

106TH CONGRESS
1ST SESSION

S. 7

To modernize public schools for the 21st century.

IN THE SENATE OF THE UNITED STATES

JANUARY 19, 1999

Mr. DASCHLE (for himself, Mr. KENNEDY, Mrs. MURRAY, Mr. SARBANES, Mr. ROBB, Mrs. FEINSTEIN, Mr. BRYAN, Mr. TORRICELLI, Mr. LEVIN, Mr. DODD, Mr. HARKIN, Mr. ROCKEFELLER, Mr. CLELAND, Mr. WELLSTONE, Mr. SCHUMER, Mr. EDWARDS, Mr. REID, Mrs. BOXER, Mr. DURBIN, Mr. BREAUX, Ms. MIKULSKI, Mr. KERRY, Mr. JOHNSON, Mr. BAUCUS, and Mr. LAUTENBERG) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To modernize public schools for the 21st century.

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; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Public Schools Excellence Act”.

6 (b) TABLE OF CONTENTS.—The table of contents is
7 as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Findings.

TITLE I—HELPING COMMUNITIES MODERNIZE SCHOOL FACILITIES

- Sec. 101. Findings.
- Sec. 102. Expansion of incentives for public schools.
- Sec. 103. Sense of the Senate regarding funding for BIA school facilities.

TITLE II—CLASS SIZE REDUCTION

- Sec. 201. Class size reduction.

TITLE III—TEACHER EXCELLENCE

- Sec. 301. Short title.
- Sec. 302. Findings.
- Sec. 303. Definitions.

PART A—CHALLENGING STATES TO ENSURE THAT EVERY CHILD IS TAUGHT BY A QUALIFIED TEACHER

- Sec. 311. Purposes.
- Sec. 312. Authorization of appropriations; reservation.
- Sec. 313. Grants to States.
- Sec. 314. Attracting new teachers programs.
- Sec. 315. Local teacher quality improvement grants.
- Sec. 316. Supplement not supplant.

PART B—IMPROVING TEACHER PREPARATION

- Sec. 321. Sense of the Senate.

PART C—IMPROVING TEACHER TECHNOLOGY TRAINING

- Sec. 331. Improving teacher technology training.

TITLE IV—STRENGTHENING AFTER-SCHOOL PROGRAMS

PART A—SCHOOL-AGED CHILD CARE

- Sec. 411. Definitions.
- Sec. 412. Authorization of appropriations.
- Sec. 413. State plan.
- Sec. 414. School-age child care and development services.
- Sec. 415. Conforming amendments.

PART B—STRENGTHENING THE 21ST CENTURY COMMUNITY LEARNING CENTERS ACT

- Sec. 421. Program authorization.
- Sec. 422. Applications.
- Sec. 423. Uses of funds.
- Sec. 424. Continuation awards under current statute.
- Sec. 425. Authorization of appropriations.
- Sec. 426. Effective date.

1 **SEC. 2. FINDINGS.**

2 Congress makes the following findings:

1 (1) Our Nation's investment in a high quality
2 public education system is necessary not only for the
3 future of our children and our families, but also for
4 the future of America. A well-educated citizenry and
5 workforce are essential to compete in the global
6 economy and maintain a strong democracy. In order
7 to promote prosperity and ensure individual oppor-
8 tunity, America must make education a national pri-
9 ority.

10 (2) Strong leadership in education is needed
11 more than ever. Schools are facing the challenge of
12 educating more highly skilled workers to meet the
13 demands of a modern economy. The Bureau of
14 Labor Statistics estimates that 60 percent of all jobs
15 created at the turn of the 21st century will require
16 more than a high school education.

17 (3) Record numbers of students are enrolled in
18 our Nation's elementary and secondary schools and
19 we can expect to break that record every year from
20 1998 through 2007. The record numbers are strain-
21 ing many school facilities. Addressing that growth
22 will require an increasing commitment of resources
23 to build and modernize schools, and to hire and
24 train new teachers. In addition, the increasing use of
25 technology in the workplace is creating new demands

1 to incorporate computers and other high-technology
2 equipment into the classroom starting in elementary
3 schools.

