

115TH CONGRESS
2D SESSION

S. 2351

To amend the Higher Education Act of 1965 to provide that an individual may remain eligible to participate in the teacher loan forgiveness program under title IV of such Act if the individual's period of consecutive years of employment as a full-time teacher is interrupted because the individual is the spouse of a member of the Armed Forces who is relocated during the school year pursuant to military orders for a permanent change of duty station, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JANUARY 29, 2018

Mr. CARDIN (for himself and Mr. CORNYN) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To amend the Higher Education Act of 1965 to provide that an individual may remain eligible to participate in the teacher loan forgiveness program under title IV of such Act if the individual's period of consecutive years of employment as a full-time teacher is interrupted because the individual is the spouse of a member of the Armed Forces who is relocated during the school year pursuant to military orders for a permanent change of duty station, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Preserving Teacher
3 Loan Forgiveness for Military Spouses Act of 2018”.

4 **SEC. 2. CONTINUING ELIGIBILITY TO PARTICIPATE IN STU-**
5 **DENT LOAN FORGIVENESS OR LOAN CAN-**
6 **CELLATION PROGRAM FOR TEACHERS**
7 **WHOSE PERIOD OF CONSECUTIVE EMPLOY-**
8 **MENT IS INTERRUPTED BECAUSE OF MILI-**
9 **TARY ORDERS REQUIRING SPOUSE TO RELO-**
10 **CATE TO NEW RESIDENCE.**

11 (a) CONTINUING ELIGIBILITY.—

12 (1) PART B LOANS.—Section 428J(g) of the
13 Higher Education Act of 1965 (20 U.S.C. 1078–
14 10(g)) is amended by adding at the end the fol-
15 lowing:

16 “(4) CONTINUING ELIGIBILITY FOR CERTAIN
17 MILITARY SPOUSES.—

18 “(A) IN GENERAL.—Notwithstanding para-
19 graph (1) of subsection (b), an individual who
20 is employed in a full-time teaching position that
21 meets the requirements of this section for a pe-
22 riod that includes 5 complete but nonconsecu-
23 tive years may be eligible for loan forgiveness
24 pursuant to such subsection, if the individual
25 was a qualified military spouse with respect to
26 any year during such period for which the indi-

vidual was not employed as a full-time teacher in a school or location meeting the requirements of this section.

“(B) QUALIFIED MILITARY SPOUSE DEFINED.—In this paragraph, the term ‘qualified military spouse’ means, with respect to a year, an individual who—

“(i) during the previous year, served as a teacher in a school or location meeting the requirements of subparagraph (A) of subsection (b)(1) and met the requirements of subparagraph (B) of subsection (b)(1);

“(ii) is the spouse of a member of the Armed Forces who is relocated during the year pursuant to military orders for a permanent change of duty station;

“(iii) did not serve as a teacher in a school or location meeting the requirements of subparagraph (A) of subsection (b)(1) during the year or any portion of the year because the individual accompanied the spouse to a new residence as a result of such military orders; and

“(iv) during the following year, resumed service as a teacher in a school or location meeting the requirements of subparagraph (A) of subsection (b)(1) and met the requirements of subparagraph (B) of subsection (b)(1).

“(C) REPORTS TO CONGRESS.—Not later than 90 days after the end of the second academic year during which this paragraph is in effect, and every 2 years thereafter, the Secretary shall submit to Congress a report describing the number of individuals who, as a result of this paragraph, remained eligible for loan forgiveness pursuant to subsection (b) during the 2 most recent academic years.”.

(2) PART D LOANS.—Section 460(g) of the Higher Education Act of 1965 (20 U.S.C. 1087j(g)) is amended by adding at the end the following:

“(4) CONTINUING ELIGIBILITY FOR CERTAIN MILITARY SPOUSES.—

“(A) IN GENERAL.—Notwithstanding paragraph (1) of subsection (b), an individual who is employed in a full-time teaching position that meets the requirements of this section for a period that includes 5 complete but nonconsecu-

1 tive years may be eligible for loan cancellation
2 pursuant to such subsection, if the individual
3 was a qualified military spouse with respect to
4 any year during such period for which the indi-
5 vidual was not employed as a full-time teacher
6 in a school or location meeting the requirements
7 of this section.

8 “(B) QUALIFIED MILITARY SPOUSE DE-
9 FINED.—In this paragraph, the term ‘qualified
10 military spouse’ means, with respect to a year,
11 an individual who—

12 “(i) during the previous year, served
13 as a teacher in a school or location meeting
14 the requirements of subparagraph (A) of
15 subsection (b)(1) and met the require-
16 ments of subparagraph (B) of subsection
17 (b)(1);

18 “(ii) is the spouse of a member of the
19 Armed Forces who is relocated during the
20 year pursuant to military orders for a per-
21 manent change of duty station;

22 “(iii) did not serve as a teacher in a
23 school or location meeting the require-
24 ments of subparagraph (A) of subsection
25 (b)(1) during the year or any portion of

1 the year because the individual accom-
 2 panied the spouse to a new residence as a
 3 result of such military orders; and

4 “(iv) during the following year, re-
 5 sumed service as a teacher in a school or
 6 location meeting the requirements of sub-
 7 paragraph (A) of subsection (b)(1) and
 8 met the requirements of subparagraph (B)
 9 of subsection (b)(1).

10 “(C) REPORTS TO CONGRESS.—Not later
 11 than 90 days after the end of the second aca-
 12 demic year during which this paragraph is in
 13 effect, and every 2 years thereafter, the Sec-
 14 retary shall submit to Congress a report de-
 15 scribing the number of individuals who, as a re-
 16 sult of this paragraph, remained eligible for
 17 loan cancellation pursuant to subsection (b)
 18 during the 2 most recent academic years.”.

19 (b) EFFECTIVE DATE.—The amendments made by
 20 subsection (a) shall apply with respect to individuals who
 21 first become employed as full-time teachers on or after the
 22 date of the enactment of this Act.

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