school expenses and extends the deduction to early childhood educators.

S. 969, JACK REED (D-RI) EDUCATOR PREPARATION REFORM ACT

This bill seeks to improve quality and accountability for educator preparation programs. The Educator Preparation Reform Act would overhaul federal laws governing teacher preparation, including reporting requirements, accountability provisions, and the TEACH Grant scholarship program. The bill places specific attention and emphasis on principals with the addition of a residency program for new principals. The bill better connects teacher preparation with principal preparation, and the legislation would also allow partnerships to develop preparation programs for other areas of instructional need, such as for school librarians, counselors, or other academic support professionals. It also makes significant improvements to the Teacher Quality Partnership Program by expanding the residency programs to include principals and providing flexibility to partnerships to meet the instructional needs of local school districts.

The legislation also streamlines the accountability and reporting requirements for teacher preparation programs to provide greater transparency on key quality measures such as admissions standards, requirements for clinical practice, placement of graduates, retention in the field of teaching, and teacher performance, including student learning outcomes. All programs – whether traditional or alternative routes to certification – will report on the same measures. Under the legislation, states will be required to identify at-risk and low-performing programs and provide them with technical assistance and a timeline for improvement, and states would be encouraged to close programs that do not improve.

S. 752, TIM KAINE (D-VA) PREPARING AND RETAINING EDUCATION PROFESSIONAL ACT OF 2019 (PREP)

This bill amends the Higher Education Act of 1965 to provide for teacher and school leader quality enhancement and to enhance institutional aid. The PREP Act aims to address teacher and principal shortages in schools across the country. The bill will create teacher residency programs in order to help provide districts with teachers who will prepare students for future success. The legislation would expand the definition of “high need” districts under the Every Student Succeeds Act (ESSA) to include schools experiencing teacher shortages in rural communities as well as in areas like special education, English language, science, technology, engineering, math, and career and technical education (CTE) in order to give schools access to additional support. It would also encourage school districts to create partnerships, including Grow Your Own programs, with local community colleges and universities to ensure their programs are educating future teachers in areas where there is a shortage of educators. The bill would increase access to teacher and school leader residency programs and preparation training. It requires states to identify areas of teacher or school leader shortages by subject across public schools and use that data to target their efforts.

Additionally, since the majority of students in the nation’s public schools are students of color and the teaching workforce is only comprised of 20 percent teachers of color, the PREP Act increases support for teacher preparation programs at Minority Serving Institutions (MSIs) and Historically Black Colleges and Universities (HBCUs) to support a diverse and well-prepared educator workforce.

H.R. 1364, BOBBY SCOTT (D-VA) AND S. 568, PATTY MURRAY (D-WA) CHILD CARE FOR WORKING FAMILIES ACT

The bill would ensure families have the quality care that they need to work, their children receive care that helps them learn and thrive, and its early childhood workforce has the training and compensation its important mission requires. Overall, the bill would build on existing Child Care and Development Block Grant to increase the number of children who could receive child care assistance by more than 13 times the current amount, with particular attention to infant and toddler care. The bill invests in more inclusive, high-quality child care for young children with disabilities, by increasing funding for the Individuals with Disabilities Education Act.

S. 1770, DICK DURBIN (D-IL) AND H.R. 3180, DANNY DAVIS (D-IL) RESILIENCE INVESTMENT, SUPPORT AND EXPANSION FOR TRAUMA ACT (RISE)

The bill seeks to improve the identification and support of children and families who experience trauma. The bill gives specific attention to the needs of trauma-affected young children, and the specialized training required for clinicians who work with them.

The RISE from Trauma Act would increase multidisciplinary training opportunities and support for IECMH clinical providers across the career span. Among other provisions, it would:

- Establish an IECMH Clinical Leadership Program to award grants to establish training institutes and centers of excellence for IECMH;
- Increase funding for the Health Resources and Services Administration's National Health Service Corps loan repayment program, in order to recruit more mental health clinicians;
- Enhance federal training programs at the Departments of Health and Human Services (HHS), Justice, and Education to provide more tools for early childhood clinicians and others; and
- Create a new HHS program to monitor and enforce health insurance parity requirements, so that IECMH services are covered at the same levels as physical health services.

S. 634, TED CRUZ (R-TX) EDUCATION FREEDOM SCHOLARSHIPS AND OPPORTUNITY ACT

This bill would expand elementary, secondary, and vocational education opportunities for students by providing a federal tax credit to encourage individuals and businesses to donate to nonprofit scholarship funds. Key provisions of the Education Freedom Scholarships and Opportunity Act include:

- Optional for States: State participation is optional – an issue important to prevent extending federal control over education.
- State Directed: States maintain the authority to create a program that works for them. States can decide which students are eligible for the scholarship credit, what constitutes eligible educational expenses and eligible educational providers, and more.
- Encourages Workplace Training Education: There is more than one pathway to success, and our rapidly-changing 21st century economy means that workers need new skills to compete. In addition to elementary and secondary education scholarships, this bill allows for scholarships related to career and technical education, apprenticeships, certifications, and other forms of workforce training for postsecondary students.
- Prohibits Federal Control of Education: Clarifies that nothing in this act shall be construed to permit, allow, encourage, or authorize any increased regulation or control over any aspect of a participating educational provider, scholarship granting organization, or workforce training organization. This allows all education providers to be able to participate, without fear of federal control.
- Helps Our Most Vulnerable Students: Many low- and middle-income students cannot afford tuition and educational expenses themselves, or do not have the means to pay for the workforce training needed to secure a stable, high-paying job. This tax credit will provide scholarships for these students, so that they can have the opportunity to receive an effective and successful education that prepares them for the future.