4 (4) Too many students are learning in out-of-
5 date and overcrowded school buildings. Government
6 Accounting Office reports indicate that 14,000,000
7 children in a third of the Nation's schools are learn-
8 ing in substandard classrooms. There is clear evi-
9 dence that the quality of school facilities affects stu-
10 dent achievement levels. In addition, new classrooms
11 will be needed to accommodate smaller class sizes,
12 and improvements in wiring are needed to accommo-
13 date high-technology equipment.

14 (5) Across the Nation, schools will need to re-
15 cruit and hire an additional 2,000,000 teachers dur-
16 ing the period from 1998 through 2008. More than
17 200,000 teachers will be needed annually. Current
18 teacher development programs produce 100,000 to
19 150,000 teachers per year.

20 (6) Rigorous research shows that students in
21 smaller classes in the early grades make more rapid
22 educational progress than students in larger classes.
23 The progress is most likely to occur if classes are
24 taught by qualified, well-trained teachers.

1 (7) Young people aged 12 through 17 are most
2 at risk of committing violent acts and being the vic-
3 tims of violent acts between 3 p.m. and 8 p.m. Chil-
4 dren who attend quality after-school programs are
5 less likely to engage in delinquent behavior and have
6 better grades and emotional development than their
7 counterparts who are left unsupervised after school.
8 In 1993, only 33 percent of schools in low-income
9 neighborhoods offered before- and after-school pro-
10 grams and only 50 percent of schools in affluent
11 neighborhoods offered such programs.

12 (8) Higher levels of academic achievement will
13 be required to equip American students for the
14 workplace of the 21st century. Employers will de-
15 mand increasingly sophisticated levels of literacy,
16 communication, mathematical, and technical skills.
17 Sixty percent of all jobs will require computer skills.
18 Additional resources will be needed for effective pro-
19 grams, such as the School Technology Resource
20 Grants Program and the National Challenge Grants
21 for Technology in Education Program, and addi-
22 tional emphasis needs to be placed on training teach-
23 ers to use technology effectively in the classroom.

24 (9) Some communities are improving student
25 achievement levels by adopting high standards for

1 teachers and students, abolishing social promotion,
2 and taking other steps to improve the quality of edu-
3 cation. Some of this can be done by implementing
4 high standards, restructuring existing budgets, and
5 reordering priorities. But some communities, par-
6 ticularly those serving a high number of low-income
7 students, do not have the same resources as higher
8 income communities. Despite efforts in many States
9 to supplement funding in poor school districts, the
10 General Accounting Office found that wealthier
11 school districts in 37 States had more total funding
12 than poor school districts in the 1991–1992 school
13 year. On average, wealthy school districts had about
14 24 percent more total funding per weighted pupil
15 than poor school districts. It is in the national inter-
16 est that children from low-income families be pro-
17 vided with opportunities to achieve to the best of
18 their ability in order to become productive, contrib-
19 uting members of society. Additional Federal re-
20 sources should be committed to implement effective
21 reforms and improve the quality of education in low-
22 income rural and inner-city schools.

23 (10) Coordinated national actions to lower class
24 size, raise student and teacher standards, and re-
25 build school facilities are also needed to help address

1 high school and college dropout rates, which have in-
 2 volved over 500,000 students each year in high
 3 school and 28 percent of college freshmen, of whom
 4 a disproportionate number are Hispanic Americans.

5 (11) Meeting the challenges of the 21st century
 6 will require the involvement of all Americans, includ-
 7 ing public officials, educators, parents, business and
 8 community leaders, and students. Encouraging ac-
 9 tive community participation is essential for the suc-
 10 cess of students in the 21st century.

11 **TITLE I—HELPING COMMU-** 12 **NITIES MODERNIZE SCHOOL** 13 **FACILITIES**

14 **SEC. 101. FINDINGS.**

15 Congress makes the following findings:

16 (1) The General Accounting Office has per-
 17 formed a comprehensive survey of the Nation's pub-
 18 lic elementary and secondary school facilities and
 19 has found severe levels of disrepair in all areas of
 20 the United States.

21 (2) The General Accounting Office has con-
 22 cluded that more than 14,000,000 children attend
 23 schools in need of extensive repair or replacement,
 24 7,000,000 children attend schools with life threaten-

1 ing safety code violations, and 12,000,000 children
2 attend schools with leaky roofs.

