

112TH CONGRESS  
1ST SESSION

# H. R. 289

To amend the Internal Revenue Code of 1986 to encourage teachers to pursue teaching science, technology, engineering, and math subjects at elementary and secondary schools.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 12, 2011

Ms. HIRONO (for herself, Mr. GALLEGLY, Mr. PRICE of North Carolina, Mr. MCGOVERN, Mr. HOLT, and Mr. REYES) introduced the following bill; which was referred to the Committee on Ways and Means

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## A BILL

To amend the Internal Revenue Code of 1986 to encourage teachers to pursue teaching science, technology, engineering, and math subjects at elementary and secondary schools.

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 “National STEM Edu-  
5 cation Tax Incentive for Teachers Act of 2011”.

1 **SEC. 2. REFUNDABLE CREDIT FOR PORTION OF TUITION**  
2 **PAID FOR UNDERGRADUATE EDUCATION OF**  
3 **CERTAIN TEACHERS.**

4 (a) IN GENERAL.—Subpart C of part IV of sub-  
5 chapter A of chapter 1 of the Internal Revenue Code of  
6 1986 (relating to refundable credits) is amended by insert-  
7 ing after section 36C the following new section:

8 **“SEC. 36D. TUITION FOR UNDERGRADUATE EDUCATION OF**  
9 **CERTAIN TEACHERS.**

10 “(a) IN GENERAL.—In the case of an individual who  
11 is an eligible teacher for the taxable year, there shall be  
12 allowed as a credit against the tax imposed by this subtitle  
13 an amount equal to 10 percent of qualified undergraduate  
14 tuition paid by such individual.

15 “(b) LIMITATIONS.—

16 “(1) DOLLAR AMOUNT.—The credit allowed by  
17 this section for any taxable year shall not exceed  
18 \$1,000.

19 “(2) TEACHERS IN HIGH-NEEDS SCHOOLS.—In  
20 the case of one of the first 5 taxable years in which  
21 a teacher is an eligible teacher who teaches in an el-  
22 elementary school or a secondary school (as those  
23 terms are defined in section 9101 of the Elementary  
24 and Secondary Education Act of 1965 (20 U.S.C.  
25 7801)) receiving funds under part A of title I of  
26 such Act (20 U.S.C. 6311 et seq.), subparagraph

1 (A) shall be applied by substituting ‘\$1,500’ for  
2 ‘\$1,000’.

3 “(3) CREDIT ALLOWED ONLY FOR 10 YEARS.—  
4 No credit shall be allowed under this section for any  
5 taxable year after the 10th taxable year for which  
6 credit is allowed under this section.

7 “(c) ELIGIBLE TEACHER.—For purposes of this sec-  
8 tion—

9 “(1) IN GENERAL.—The term ‘eligible teacher’  
10 means, with respect to a taxable year, any indi-  
11 vidual—

12 “(A) who is a full-time teacher, including  
13 a full-time substitute teacher, in any of grades  
14 kindergarten through 12th grade for the aca-  
15 demic year ending in such taxable year,

16 “(B)(i) who teaches primarily math,  
17 science, engineering, or technology courses in  
18 one or more of grades 9 through 12 during  
19 such academic year, or

20 “(ii) who teaches math, science, engineer-  
21 ing, or technology courses in one or more of  
22 grades kindergarten through 8 during such aca-  
23 demic year,

24 “(C) who, in the case that such individual  
25 is a middle or secondary school teacher, re-

1           ceived a baccalaureate or similar degree with a  
2           major in mathematics, science, engineering, or  
3           technology from an institution of higher edu-  
4           cation, and

5                   “(D) who is highly qualified (as defined in  
6                   section 9101(23) of the Elementary and Sec-  
7                   ondary Education Act of 1965).

8                   “(2) SPECIAL RULE FOR ADMINISTRATIVE PER-  
9           SONNEL.—School administrative functions shall be  
10          treated as teaching courses referred to in paragraph  
11          (1)(B) if such functions primarily relate to such  
12          courses or are for a school which focuses primarily  
13          on such courses.

14                   “(d) QUALIFIED UNDERGRADUATE TUITION.—For  
15          purposes of this section, the term ‘qualified undergraduate  
16          tuition’ means qualified higher education expenses (as de-  
17          fined in section 529(e)(3)) for enrollment or attendance  
18          at an institution of higher education, reduced as provided  
19          in section 25A(g)(2) and by any credit allowed by section  
20          25A with respect to such expenses.

21                   “(e) INSTITUTION OF HIGHER EDUCATION.—The  
22          term ‘institution of higher education’ means an institution  
23          of higher education as defined in section 102 of the Higher  
24          Education Act of 1965 (20 U.S.C. 1002).

1       “(f) REGULATIONS.—The Secretary shall prescribe  
2 such regulations as may be appropriate to carry out the  
3 purposes of this section.”.

4       (b) CONFORMING AMENDMENTS.—

5           (1) Paragraph (2) of section 1324(b) of title  
6 31, United States Code, is amended by inserting  
7 “36D,” after “36C,”.

8           (2) The table of sections for subpart C of part  
9 IV of subchapter A of chapter 1 of the Internal Rev-  
10 enue Code of 1986 is amended by inserting after the  
11 item relating to section 36C the following new item:

“Sec. 36D. Tuition for undergraduate education of certain teachers.”.

12       (c) EFFECTIVE DATE.—The amendments made by  
13 this section shall apply to taxable years beginning after  
14 the date of the enactment of this Act; except that only  
15 periods of being an eligible teacher (as defined in section  
16 36D(c) of the Internal Revenue Code of 1986, as added  
17 by this section) after such date shall be taken into account  
18 under section 36D(b)(3) of such Code, as so added.

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