

112TH CONGRESS
1ST SESSION

S. 378

To amend the Internal Revenue Code of 1986 to provide a tax incentive to individuals teaching in elementary and secondary schools located in rural or high unemployment areas and to individuals who achieve certification from the National Board for Professional Teaching Standards, and for other purposes.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 17, 2011

Mr. ROCKEFELLER introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To amend the Internal Revenue Code of 1986 to provide a tax incentive to individuals teaching in elementary and secondary schools located in rural or high unemployment areas and to individuals who achieve certification from the National Board for Professional Teaching Standards, 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 “Incentives to Educate
5 American Children Act of 2011” or the “I Teach Act of
6 2011”.

1 **SEC. 2. FINDINGS AND PURPOSES.**

2 (a) FINDINGS.—Congress makes the following find-
3 ings:

4 (1) As a result of retirements and decreasing
5 retention of beginning teachers, classrooms are filled
6 with less experienced teachers. The most common
7 number of years of teaching experience for public
8 school teachers has decreased from 15 years experi-
9 ence in 1987–1988 to just 1 year teaching experi-
10 ence in the most recent data for 2007–2008. Stu-
11 dents deserve teachers with more experience and
12 training.

13 (2) Recent research confirms that additional
14 years of teaching experience at the same grade level
15 (up to 20 years) add a direct positive impact on stu-
16 dent achievement.

17 (3) The most recent data (2007–2008) from
18 the National Center for Education Statistics find 32
19 percent of America’s public schools are in rural
20 school districts, and the increased transportation
21 costs these school districts face mean they have less
22 money for instructional costs and salaries. Depart-
23 ment of Education data show that rural school dis-
24 tricts have the lowest base salaries for starting
25 teachers and this continues as teachers move to the

1 top of the local salary range. Rural schools face
2 these challenges in all States.

3 (4) A 2009 study by the Education Trust re-
4 ports that high poverty high schools are twice as
5 likely not to have teachers certified in their fields
6 than low poverty schools. The same study found the
7 percentage of first year teachers to be higher in high
8 poverty schools in cities, suburbs, and small towns.
9 Rural schools have first year teacher rates above the
10 national average regardless of poverty rate.

11 (5) The National Board for Professional Teach-
12 ing Standards was founded in 1987 as a follow up
13 to the landmark 1983 report, “A Nation at Risk”,
14 by the Carnegie Task Force on Teaching. The Na-
15 tional Board for Professional Teaching Standards is
16 an independent, nonprofit, and nonpartisan organi-
17 zation the mission of which is to establish high and
18 rigorous standards for what accomplished teachers
19 should know and be able to do.

20 (6) Nearly 91,000 teachers from all 50 States
21 and the District of Columbia have completed certifi-
22 cation by the National Board for Professional
23 Teaching Standards, where certification is a rigorous
24 assessment process for teachers.

1 (7) In 2008, the National Research Council
2 (NRC) of the National Academies affirmed that stu-
3 dents taught by National Board certified teachers
4 make higher gains on achievement tests than those
5 taught by teachers who have not applied for or have
6 not achieved certification.

7 (8) A recent study by the Economic Policy In-
8 stitute found that public school teachers earn signifi-
9 cantly less than other college graduates. The study
10 found teachers were paid on average only 77 percent
11 as much as other college graduates and the disparity
12 is growing.

13 (b) PURPOSES.—The purposes of this Act are as fol-
14 lows:

15 (1) To encourage teachers, through a refund-
16 able tax credit, to work in public elementary and
17 secondary schools located in rural areas or schools
18 with high poverty.

19 (2) To provide an additional tax credit to teach-
20 ers who achieve certification from the National
21 Board for Professional Teaching Standards in order
22 to recruit and retain highly qualified teachers in
23 public elementary and secondary schools.