3 (3) The General Accounting Office has found
4 the problem of crumbling schools transcends demo-
5 graphic and geographic boundaries. At 38 percent of
6 urban schools, 30 percent of rural schools, and 29
7 percent of suburban schools, at least one building is
8 in need of extensive repair or should be completely
9 replaced.

10 (4) The condition of school facilities has a di-
11 rect effect on the safety of students and teachers
12 and on the ability of students to learn. Academic re-
13 search has provided a direct correlation between the
14 condition of school facilities and student achieve-
15 ment. At Georgetown University, researchers have
16 found the test scores of students assigned to schools
17 in poor condition can be expected to fall 10.9 per-
18 centage points below the test scores of students in
19 buildings in excellent condition. Similar studies have
20 demonstrated up to a 20 percent improvement in
21 test scores when students were moved from a poor
22 facility to a new facility.

23 (5) The General Accounting Office has found
24 most schools are not prepared to incorporate modern
25 technology in the classroom. Forty-six percent of

1 schools lack adequate electrical wiring to support the
2 full-scale use of technology. More than a third of
3 schools lack the requisite electrical power. Fifty-six
4 percent of schools have insufficient phone lines for
5 modems.

6 (6) The Department of Education has reported
7 that elementary and secondary school enrollment, al-
8 ready at a record high level, will continue to grow
9 over the next 10 years, and that in order to accom-
10 modate this growth, the United States will need to
11 build an additional 6,000 schools.

12 (7) The General Accounting Office has deter-
13 mined the cost of bringing schools up to good, over-
14 all condition to be \$112,000,000,000, not including
15 the cost of modernizing schools to accommodate
16 technology, or the cost of building additional facili-
17 ties needed to meet record enrollment levels.

18 (8) Schools run by the Bureau of Indian Affairs
19 (BIA) for Native American children are also in dire
20 need of repair and renovation. The General Account-
21 ing Office has reported that the cost of total inven-
22 tory repairs needed for BIA facilities is
23 \$754,000,000. The December 1997 report by the
24 Comptroller General of the United States states
25 that, "Compared with other schools nationally, BIA

1 schools are generally in poorer physical condition,
 2 have more unsatisfactory environmental factors,
 3 more often lack key facilities requirements for edu-
 4 cation reform, and are less able to support computer
 5 and communications technology.”.

6 (9) State and local financing mechanisms have
 7 proven inadequate to meet the challenges facing to-
 8 day’s aging school facilities. Large numbers of local
 9 educational agencies have difficulties securing fi-
 10 nancing for school facility improvement.

11 (10) The Federal Government has provided re-
 12 sources for school construction in the past. For ex-
 13 ample, between 1933 and 1939, the Federal Govern-
 14 ment assisted in 70 percent of all new school con-
 15 struction.

16 (11) The Federal Government can support ele-
 17 mentary and secondary school facilities without
 18 interfering in issues of local control, and should help
 19 communities leverage additional funds for the im-
 20 provement of elementary and secondary school facili-
 21 ties.

22 **SEC. 102. EXPANSION OF INCENTIVES FOR PUBLIC**
 23 **SCHOOLS.**

24 (a) IN GENERAL.—Part IV of subchapter U of chap-
 25 ter 1 of the Internal Revenue Code of 1986 (relating to

1 incentives for education zones) is amended to read as fol-
 2 lows:

3 **“PART IV—INCENTIVES FOR QUALIFIED PUBLIC**
 4 **SCHOOL MODERNIZATION BONDS**

“Sec. 1397E. Credit to holders of qualified public school mod-
 ernization bonds.

“Sec. 1397F. Qualified zone academy bonds.

“Sec. 1397G. Qualified school construction bonds.

5 **“SEC. 1397E. CREDIT TO HOLDERS OF QUALIFIED PUBLIC**
 6 **SCHOOL MODERNIZATION BONDS.**

7 “(a) ALLOWANCE OF CREDIT.—In the case of a tax-
 8 payer who holds a qualified public school modernization
 9 bond on the credit allowance date of such bond which oc-
 10 curs during the taxable year, there shall be allowed as a
 11 credit against the tax imposed by this chapter for such
 12 taxable year the amount determined under subsection (b).

