§ 6673. Recruitment and selection of program participants

(a) Eligible members

The following members of the Armed Forces are eligible for selection to participate in the Program:

(1) Any member who—
   (A) on or after October 1, 1999, becomes entitled to retired or retainer pay in the manner provided in title 10 or title 14;
   (B) has an approved date of retirement that is within 1 year after the date on which the member submits an application to participate in the Program; or
   (C) has been transferred to the Retired Reserve.

(2) Any member who, on or after January 8, 2002—
   (A) (i) is separated or released from active duty after 6 or more years of continuous active duty immediately before the separation or release; or
      (ii) has completed a total of at least 10 years of active duty service, 10 years of service computed under section 12732 of title 10, or 10 years of any combination of such service; and
   (B) executes a reserve commitment agreement for a period of not less than 3 years under subsection (e)(2) of this section.

(3) Any member who, on or after January 8, 2002, is retired or separated for physical disability under chapter 61 of title 10.

(4) Any member who—
   (A) during the period beginning on October 1, 1990, and ending on September 30, 1999, was involuntarily discharged or released from active duty for purposes of a reduction of force after 6 or more years of continuous active duty immediately before the discharge or release; or
   (B) applied for the teacher placement program administered under section 1151 of title 10 before the repeal of that section, and satisfied the eligibility criteria specified in subsection (c) of such section 1151.

(b) Submission of applications

(1) Form and submission

Selection of eligible members of the Armed Forces to participate in the Program shall be made on the basis of applications submitted to the Secretary within the time periods specified in paragraph (2). An application shall be in such form and contain such information as the Secretary may require.

(2) Time for submission

An application shall be considered to be submitted on a timely basis under paragraph (1) if—

(A) in the case of a member described in paragraph (1)(A), (2), or (3) of subsection (a) of this section, the application is submitted not later than 4 years after the date on which the member is retired or separated or released from active duty, whichever applies to the member; or
(B) in the case of a member described in subsection (a)(4) of this section, the application is submitted not later than September 30, 2003.

(c) Selection criteria

(1) Establishment

Subject to paragraphs (2) and (3), the Secretary shall prescribe the criteria to be used to select eligible members of the Armed Forces to participate in the Program.

(2) Educational background

(A) Elementary or secondary school teacher

If a member of the Armed Forces described in paragraph (1), (2), or (3) of subsection (a) of this section is applying for assistance for placement as an elementary school or secondary school teacher, the Secretary shall require the member to have received a baccalaureate or advanced degree from an accredited institution of higher education.

(B) Vocational or technical teacher

If a member of the Armed Forces described in paragraph (1), (2), or (3) of subsection (a) of this section is applying for assistance for placement as a vocational or technical teacher, the Secretary shall require the member—

1. received the equivalent of 1 year of college from an accredited institution of higher education and have 6 or more years of military experience in a vocational or technical field; or

2. to otherwise meet the certification or licensing requirements for a vocational or technical teacher in the State in which the member seeks assistance for placement under the Program.

(3) Honorable service

A member of the Armed Forces is eligible to participate in the Program only if the member’s last period of service in the Armed Forces was honorable, as characterized by the Secretary concerned (as defined in section 101 (a)(9) of title 10). A member selected to participate in the Program before the retirement of the member or the separation or release of the member from active duty may continue to participate in the Program after the retirement, separation, or release only if the member’s last period of service is characterized as honorable by the Secretary concerned (as so defined).

(d) Selection priorities

In selecting eligible members of the Armed Forces to receive assistance under the Program, the Secretary shall give priority to members who have educational or military experience in science, mathematics, special education, or vocational or technical subjects and agree to seek employment as science, mathematics, or special education teachers in elementary schools or secondary schools or in other schools under the jurisdiction of a local educational agency.

(e) Other conditions on selection

(1) Selection subject to funding

The Secretary may not select an eligible member of the Armed Forces to participate in the Program under this section and receive financial assistance under section 6674 of this title unless the Secretary has sufficient appropriations for the Program available at the time of the selection to satisfy the obligations to be incurred by the United States under section 6674 of this title with respect to the member.

(2) Reserve commitment agreement

The Secretary may not select an eligible member of the Armed Forces described in subsection (a)(2)(A) of this section to participate in the Program under this section and receive financial assistance under section 6674 of this title unless—
(A) the Secretary notifies the Secretary concerned and the member that the Secretary has reserved a full stipend or bonus under section 6674 of this title for the member; and
(B) the member executes a written agreement with the Secretary concerned to serve as a member of the Selected Reserve of a reserve component of the Armed Forces for a period of not less than 3 years (in addition to any other reserve commitment the member may have).

Footnotes
1 So in original. Probably should be “(i) to have”.


References in Text

Prior Provisions