

## Calendar No. 32

106TH CONGRESS  
1ST SESSION**S. 564**

To reduce class size, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

MARCH 8, 1999

Mrs. MURRAY (for herself, Mr. KENNEDY, and Mr. DASCHLE) introduced the following bill; which was read the first time

MARCH 9, 1999

Read the second time and placed on the calendar

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**A BILL**

To reduce class size, 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. CLASS SIZE REDUCTION.**

4       Title VI of the Elementary and Secondary Education  
5       Act of 1965 (20 U.S.C. 7301 et seq.) is amended by add-  
6       ing at the end the following:

1           **“PART E—CLASS SIZE REDUCTION**

2   **“SEC. 6601. SHORT TITLE.**

3           “‘This part may be cited as the ‘Class Size Reduction  
4 and Teacher Quality Act of 1999’.

5   **“SEC. 6602. FINDINGS.**

6           “Congress finds as follows:

7           “(1) Rigorous research has shown that students  
8 attending small classes in the early grades make  
9 more rapid educational progress than students in  
10 larger classes, and that these achievement gains per-  
11 sist through at least the elementary grades.

12           “(2) The benefits of smaller classes are greatest  
13 for lower achieving, minority, poor, and inner-city  
14 children. One study found that urban fourth-graders  
15 in smaller-than-average classes were  $\frac{3}{4}$  of a school  
16 year ahead of their counterparts in larger-than-aver-  
17 age classes.

18           “(3) Teachers in small classes can provide stu-  
19 dents with more individualized attention, spend more  
20 time on instruction and less on other tasks, cover  
21 more material effectively, and are better able to  
22 work with parents to further their children’s edu-  
23 cation.

24           “(4) Smaller classes allow teachers to identify  
25 and work more effectively with students who have  
26 learning disabilities and, potentially, can reduce

1 those students' need for special education services in  
2 the later grades.

3 “(5) Students in smaller classes are able to be-  
4 come more actively engaged in learning than their  
5 peers in large classes.

6 “(6) Efforts to improve educational achieve-  
7 ment by reducing class sizes in the early grades are  
8 likely to be more successful if—

9 “(A) well-prepared teachers are hired and  
10 appropriately assigned to fill additional class-  
11 room positions; and

12 “(B) teachers receive intensive, continuing  
13 training in working effectively in smaller class-  
14 room settings.

15 “(7) Several States have begun a serious effort  
16 to reduce class sizes in the early elementary grades,  
17 but these actions may be impeded by financial limi-  
18 tations or difficulties in hiring well-prepared teach-  
19 ers.

20 “(8) The Federal Government can assist in this  
21 effort by providing funding for class-size reductions  
22 in grades 1 through 3, and by helping to ensure that  
23 the new teachers brought into the classroom are well  
24 prepared.

1 **“SEC. 6603. PURPOSE.**

2 “The purpose of this part is to help States and local  
3 educational agencies recruit, train, and hire 100,000 addi-  
4 tional teachers over a 7-year period in order to—

5 “(1) reduce class sizes nationally, in grades 1  
6 through 3, to an average of 18 students per class-  
7 room; and

8 “(2) improve teaching in the early grades so  
9 that all students can learn to read independently  
10 and well by the end of the third grade.

11 **“SEC. 6604. PROGRAM AUTHORIZED.**

12 “(a) AUTHORIZATION OF APPROPRIATIONS.—For the  
13 purpose of carrying out this part, there are authorized to  
14 be appropriated, \$1,400,000,000 for fiscal year 2000,  
15 \$1,500,000,000 for fiscal year 2001, \$1,700,000,000 for  
16 fiscal year 2002, \$1,735,000,000 for fiscal year 2003,  
17 \$2,300,000,000 for fiscal year 2004, and \$2,800,000,000  
18 for fiscal year 2005.