13 “(b) AMOUNT OF CREDIT.—

14 “(1) IN GENERAL.—The amount of the credit
 15 determined under this subsection with respect to any
 16 qualified public school modernization bond is the
 17 amount equal to the product of—

18 “(A) the credit rate determined by the Sec-
 19 retary under paragraph (2) for the month in
 20 which such bond was issued, multiplied by

21 “(B) the face amount of the bond held by
 22 the taxpayer on the credit allowance date.

1 “(2) DETERMINATION.—During each calendar
 2 month, the Secretary shall determine a credit rate
 3 which shall apply to bonds issued during the follow-
 4 ing calendar month. The credit rate for any month
 5 is the percentage which the Secretary estimates will
 6 on average permit the issuance of qualified public
 7 school modernization bonds without discount and
 8 without interest cost to the issuer.

9 “(c) LIMITATION BASED ON AMOUNT OF TAX.—

10 “(1) IN GENERAL.—The credit allowed under
 11 subsection (a) for any taxable year shall not exceed
 12 the excess of—

13 “(A) the sum of the regular tax liability
 14 (as defined in section 26(b)) plus the tax im-
 15 posed by section 55, over

16 “(B) the sum of the credits allowable
 17 under part IV of subchapter A (other than sub-
 18 part C thereof, relating to refundable credits).

19 “(2) CARRYOVER OF UNUSED CREDIT.—If the
 20 credit allowable under subsection (a) exceeds the
 21 limitation imposed by paragraph (1) for such taxable
 22 year, such excess shall be carried to the succeeding
 23 taxable year and added to the credit allowable under
 24 subsection (a) for such taxable year.

1 “(d) QUALIFIED PUBLIC SCHOOL MODERNIZATION
2 BOND; CREDIT ALLOWANCE DATE.—For purposes of this
3 section—

4 “(1) QUALIFIED PUBLIC SCHOOL MODERNIZA-
5 TION BOND.—The term ‘qualified public school mod-
6 ernization bond’ means—

7 “(A) a qualified zone academy bond, and

8 “(B) a qualified school construction bond.

9 “(2) CREDIT ALLOWANCE DATE.—The term
10 ‘credit allowance date’ means, with respect to any
11 issue, the last day of the 1-year period beginning on
12 the date of issuance of such issue and the last day
13 of each successive 1-year period thereafter.

14 “(e) OTHER DEFINITIONS.—For purposes of this
15 part—

16 “(1) LOCAL EDUCATIONAL AGENCY.—The term
17 ‘local educational agency’ has the meaning given to
18 such term by section 14101 of the Elementary and
19 Secondary Education Act of 1965. Such term in-
20 cludes the local educational agency that serves the
21 District of Columbia but does not include any other
22 State agency.

23 “(2) BOND.—The term ‘bond’ includes any ob-
24 ligation.

1 “(3) STATE.—The term ‘State’ includes the
2 District of Columbia and any possession of the
3 United States.

4 “(4) PUBLIC SCHOOL FACILITY.—The term
5 ‘public school facility’ shall not include any stadium
6 or other facility primarily used for athletic contests
7 or exhibitions or other events for which admission is
8 charged to the general public.

9 “(f) CREDIT INCLUDED IN GROSS INCOME.—Gross
10 income includes the amount of the credit allowed to the
11 taxpayer under this section and the amount so included
12 shall be treated as interest income.

13 “(g) BONDS HELD BY REGULATED INVESTMENT
14 COMPANIES.—If any qualified public school modernization
15 bond is held by a regulated investment company, the credit
16 determined under subsection (a) shall be allowed to share-
17 holders of such company under procedures prescribed by
18 the Secretary.

19 **“SEC. 1397F. QUALIFIED ZONE ACADEMY BONDS.**

20 “(a) QUALIFIED ZONE ACADEMY BOND.—For pur-
21 poses of this part—

22 “(1) IN GENERAL.—The term ‘qualified zone
23 academy bond’ means any bond issued as part of an
24 issue if—

1 “(A) 95 percent or more of the proceeds of
 2 such issue are to be used for a qualified pur-
 3 pose with respect to a qualified zone academy
 4 established by a local educational agency,

5 “(B) the bond is issued by a State or local
 6 government within the jurisdiction of which
 7 such academy is located,

8 “(C) the issuer—

9 “(i) designates such bond for purposes
 10 of this section,

11 “(ii) certifies that it has written as-
 12 surances that the private business con-
 13 tribution requirement of paragraph (2) will
 14 be met with respect to such academy, and

15 “(iii) certifies that it has the written
 16 approval of the local educational agency
 17 for such bond issuance, and

18 “(D) the term of each bond which is part
 19 of such issue does not exceed 15 years.

