

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 this 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 this 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.

(Pub. L. 89-329, title IV, §420M, as added Pub. L. 110-84, title I, §104, Sept. 27, 2007, 121 Stat. 787; amended Pub. L. 110-153, §3(2), Dec. 21, 2007, 121 Stat. 1824.)

AMENDMENTS

2007—Subsecs. (a)(1), (c)(1). Pub. L. 110-153, §3(2)(A), substituted “year” for “academic year”.

Subsec. (c)(2). Pub. L. 110-153, §3(2)(B), substituted “other assistance the student may receive” for “other student assistance” and struck out at end “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.”

§ 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 1091 of this title;

(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 1087ee(a)(2)(A) of this title;

(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 7801 of this title;

(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; and

(3) contains, or is accompanied by, a plain-language disclosure form developed by the Secretary that clearly describes the nature of

the TEACH Grant award, the service obligation, and the loan repayment requirements that are the consequence of the failure to complete the service obligation.

(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 C, 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.

(d) Additional administrative provisions

(1) Change of high-need designation

If a recipient of an initial grant under this subpart has acquired an academic degree, or expertise, in a field that was, at the time of the recipient's application for that grant, designated as high need in accordance with subsection (b)(1)(C)(vii), but is no longer so designated, the grant recipient may fulfill the service obligation described in subsection (b)(1) by teaching in that field.

(2) Extenuating circumstances

The Secretary shall establish, by regulation, categories of extenuating circumstances under which a recipient of a grant under this subpart who is unable to fulfill all or part of the recipient's service obligation may be excused from fulfilling that portion of the service obligation.

(Pub. L. 89-329, title IV, §420N, as added Pub. L. 110-84, title I, §104, Sept. 27, 2007, 121 Stat. 788; amended Pub. L. 110-315, title IV, §412(a)(1), Aug. 14, 2008, 122 Stat. 3226.)

AMENDMENTS

2008—Subsec. (b)(3). Pub. L. 110-315, §412(a)(1)(A), added par. (3).

Subsec. (d). Pub. L. 110-315, §412(a)(1)(B), added subsec. (d).

EFFECTIVE DATE OF 2008 AMENDMENT

Pub. L. 110-315, title IV, §412(b), Aug. 14, 2008, 122 Stat. 3227, provided that: "The amendments made by subsection (a)(1) [amending this section] shall take effect on July 1, 2010."

§ 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.

(Pub. L. 89-329, title IV, §420O, as added Pub. L. 110-84, title I, §104, Sept. 27, 2007, 121 Stat. 790.)

§ 1070g-4. Program report

Not later than two years after August 14, 2008, and every two years thereafter, the Secretary shall prepare and submit to the authorizing

committees a report on TEACH grants with respect to the schools and students served by recipients of such grants. Such report shall take into consideration information related to—

- (1) the number of TEACH grant recipients;
- (2) the degrees obtained by such recipients;
- (3) the location, including the school, local educational agency, and State, where the recipients completed the service agreed to under section 1070g-2(b) of this title and the subject taught;
- (4) the duration of such service; and
- (5) any other data necessary to conduct such evaluation.

(Pub. L. 89-329, title IV, §420P, as added Pub. L. 110-315, title IV, §412(a)(2), Aug. 14, 2008, 122 Stat. 3227.)

SUBPART 10—SCHOLARSHIPS FOR VETERAN'S DEPENDENTS

§ 1070h. Scholarships for veteran's dependents

(a) Definition of eligible veteran's dependent

The term "eligible veteran's dependent" means a dependent or an independent student—

- (1) whose parent or guardian was a member of the Armed Forces of the United States and died as a result of performing military service in Iraq or Afghanistan after September 11, 2001; and
- (2) who, at the time of the parent or guardian's death, was—
 - (A) less than 24 years of age; or
 - (B) enrolled at an institution of higher education on a part-time or full-time basis.

(b) Grants

(1) In general

The Secretary shall award a grant to each eligible veteran's dependent to assist in paying the eligible veteran's dependent's cost of attendance at an institution of higher education.

(2) Designation

Grants made under this section shall be known as "Iraq and Afghanistan Service Grants".

(c) Prevention of double benefits

No eligible veteran's dependent may receive a grant under both this section and section 1070a of this title.

(d) Terms and conditions

The Secretary shall award grants under this section in the same manner, and with the same terms and conditions, including the length of the period of eligibility, as the Secretary awards Federal Pell Grants under section 1070a of this title, except that—

- (1) the award rules and determination of need applicable to the calculation of Federal Pell Grants, shall not apply to grants made under this section;
- (2) the provisions of subsection (a)(3), subsection (b)(1), the matter following subsection (b)(2)(A)(v),¹ subsection (b)(3), and subsection (f), of section 1070a of this title shall not apply; and
- (3) a grant made under this section to an eligible veteran's dependent for any award year

¹ See References in Text note below.