19 “(b) ALLOTMENTS.—

20 “(1) IN GENERAL.—From the amount appro-  
21 priated under subsection (a) for a fiscal year the  
22 Secretary—

23 “(A) shall make a total of 1 percent avail-  
24 able to the Secretary of the Interior (on behalf  
25 of the Bureau of Indian Affairs) and the outly-

1           ing areas for activities that meet the purpose of  
2           this part; and

3                 “(B) shall allot to each State the same  
4           percentage of the remaining funds as the per-  
5           centage it received of funds allocated to States  
6           for the previous fiscal year under section 1122  
7           or section 2202(b), whichever percentage is  
8           greater, except that such allotments shall be  
9           ratably decreased as necessary.

10               “(2) DEFINITION OF STATE.—In this part the  
11           term “State” means each of the several States of  
12           the United States, the District of Columbia and the  
13           Commonwealth of Puerto Rico.

14               “(3) STATE-LEVEL EXPENSES.—Each State  
15           may use not more than a total of  $\frac{1}{2}$  of 1 percent  
16           of the amount the State receives under this part, or  
17           \$50,000, whichever is greater, for a fiscal year, for  
18           the administrative costs of the State educational  
19           agency.

20               “(c) WITHIN STATE DISTRIBUTION.—

21               “(1) IN GENERAL.—Each State that receives an  
22           allotment under this section shall distribute the  
23           amount of the allotted funds that remain after using  
24           funds in accordance with subsection (b)(3) to local  
25           educational agencies in the State, of which—

“(A) 80 percent of such remainder shall be allocated to such local educational agencies in proportion to the number of children, aged 5 to 17, who reside in the school district served by such local educational agency and are from families with incomes below the poverty line (as defined by the Office of Management and Budget and revised annually in accordance with section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2)) applicable to a family of the size involved) for the most recent fiscal year for which satisfactory data is available compared to the number of such individuals who reside in the school districts served by all the local educational agencies in the State for that fiscal year, except that a State may adjust such data, or use alternative child-poverty data, to carry out this subparagraph if the State demonstrates to the Secretary’s satisfaction that such adjusted or alternative data more accurately reflects the relative incidence of children living in poverty within local educational agencies in the State; and

“(B) 20 percent of such remainder shall be allocated to such local educational agencies in

1           accordance with the relative enrollments of chil-  
 2           dren, aged 5 to 17, in public and private non-  
 3           profit elementary schools and secondary schools  
 4           in the school districts within the boundaries of  
 5           such agencies.

6           “(2) AWARD RULE.—Notwithstanding para-  
 7           graph (1), if the award to a local educational agency  
 8           under this section is less than the starting salary for  
 9           a new teacher in that agency, the State shall not  
 10          make the award unless—

11                 “(A) the local educational agency agrees to  
 12                 form a consortium with not less than 1 other  
 13                 local educational agency for the purpose of re-  
 14                 ducing class size; or

15                 “(B) the local educational agency agrees to  
 16                 supplement the award with non-Federal funds  
 17                 sufficient to pay the cost of hiring a teacher.

18   **“SEC. 6605. USE OF FUNDS.**

19           “(a) IN GENERAL.—Each local educational agency  
 20           that receives funds under this part shall use such funds  
 21           to carry out effective approaches to reducing class size  
 22           with highly qualified teachers to improve educational  
 23           achievement for both regular and special-needs children,  
 24           with particular consideration given to reducing class size

1 in the early elementary grades for which some research  
 2 has shown class size reduction is most effective.

3 “(b) CLASS REDUCTION.—

4 “(1) IN GENERAL.—Each such local educational  
 5 agency may pursue the goal of reducing class size  
 6 through—

7 “(A) recruiting, hiring, and training cer-  
 8 tified regular and special education teachers  
 9 and teachers of special-needs children, including  
 10 teachers certified through State and local alter-  
 11 native routes;

12 “(B) testing new teachers for academic  
 13 content knowledge, and to meet State certifi-  
 14 cation requirements that are consistent with  
 15 title II of the Higher Education Act of 1965;  
 16 and

17 “(C) providing professional development to  
 18 teachers, including special education teachers  
 19 and teachers of special-needs children, consist-  
 20 ent with title II of the Higher Education Act of  
 21 1965.