20 “(2) PRIVATE BUSINESS CONTRIBUTION RE-
 21 QUIREMENT.—

22 “(A) IN GENERAL.—For purposes of para-
 23 graph (1), the private business contribution re-
 24 quirement of this paragraph is met with respect
 25 to any issue if the local educational agency that

1 established the qualified zone academy has writ-
 2 ten commitments from private entities to make
 3 qualified contributions having a present value
 4 (as of the date of issuance of the issue) of not
 5 less than 10 percent of the proceeds of the
 6 issue.

7 “(B) QUALIFIED CONTRIBUTIONS.—For
 8 purposes of subparagraph (A), the term ‘quali-
 9 fied contribution’ means any contribution (of a
 10 type and quality acceptable to the local edu-
 11 cational agency) of—

12 “(i) equipment for use in the qualified
 13 zone academy (including state-of-the-art
 14 technology and vocational equipment),

15 “(ii) technical assistance in developing
 16 curriculum or in training teachers in order
 17 to promote appropriate market driven tech-
 18 nology in the classroom,

19 “(iii) services of employees as volun-
 20 teer mentors,

21 “(iv) internships, field trips, or other
 22 educational opportunities outside the acad-
 23 emy for students, or

24 “(v) any other property or service
 25 specified by the local educational agency.

1 “(3) QUALIFIED ZONE ACADEMY.—The term
 2 ‘qualified zone academy’ means any public school (or
 3 academic program within a public school) which is
 4 established by and operated under the supervision of
 5 a local educational agency to provide education or
 6 training below the postsecondary level if—

7 “(A) such public school or program (as the
 8 case may be) is designed in cooperation with
 9 business to enhance the academic curriculum,
 10 increase graduation and employment rates, and
 11 better prepare students for the rigors of college
 12 and the increasingly complex workforce,

13 “(B) students in such public school or pro-
 14 gram (as the case may be) will be subject to the
 15 same academic standards and assessments as
 16 other students educated by the local educational
 17 agency,

18 “(C) the comprehensive education plan of
 19 such public school or program is approved by
 20 the local educational agency, and

21 “(D)(i) such public school is located in an
 22 empowerment zone or enterprise community
 23 (including any such zone or community des-
 24 ignated after the date of enactment of this sec-
 25 tion), or

1 “(ii) there is a reasonable expectation (as
 2 of the date of issuance of the bonds) that at
 3 least 35 percent of the students attending such
 4 school or participating in such program (as the
 5 case may be) will be eligible for free or reduced-
 6 cost lunches under the school lunch program es-
 7 tablished under the National School Lunch Act.

8 “(4) QUALIFIED PURPOSE.—The term ‘quali-
 9 fied purpose’ means, with respect to any qualified
 10 zone academy—

11 “(A) constructing, rehabilitating, or repair-
 12 ing the public school facility in which the acad-
 13 emy is established,

14 “(B) providing equipment for use at such
 15 academy,

16 “(C) developing course materials for edu-
 17 cation to be provided at such academy, and

18 “(D) training teachers and other school
 19 personnel in such academy.

20 “(5) TEMPORARY PERIOD EXCEPTION.—A bond
 21 shall not be treated as failing to meet the require-
 22 ment of paragraph (1)(A) solely by reason of the
 23 fact that the proceeds of the issue of which such
 24 bond is a part are invested for a reasonable tem-
 25 porary period (but not more than 36 months) until

1 such proceeds are needed for the purpose for which
 2 such issue was issued. Any earnings on such pro-
 3 ceeds during such period shall be treated as proceeds
 4 of the issue for purposes of applying paragraph
 5 (1)(A).

6 “(b) LIMITATIONS ON AMOUNT OF BONDS DES-
 7 IGNATED.—

8 “(1) IN GENERAL.—There is a national zone
 9 academy bond limitation for each calendar year.
 10 Such limitation is—

11 “(A) \$400,000,000 for 1999,

12 “(B) \$1,400,000,000 for 2000,

13 “(C) \$1,400,000,000 for 2001, and

14 “(D) except as provided in paragraph (3),
 15 zero after 2001.

