

117TH CONGRESS
1ST SESSION

S. 3254

To provide grants to local educational agencies to help public schools reduce class size in the early elementary grades, and for other purposes.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 18, 2021

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

A BILL

To provide grants to local educational agencies to help public schools reduce class size in the early elementary grades, 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 “Smaller Class Sizes
5 for Students and Educators Act of 2021”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

8 (1) ESEA TERMS.—The terms “elementary
9 school”, “local educational agency”, “poverty line”,

1 “professional development”, and “State” have the
 2 meanings given the terms in section 8101 of the Ele-
 3 mentary and Secondary Education Act of 1965 (20
 4 U.S.C. 7801).

5 (2) EARLY ELEMENTARY GRADES.—The term
 6 “early elementary grades” means kindergarten
 7 through grade 3.

8 (3) SECRETARY.—The term “Secretary” means
 9 the Secretary of Education.

10 (4) TARGETED SCHOOL.—The term “targeted
 11 school” means a public elementary school served by
 12 a local educational agency that is in the highest
 13 quartile of all public elementary schools served by
 14 the local educational agency based on the number of
 15 students enrolled in the school who are eligible for
 16 a free or reduced price lunch under the Richard B.
 17 Russell National School Lunch Act (42 U.S.C. 1751
 18 et seq.).

19 **SEC. 3. REDUCING CLASS SIZE IN KINDERGARTEN**
 20 **THROUGH GRADE 3 CLASSROOMS.**

21 (a) PROGRAM AUTHORIZED.—

22 (1) IN GENERAL.—From amounts made avail-
 23 able under subsection (g), the Secretary shall award
 24 grants, on a competitive basis, to local educational

1 agencies to enable the local educational agencies to
2 reduce class sizes in the early elementary grades.

3 (2) DURATION OF GRANT.—A grant awarded
4 under this section shall be for a period of 5 years.

5 (b) APPLICATION.—A local educational agency that
6 desires a grant under this section shall submit an applica-
7 tion to the Secretary at such time, in such manner, and
8 containing such information as the Secretary may require,
9 including the local educational agency’s evidence-based
10 plan to reduce class sizes in the early elementary grades
11 that includes the following:

12 (1) A description of—

13 (A) how the local educational agency will
14 reduce the class sizes in the early elementary
15 grades in the targeted schools served by the
16 local educational agency to not more than 18
17 students per class, including—

18 (i) the early elementary grade levels
19 that will be supported under the grant;

20 (ii) how the agency will take into con-
21 sideration the needs of subgroups of stu-
22 dents (as defined in section 1111(c)(2) of
23 the Elementary and Secondary Education
24 Act of 1965 (20 U.S.C. 6311(c)(2))),
25 grade level, subject area, physical facilities,

1 and workload maximums for educators
2 when determining class size maximums;
3 and

4 (iii) how the local educational agency
5 will determine or define class size; and

6 (B) the continuum of small class sizes
7 based on grade level the local educational agen-
8 cy will provide for students in the early elemen-
9 tary grades in the targeted schools served by
10 the local educational agency.

11 (2) A description of how the local educational
12 agency will recruit, hire, prepare, and retain edu-
13 cators, including educators from populations under-
14 represented in the teaching profession (including by
15 racial, ethnic, or linguistic group), as teachers in the
16 early elementary grades.

17 (3) A description of how the local educational
18 agency will provide professional development and
19 training for teachers in the early elementary grades
20 to improve students' academic, social, emotional, and
21 mental health outcomes.

22 (4) A description of how the local educational
23 agency will provide educators with sufficient prepa-
24 ration time during the school year for activities such
25 as analyzing student work, instruction and assess-

1 ment planning, or curriculum and instruction-spe-
2 cific professional development.

3 (5) A description of how the local educational
4 agency will ensure that any new teachers hired using
5 grant funds meet all applicable State certification
6 and licensure requirements.

7 (6) In the case of a local educational agency
8 that is using funds available under part A of title II
9 of the Elementary and Secondary Education Act of
10 1965 (20 U.S.C. 6611 et seq.) for class size reduc-
11 tion, information regarding the extent to which the
12 funds are being used to reduce class size in the early
13 elementary grades in targeted schools.

14 (7) The average class size, by grade, in the
15 early elementary grades of the public schools served
16 by the local educational agency at the time the appli-
17 cation is submitted and during the prior 2 academic
18 years, and the goals for the class size, by grade, in
19 the early elementary grades of the public schools
20 served by the local educational agency.