1 **SEC. 3. REFUNDABLE TAX CREDIT FOR INDIVIDUALS**
 2 **TEACHING IN ELEMENTARY AND SECONDARY**
 3 **SCHOOLS LOCATED IN HIGH POVERTY OR**
 4 **RURAL AREAS AND CERTIFIED TEACHERS.**

5 (a) IN GENERAL.—Subpart C of part IV of sub-
 6 chapter A of chapter 1 of the Internal Revenue Code of
 7 1986 is amended by inserting after section 36C the fol-
 8 lowing new section:

9 **“SEC. 36D. TAX CREDIT FOR INDIVIDUALS TEACHING IN EL-**
 10 **EMENTARY AND SECONDARY SCHOOLS LO-**
 11 **CATED IN HIGH POVERTY OR RURAL AREAS**
 12 **AND CERTIFIED TEACHERS.**

13 “(a) ALLOWANCE OF CREDIT.—In the case of an eli-
 14 gible teacher, there shall be allowed as a credit against
 15 the tax imposed by this subtitle for the taxable year an
 16 amount equal to the applicable amount for the eligible aca-
 17 demic year ending during such taxable year.

18 “(b) APPLICABLE AMOUNT.—For purposes of this
 19 section—

20 “(1) TEACHERS IN SCHOOLS IN RURAL AREAS
 21 OR SCHOOLS WITH HIGH POVERTY.—

22 “(A) IN GENERAL.—In the case of an eligi-
 23 ble teacher who performs services in a public
 24 kindergarten or a public elementary or sec-
 25 ondary school described in subparagraph (B)

1 during the eligible academic year, the applicable
2 amount is \$1,000.

3 “(B) SCHOOL DESCRIBED.—A public kin-
4 dergarten or a public elementary or secondary
5 school is described in this subparagraph if—

6 “(i) at least 75 percent of the stu-
7 dents attending such kindergarten or
8 school receive free or reduced-cost lunches
9 under the school lunch program established
10 under the Richard B. Russell National
11 School Lunch Act, or

12 “(ii) such kindergarten or school has
13 a School Locale Code of 41, 42, or 43, as
14 determined by the Secretary of Education.

15 “(2) CERTIFIED TEACHERS.—In the case of an
16 eligible teacher who is certified by the National
17 Board for Professional Teaching Standards for the
18 eligible academic year, the applicable amount is
19 \$1,000.

20 “(3) CERTIFIED TEACHERS IN SCHOOLS IN
21 RURAL AREAS OR SCHOOLS WITH HIGH POVERTY.—
22 In the case of an eligible teacher described in para-
23 graphs (1) and (2), the applicable amount is \$2,000.

24 “(c) ELIGIBLE TEACHER.—For purposes of this sec-
25 tion, the term ‘eligible teacher’ means, for any eligible aca-

1 demic year, an individual who is a kindergarten through
 2 grade 12 classroom teacher or instructor in a public kin-
 3 dergarten or a public elementary or secondary school on
 4 a full-time basis for such eligible academic year.

5 “(d) ADDITIONAL DEFINITIONS.—For purposes of
 6 this section—

7 “(1) ELEMENTARY AND SECONDARY
 8 SCHOOLS.—The terms ‘elementary school’ and ‘sec-
 9 ondary school’ have the respective meanings given
 10 such terms by section 9101 of the Elementary and
 11 Secondary Education Act of 1965.

12 “(2) ELIGIBLE ACADEMIC YEAR.—The term ‘el-
 13 igible academic year’ means any academic year end-
 14 ing in a taxable year beginning after December 31,
 15 2011.”.

16 (b) CONFORMING AMENDMENTS.—

17 (1) Paragraph (2) of section 1324(b) of title
 18 31, United States Code, is amended by inserting
 19 “36D,” after “36C,”.

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

“Sec. 36D. Tax credit for individuals teaching in elementary and secondary
 schools located in high poverty or rural areas and certified
 teachers.”.

1 (c) EFFECTIVE DATE.—The amendments made by
2 this section shall apply to academic years ending in tax-
3 able years beginning after December 31, 2011.

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