16 “(2) ALLOCATION OF LIMITATION.—

17 “(A) ALLOCATION AMONG STATES.—

18 “(i) 1999 LIMITATION.—The national
 19 zone academy bond limitation for calendar
 20 year 1999 shall be allocated by the Sec-
 21 retary among the States on the basis of
 22 their respective populations of individuals
 23 below the poverty line (as defined by the
 24 Office of Management and Budget).

1 “(ii) LIMITATION AFTER 1999.—The
 2 national zone academy bond limitation for
 3 any calendar year after 1999 shall be allo-
 4 cated by the Secretary among the States in
 5 the manner prescribed by section
 6 1397G(d); except that, in making the allo-
 7 cation under this clause, the Secretary
 8 shall take into account Basic Grants at-
 9 tributable to large local educational agen-
 10 cies (as defined in section 1397G(e)).

11 “(B) ALLOCATION TO LOCAL EDU-
 12 CATIONAL AGENCIES.—The limitation amount
 13 allocated to a State under subparagraph (A)
 14 shall be allocated by the State education agency
 15 to qualified zone academies within such State.

16 “(C) DESIGNATION SUBJECT TO LIMITA-
 17 TION AMOUNT.—The maximum aggregate face
 18 amount of bonds issued during any calendar
 19 year which may be designated under subsection
 20 (a) with respect to any qualified zone academy
 21 shall not exceed the limitation amount allocated
 22 to such academy under subparagraph (B) for
 23 such calendar year.

24 “(3) CARRYOVER OF UNUSED LIMITATION.—If
 25 for any calendar year—

1 “(A) the limitation amount under this sub-
2 section for any State, exceeds

3 “(B) the amount of bonds issued during
4 such year which are designated under sub-
5 section (a) with respect to qualified zone acad-
6 emies within such State,
7 the limitation amount under this subsection for such
8 State for the following calendar year shall be in-
9 creased by the amount of such excess. The preceding
10 sentence shall not apply if such following calendar
11 year is after 2003.

12 **“SEC. 1397G. QUALIFIED SCHOOL CONSTRUCTION BONDS.**

13 “(a) QUALIFIED SCHOOL CONSTRUCTION BOND.—
14 For purposes of this part, the term ‘qualified school con-
15 struction bond’ means any bond issued as part of an issue
16 if—

17 “(1) 95 percent or more of the proceeds of such
18 issue are to be used for the construction, rehabilita-
19 tion, or repair of a public school facility,

20 “(2) the bond is issued by a State or local gov-
21 ernment within the jurisdiction of which such school
22 is located,

23 “(3) the issuer designates such bond for pur-
24 poses of this section, and

1 “(4) the term of each bond which is part of
2 such issue does not exceed 15 years.

3 Rules similar to the rules of section 1397F(a)(5) shall
4 apply for purposes of paragraph (1).

5 “(b) LIMITATION ON AMOUNT OF BONDS DES-
6 IGNATED.—The maximum aggregate face amount of
7 bonds issued during any calendar year which may be des-
8 ignated under subsection (a) by any issuer shall not exceed
9 the sum of—

10 “(1) the limitation amount allocated under sub-
11 section (d) for such calendar year to such issuer,
12 and

13 “(2) if such issuer is a large local educational
14 agency (as defined in subsection (e)) or is issuing on
15 behalf of such an agency, the limitation amount allo-
16 cated under subsection (e) for such calendar year to
17 such agency.

18 “(c) NATIONAL LIMITATION ON AMOUNT OF BONDS
19 DESIGNATED.—

20 “(1) IN GENERAL.—There is a national quali-
21 fied school construction bond limitation for each cal-
22 endar year equal to the dollar amount specified in
23 paragraph (2) for such year, reduced, in the case of
24 calendar years 2000 and 2001, by 1.5 percent of
25 such amount.

1 “(2) DOLLAR AMOUNT SPECIFIED.—The dollar
2 amount specified in this paragraph is—

3 “(A) \$9,700,000,000 for 2000,

4 “(B) \$9,700,000,000 for 2001, and

5 “(C) except as provided in subsection (f),
6 zero after 2001.