21 (c) AWARD BASIS.—In awarding grants under this
22 section, the Secretary shall give priority to local edu-
23 cational agencies serving the greatest number or percent-
24 age of students who are from families with incomes at or
25 below the poverty line.

1 (d) USE OF FUNDS.—

2 (1) ADMINISTRATIVE EXPENSES.—A local edu-
3 cational agency receiving a grant under this section
4 may use not more than 3 percent of the grant funds
5 for the administrative expenses of the grant.

6 (2) REDUCING CLASS SIZE.—

7 (A) IN GENERAL.—A local educational
8 agency shall use not less than 97 percent of the
9 grant funds to reduce class sizes in the early el-
10 elementary grades at targeted schools served by
11 the local educational agency by—

12 (i) recruiting, hiring, and supporting
13 fully certified and qualified teachers, both
14 general education teachers and teachers of
15 children with disabilities, for the early ele-
16 elementary grades at the targeted schools;

17 (ii) obtaining additional space, or ren-
18 ovating school buildings, to provide more
19 classroom space, except that not more than
20 15 percent of the funds provided under the
21 grant may be used for this purpose;

22 (iii) providing professional develop-
23 ment for teachers of the early elementary
24 grades at the targeted schools, except that
25 not more than 15 percent of the funds pro-

1 vided under the grant may be used for this
2 purpose; and

3 (iv) developing feedback mechanisms
4 to improve school working conditions, in-
5 cluding through periodically and publicly
6 reporting results of educator support and
7 working conditions feedback.

8 (B) HIGHEST NEED.—In carrying out ac-
9 tivities under the grant, the local educational
10 agency shall first prioritize targeted schools
11 that serve the highest percentage of students
12 from families with incomes at or below the pov-
13 erty line, and then prioritize such schools with
14 the highest average class sizes in the early ele-
15 mentary grades.

16 (e) REPORTING.—

17 (1) ANNUAL REPORTS.—

18 (A) LOCAL EDUCATIONAL AGENCIES.—
19 Each local educational agency receiving a grant
20 under this section shall prepare and submit to
21 the State in which the agency is located an an-
22 nual report on activities carried out under
23 grant, including progress in reaching the goals
24 in reducing class size described in the applica-
25 tion under subsection (b)(7).

1 (B) STATES.—A State that receives a re-
2 port under subparagraph (A) shall submit such
3 report to the Secretary.

4 (2) EVALUATION.—The Secretary, acting
5 through the Director of the Institute of Education
6 Sciences, shall conduct an evaluation of the activities
7 carried out under grants awarded under this section,
8 including an evaluation of—

9 (A) the progress of the local educational
10 agency in reducing class size in the early ele-
11 mentary grades at the targeted schools served
12 by the local educational agency;

13 (B) student academic achievement in the
14 early elementary grades of the targeted schools
15 receiving support through the local educational
16 agency under the grant where pre- and post-as-
17 sessment data is available;

18 (C) a climate study of—

19 (i) teachers in such targeted schools
20 that addresses working conditions, job sat-
21 isfaction, and teacher stress; and

22 (ii) students, and parents of students,
23 enrolled in such targeted schools;

1 (D) teacher qualifications for newly hired
2 teachers in such targeted schools for class size
3 reduction;

4 (E) targeted professional development and
5 training provided to newly hired teachers in tar-
6 geted schools for class size reduction;

7 (F) the time added to be used for teachers
8 to collaborate in targeted schools;

9 (G) teacher chronic absenteeism and reten-
10 tion and turnover rates pre- and post-class size
11 reduction efforts; and

12 (H) rates of student discipline and chronic
13 student absenteeism.

14 (3) ANNUAL REPORTS BY THE SECRETARY.—

15 By not later than 90 days after the date by which
16 the reports under paragraph (1) are first due, and
17 annually thereafter, the Secretary shall prepare and
18 submit a report to the Committee on Health, Edu-
19 cation, Labor, and Pensions of the Senate and the
20 Committee on Education and Labor of the House of
21 Representatives regarding the grants awarded under
22 this section.

23 (f) SUPPLEMENT, NOT SUPPLANT.—A local edu-
24 cational agency receiving funds under this section shall
25 use such funds to supplement, and not supplant, any other

1 funds available to the local educational agency for the pur-
2 poses of reducing class size in the early elementary grades.

3 (g) AUTHORIZATION OF APPROPRIATIONS.—There
4 are authorized to be appropriated to carry out this section
5 \$2,000,000,000 for the first fiscal year and such sums as
6 are necessary for each succeeding fiscal year.

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