22 “(2) RESTRICTION.—A local educational agency  
 23 may use not more than a total of 15 percent of the  
 24 funds received under this part for each of the fiscal  
 25 years 2000 through 2003 to carry out activities de-



1       scribed in subparagraphs (B) and (C) of paragraph  
2       (1), and may not use any funds received under this  
3       part for fiscal year 2004 or 2005 for those activities.

4               “(3) SPECIAL RULE.—A local educational agen-  
5       cy that has already reduced class size in the early  
6       grades to 18 or fewer children may use funds re-  
7       ceived under this part—

8               “(A) to make further class-size reductions  
9       in grades 1 through 3;

10              “(B) to reduce class size in kindergarten  
11       or other grades; or

12              “(C) to carry out activities to improve  
13       teacher quality, including professional develop-  
14       ment activities.

15       “(c) SUPPLEMENT NOT SUPPLANT.—A local edu-  
16       cational agency shall use funds under this part only to  
17       supplement, and not to supplant, State and local funds  
18       that, in the absence of such funds, would otherwise be  
19       spent for activities under this part.

20       “(d) PROHIBITION.—No funds made available under  
21       this part may be used to increase the salaries of or provide  
22       benefits to (other than participation in professional devel-  
23       opment and enrichment programs) teachers who are, or  
24       have been, employed by the local educational agency.

1       “(e) PROFESSIONAL DEVELOPMENT.—If a local edu-  
 2 cational agency uses funds made available under this part  
 3 for professional development activities, the agency shall  
 4 ensure the equitable participation of private nonprofit ele-  
 5 mentary and secondary schools in such activities. Section  
 6 6402 shall not apply to other activities under this section.

7       “(f) ADMINISTRATIVE EXPENSES.—A local edu-  
 8 cational agency that receives funds under this part may  
 9 use not more than 3 percent of such funds for local admin-  
 10 istrative expenses.

11   **“SEC. 6606. COST-SHARING REQUIREMENT.**

12       “(a) FEDERAL SHARE.—The Federal share of the  
 13 cost of activities carried out under this part—

14               “(1) may be up to 100 percent in local edu-  
 15 cational agencies with child-poverty levels of 50 per-  
 16 cent or greater; and

17               “(2) shall be no more than 65 percent for local  
 18 educational agencies with child-poverty rates of less  
 19 than 50 percent.

20       “(b) LOCAL SHARE.—A local educational agency  
 21 shall provide the non-Federal share of a project under this  
 22 part through cash expenditures from non-Federal sources,  
 23 except that if an agency has allocated funds under section  
 24 1113(c) to one or more schoolwide programs under section  
 25 1114, it may use those funds for the non-Federal share

1 of activities under this program that benefit those  
2 schoolwide programs, to the extent consistent with section  
3 1120A(c) and notwithstanding section 1114(a)(3)(B).

4 **“SEC. 6607. REQUEST FOR FUNDS.**

5 “Each local educational agency that desires to receive  
6 funds under this part shall include in the application sub-  
7 mitted under section 6303 a description of the agency’s  
8 program under this part to reduce class size by hiring ad-  
9 ditional highly qualified teachers.

10 **“SEC. 6608. REPORTS.**

11 “(a) STATE.—Each State receiving funds under this  
12 part shall report on activities in the State under this sec-  
13 tion, consistent with section 6202(a)(2).

14 “(b) SCHOOL.—Each school receiving assistance  
15 under this part, or the local educational agency serving  
16 that school, shall produce an annual report to parents, the  
17 general public, and the State educational agency, in easily  
18 understandable language, regarding student achievement  
19 that is a result of hiring additional highly qualified teach-  
20 ers and reducing class size.”.

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