7 “(d) 65 PERCENT OF LIMITATION ALLOCATED
8 AMONG STATES.—

9 “(1) IN GENERAL.—Sixty-five percent of the
10 limitation applicable under subsection (c) for any
11 calendar year shall be allocated among the States
12 under paragraph (2) by the Secretary. The limita-
13 tion amount allocated to a State under the preceding
14 sentence shall be allocated by the State education
15 agency to issuers within such State and such alloca-
16 tions may be made only if there is an approved State
17 application.

18 “(2) ALLOCATION FORMULA.—The amount to
19 be allocated under paragraph (1) for any calendar
20 year shall be allocated among the States in propor-
21 tion to the respective amounts each such State re-
22 ceived for Basic Grants under subpart 2 of part A
23 of title I of the Elementary and Secondary Edu-
24 cation Act of 1965 (20 U.S.C. 6331 et seq.) for the
25 most recent fiscal year ending before such calendar

1 year. For purposes of the preceding sentence, Basic
 2 Grants attributable to large local educational agen-
 3 cies (as defined in subsection (e)) shall be dis-
 4 regarded.

5 “(3) MINIMUM ALLOCATIONS TO STATES.—

6 “(A) IN GENERAL.—The Secretary shall
 7 adjust the allocations under this subsection for
 8 any calendar year for each State to the extent
 9 necessary to ensure that the sum of—

10 “(i) the amount allocated to such
 11 State under this subsection for such year,
 12 and

13 “(ii) the aggregate amounts allocated
 14 under subsection (e) to large local edu-
 15 cational agencies in such State for such
 16 year,

17 is not less than an amount equal to such
 18 State’s minimum percentage of 65 percent of
 19 the national qualified school construction bond
 20 limitation under subsection (c) for the calendar
 21 year.

22 “(B) MINIMUM PERCENTAGE.—A State’s
 23 minimum percentage for any calendar year is
 24 the minimum percentage described in section
 25 1124(d) of the Elementary and Secondary Edu-

1 cation Act of 1965 (20 U.S.C. 6334(d)) for
2 such State for the most recent fiscal year end-
3 ing before such calendar year.

4 “(4) ALLOCATIONS TO CERTAIN POSSES-
5 SIONS.—The amount to be allocated under para-
6 graph (1) to any possession of the United States
7 other than Puerto Rico shall be the amount which
8 would have been allocated if all allocations under
9 paragraph (1) were made on the basis of respective
10 populations of individuals below the poverty line (as
11 defined by the Office of Management and Budget).
12 In making other allocations, the amount to be allo-
13 cated under paragraph (1) shall be reduced by the
14 aggregate amount allocated under this paragraph to
15 possessions of the United States.

16 “(5) APPROVED STATE APPLICATION.—For
17 purposes of paragraph (1), the term ‘approved State
18 application’ means an application which is approved
19 by the Secretary of Education and which includes—

20 “(A) the results of a recent publicly-avail-
21 able survey (undertaken by the State with the
22 involvement of local education officials, mem-
23 bers of the public, and experts in school con-
24 struction and management) of such State’s

1 needs for public school facilities, including de-
 2 scriptions of—

3 “(i) health and safety problems at
 4 such facilities,

5 “(ii) the capacity of public schools in
 6 the State to house projected enrollments,
 7 and

8 “(iii) the extent to which the public
 9 schools in the State offer the physical in-
 10 frastructure needed to provide a high-qual-
 11 ity education to all students, and

12 “(B) a description of how the State will al-
 13 locate to local educational agencies, or other-
 14 wise use, its allocation under this subsection to
 15 address the needs identified under subpara-
 16 graph (A), including a description of how it
 17 will—

18 “(i) give highest priority to localities
 19 with the greatest needs, as demonstrated
 20 by inadequate or overcrowded school facili-
 21 ties coupled with a low level of resources to
 22 meet those needs,

23 “(ii) use its allocation under this sub-
 24 section to assist localities that lack the fis-
 25 cal capacity to issue bonds on their own,

1 including the issuance of bonds by the
 2 State on behalf of such localities, and

3 “(iii) ensure that its allocation under
 4 this subsection is used only to supplement,
 5 and not supplant, the amount of school
 6 construction, rehabilitation, and repair in
 7 the State that would have occurred in the
 8 absence of such allocation.

