

116TH CONGRESS
1ST SESSION

H. R. 3926

To amend the Higher Education Act of 1965 in order to improve the service obligation verification process for TEACH Grant recipients, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 23, 2019

Mr. VISCLOSKY introduced the following bill; which was referred to the Committee on Education and Labor

A BILL

To amend the Higher Education Act of 1965 in order to improve the service obligation verification process for TEACH Grant recipients, 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 “Consider Teachers
5 Act”.

6 **SEC. 2. TEACH GRANT.**

7 (a) AGREEMENTS TO SERVE.—Section 420N(b) of
8 the Higher Education Act of 1965 (20 U.S.C. 1070g–2(b))
9 is amended—

1 (1) in paragraph (1)(D), by striking “upon
2 completion” and inserting “by not later than Octo-
3 ber 31 after completion”; and

4 (2) in paragraph (2), by striking “failed or re-
5 fused to carry out such service obligation” and in-
6 serting “not completed the applicant’s service obliga-
7 tion within the 8-year period described in paragraph
8 (1)(A) or the applicant withdraws from such service
9 obligation”.

10 (b) REPAYMENT FOR FAILURE TO COMPLETE SERV-
11 ICE.—Section 420N(c) of the Higher Education Act of
12 1965 (20 U.S.C. 1070g–2(c) is amended to read as fol-
13 lows:

14 “(c) REPAYMENT FOR FAILURE TO COMPLETE
15 SERVICE.—

16 “(1) IN GENERAL.—In the event that the Sec-
17 retary determines that any recipient of a grant
18 under this subpart has not completed the recipient’s
19 service obligation under subsection (b) or has with-
20 drawn from such service obligation, the sum of the
21 amounts of any TEACH Grants received by such re-
22 cipient shall, upon such a determination, be treated
23 as a Federal Direct Unsubsidized Stafford Loan
24 under part D, and shall be subject to repayment, to-
25 gether with interest thereon accruing from the date

1 of the grant award, in accordance with terms and
2 conditions specified by the Secretary in regulations
3 under this subpart.

4 “(2) RECONSIDERATION OF LOAN TREAT-
5 MENT.—

6 “(A) IN GENERAL.—In the event that the
7 Secretary has made a determination under
8 paragraph (1) with respect to a recipient of a
9 grant under this subpart that results in such
10 grant being treated as a Federal Direct Unsub-
11 sidized Stafford Loan under part D—

12 “(i) upon request of such recipient,
13 the Secretary shall reconsider the deter-
14 mination; and

15 “(ii) such recipient may submit to the
16 Secretary additional information to dem-
17 onstrate that—

18 “(I) the recipient has completed
19 the service obligation within the 8-
20 year period described in subsection
21 (b)(1)(A); or

22 “(II) the 8-year period for com-
23 pletion of such service obligation has
24 not yet expired.

1 “(B) APPROVAL OF RECONSIDERATION.—
2 If, in reconsidering a determination under sub-
3 paragraph (A), the Secretary determines that
4 the recipient has, as of the date of the reconsid-
5 eration, demonstrated that the recipient has
6 completed the service obligation within the 8-
7 year period described in subsection (b)(1)(A),
8 or that the 8-year period for completion of such
9 service obligation has not yet expired, the Sec-
10 retary shall—

11 “(i) cancel the amount of principal,
12 interest accrued, or any fees that are out-
13 standing on the Federal Direct Unsub-
14 sidized Stafford Loan made to the recipi-
15 ent under this subpart, reinstate the recipi-
16 ent’s grant under this subpart, and extend
17 the 8-year service period described in sub-
18 section (b)(1)(A) by an amount equal to
19 the period during which such grant was
20 treated as such loan;

21 “(ii) if the recipient has an out-
22 standing obligation on another loan made
23 under part D, apply any payments made
24 on such Federal Direct Unsubsidized Staf-
25 ford Loan toward such other loan, and in

1 a case in which the recipient has an out-
2 standing obligation on multiple loans made
3 under part D, enable the borrower to de-
4 termine how such payments shall be ap-
5 plied toward such loans;

6 “(iii) if the recipient does not have an
7 outstanding obligation on any other loan
8 made under part D, reimburse the recipi-
9 ent for any amounts paid on such Federal
10 Direct Unsubsidized Stafford Loan; and

11 “(iv) count any period of service of
12 the recipient that meets the requirements
13 of subsection (b)(1) and that was com-
14 pleted while the grant was being treated as
15 such Federal Direct Unsubsidized Stafford
16 Loan, toward the recipient’s service obliga-
17 tion under subsection (b)(1).

18 “(C) RULE OF CONSTRUCTION.—Nothing
19 in this paragraph shall be construed to mean
20 that the service obligation under this subpart is
21 waived.”.

22 (c) COMMUNICATION WITH RECIPIENTS.—Section
23 420N(d) of the Higher Education Act of 1965 (20 U.S.C.
24 1070g–2(d) is amended by adding at the end the fol-
25 lowing:

1 “(3) COMMUNICATION WITH RECIPIENTS.—Not
2 later than October 5 of each year, the Secretary
3 shall notify each recipient of a grant under this sub-
4 part of the following:

5 “(A) The terms and conditions the recipi-
6 ent must continue to meet to satisfy their serv-
7 ice obligation in the agreement under sub-
8 section (b).

9 “(B) The requirement and means for the
10 recipient to provide evidence of qualified em-
11 ployment to the Secretary described under sub-
12 section (b)(1)(D).

13 “(C) The amount of service the Secretary
14 has counted towards the recipients’ service obli-
15 gation in the agreement under subsection (b).

16 “(D) The period remaining for the recipi-
17 ent to complete the recipient’s service obligation
18 in the agreement under subsection (b).

19 “(E) The conditions under which the Sec-
20 retary will treat a TEACH Grant as a loan
21 under subsection (c)(1).

22 “(F) The amount of interest that may ac-
23 crue and that the recipient will be required to
24 pay if such grant is treated as a loan under
25 subsection (c)(1).

1 “(G) The process under which the recipi-
2 ent may contact the Secretary to request a re-
3 consideration under subsection (c)(2).

4 “(H) The process under which a recipient
5 may request to have a portion of the recipient’s
6 service obligation excused pursuant to sub-
7 section (d)(2).

8 “(I) The process under which a recipient
9 may request to withdraw from the recipient’s
10 service obligation under subsection (b).”.

○