TITLE 20 - EDUCATION
CHAPTER 70 - STRENGTHENING AND IMPROVEMENT OF ELEMENTARY AND SECONDARY SCHOOLS
SUBCHAPTER II - PREPARING, TRAINING, AND RECRUITING HIGH QUALITY TEACHERS AND PRINCIPALS
Part C - Innovation for Teacher Quality
subpart 1 - transitions to teaching
Division A - Troops-to-Teachers Program

§ 6674. Participation agreement and financial assistance

(a) Participation agreement
   (1) In general
   An eligible member of the Armed Forces selected to participate in the Program under section 6673 of this title and receive financial assistance under this section shall be required to enter into an agreement with the Secretary in which the member agrees—
      (A) within such time as the Secretary may require, to obtain certification or licensing as an elementary school teacher, secondary school teacher, or vocational or technical teacher, and to become a highly qualified teacher; and
      (B) to accept an offer of full-time employment as an elementary school teacher, secondary school teacher, or vocational or technical teacher for not less than 3 school years with a high-need local educational agency or public charter school, as such terms are defined in section 6601 of this title, to begin the school year after obtaining that certification or licensing.
   (2) Waiver
   The Secretary may waive the 3-year commitment described in paragraph (1)(B) for a participant if the Secretary determines such waiver to be appropriate. If the Secretary provides the waiver, the participant shall not be considered to be in violation of the agreement and shall not be required to provide reimbursement under subsection (f) of this section, for failure to meet the 3-year commitment.

(b) Violation of participation agreement; exceptions

A participant in the Program shall not be considered to be in violation of the participation agreement entered into under subsection (a) of this section during any period in which the participant—
   (1) is pursuing a full-time course of study related to the field of teaching at an institution of higher education;
   (2) is serving on active duty as a member of the Armed Forces;
   (3) is temporarily totally disabled for a period of time not to exceed 3 years as established by sworn affidavit of a qualified physician;
   (4) is unable to secure employment for a period not to exceed 12 months by reason of the care required by a spouse who is disabled;
   (5) is a highly qualified teacher who is seeking and unable to find full-time employment as a teacher in an elementary school or secondary school or as a vocational or technical teacher for a single period not to exceed 27 months; or
   (6) satisfies the provisions of additional reimbursement exceptions that may be prescribed by the Secretary.

(c) Stipend for participants
   (1) Stipend authorized

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NB: This unofficial compilation of the U.S. Code is current as of Jan. 4, 2012 (see http://www.law.cornell.edu/uscode/uscodeprint.html).
Subject to paragraph (2), the Secretary may pay to a participant in the Program selected under section 6673 of this title a stipend in an amount of not more than $5,000.

(2) Limitation

The total number of stipends that may be paid under paragraph (1) in any fiscal year may not exceed 5,000.

(d) Bonus for participants

(1) Bonus authorized

Subject to paragraph (2), the Secretary may, in lieu of paying a stipend under subsection (c) of this section, pay a bonus of $10,000 to a participant in the Program selected under section 6673 of this title who agrees in the participation agreement under subsection (a) of this section to become a highly qualified teacher and to accept full-time employment as an elementary school teacher, secondary school teacher, or vocational or technical teacher for not less than 3 school years in a high-need school.

(2) Limitation

The total number of bonuses that may be paid under paragraph (1) in any fiscal year may not exceed 3,000.

(3) High-need school defined

In this subsection, the term “high-need school” means a public elementary school, public secondary school, or public charter school that meets one or more of the following criteria:

(A) Low-income children

At least 50 percent of the students enrolled in the school were from low-income families (as described in section 6672 (b)(2)(A)(i) of this title).

(B) Children with disabilities

The school has a large percentage of students who qualify for assistance under part B of the Individuals with Disabilities Education Act [20 U.S.C. 1411 et seq.].

(e) Treatment of stipend and bonus

A stipend or bonus paid under this section to a participant in the Program shall be taken into account in determining the eligibility of the participant for Federal student financial assistance provided under title IV of the Higher Education Act of 1965 [20 U.S.C. 1070 et seq. and 42 U.S.C. 2751 et seq.].

(f) Reimbursement under certain circumstances

(1) Reimbursement required

A participant in the Program who is paid a stipend or bonus under this section shall be required to repay the stipend or bonus under the following circumstances:

(A) Failure to obtain qualifications or employment

The participant fails to obtain teacher certification or licensing, to become a highly qualified teacher, or to obtain employment as an elementary school teacher, secondary school teacher, or vocational or technical teacher as required by the participation agreement under subsection (a) of this section.

(B) Termination of employment

The participant voluntarily leaves, or is terminated for cause from, employment as an elementary school teacher, secondary school teacher, or vocational or technical teacher during the 3 years of required service in violation of the participation agreement.

(C) Failure to complete service under reserve commitment agreement
The participant executed a written agreement with the Secretary concerned under section 6673 (e)(2) of this title to serve as a member of a reserve component of the Armed Forces for a period of 3 years and fails to complete the required term of service.

(2) Amount of reimbursement

A participant required to reimburse the Secretary for a stipend or bonus paid to the participant under this section shall pay an amount that bears the same ratio to the amount of the stipend or bonus as the unserved portion of required service bears to the 3 years of required service. Any amount owed by the participant shall bear interest at the rate equal to the highest rate being paid by the United States on the day on which the reimbursement is determined to be due for securities having maturities of 90 days or less and shall accrue from the day on which the participant is first notified of the amount due.

(3) Treatment of obligation

The obligation to reimburse the Secretary under this subsection is, for all purposes, a debt owing the United States. A discharge in bankruptcy under title 11 shall not release a participant from the obligation to reimburse the Secretary under this subsection.

(4) Exceptions to reimbursement requirement

A participant shall be excused from reimbursement under this subsection if the participant becomes permanently totally disabled as established by sworn affidavit of a qualified physician. The Secretary may also waive the reimbursement in cases of extreme hardship to the participant, as determined by the Secretary.

(g) Relationship to educational assistance under Montgomery GI Bill

The receipt by a participant in the Program of a stipend or bonus under this section shall not reduce or otherwise affect the entitlement of the participant to any benefits under chapter 30 of title 38 or chapter 1606 of title 10.

Footnotes
1 So in original. Probably should be section “6602”.


References in Text


Prior Provisions