9 Any allocation under paragraph (1) by a State edu-
 10 cation agency shall be binding if such agency reason-
 11 ably determined that the allocation was in accord-
 12 ance with the plan approved under this paragraph.

13 “(e) 35 PERCENT OF LIMITATION ALLOCATED
 14 AMONG LARGEST SCHOOL DISTRICTS.—

15 “(1) IN GENERAL.—Thirty-five percent of the
 16 limitation applicable under subsection (c) for any
 17 calendar year shall be allocated under paragraph (2)
 18 by the Secretary among local educational agencies
 19 which are large local educational agencies for such
 20 year. No qualified school construction bond may be
 21 issued by reason of an allocation to a large local
 22 educational agency under the preceding sentence un-
 23 less such agency has an approved local application.

24 “(2) ALLOCATION FORMULA.—The amount to
 25 be allocated under paragraph (1) for any calendar

year shall be allocated among large local educational agencies in proportion to the respective amounts each such agency received for Basic Grants under subpart 2 of part A of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6331 et seq.) for the most recent fiscal year ending before such calendar year.

“(3) LARGE LOCAL EDUCATIONAL AGENCY.—
For purposes of this section, the term ‘large local educational agency’ means, with respect to a calendar year, any local educational agency if such agency is—

“(A) among the 100 local educational agencies with the largest numbers of children aged 5 through 17 from families living below the poverty level, as determined by the Secretary using the most recent data available from the Department of Commerce that are satisfactory to the Secretary, or

“(B) 1 of not more than 25 local educational agencies (other than those described in clause (i)) that the Secretary of Education determines (based on the most recent data available satisfactory to the Secretary) are in particular need of assistance, based on a low level

1 of resources for school construction, a high level
 2 of enrollment growth, or such other factors as
 3 the Secretary deems appropriate.

4 “(4) APPROVED LOCAL APPLICATION.—For
 5 purposes of paragraph (1), the term ‘approved local
 6 application’ means an application which is approved
 7 by the Secretary of Education and which includes—

8 “(A) the results of a recent publicly-avail-
 9 able survey (undertaken by the local educational
 10 agency with the involvement of school officials,
 11 members of the public, and experts in school
 12 construction and management) of such agency’s
 13 needs for public school facilities, including de-
 14 scriptions of—

15 “(i) the overall condition of the local
 16 educational agency’s school facilities, in-
 17 cluding health and safety problems,

18 “(ii) the capacity of the agency’s
 19 schools to house projected enrollments, and

20 “(iii) the extent to which the agency’s
 21 schools offer the physical infrastructure
 22 needed to provide a high-quality education
 23 to all students,

24 “(B) a description of how the local edu-
 25 cational agency will use its allocation under this

1 subsection to address the needs identified under
 2 subparagraph (A), and

3 “(C) a description of how the local edu-
 4 cational agency will ensure that its allocation
 5 under this subsection is used only to supple-
 6 ment, and not supplant, the amount of school
 7 construction, rehabilitation, or repair in the lo-
 8 cality that would have occurred in the absence
 9 of such allocation.

10 A rule similar to the rule of the last sentence of sub-
 11 section (d)(5) shall apply for purposes of this para-
 12 graph.

13 “(f) CARRYOVER OF UNUSED LIMITATION.—If for
 14 any calendar year—

15 “(1) the amount allocated under subsection (d)
 16 to any State, exceeds

17 “(2) the amount of bonds issued during such
 18 year which are designated under subsection (a) pur-
 19 suant to such allocation,

20 the limitation amount under such subsection for such
 21 State for the following calendar year shall be increased
 22 by the amount of such excess. A similar rule shall apply
 23 to the amounts allocated under subsection (e). The sub-
 24 section shall not apply if such following calendar year is
 25 after 2003.

1 “(g) SET-ASIDE ALLOCATED AMONG INDIAN
2 TRIBES.—

3 “(1) IN GENERAL.—The 1.5 percent set-aside
4 applicable under subsection (c)(1) for any calendar
5 year shall be allocated under paragraph (2) among
6 Indian tribes for the construction, rehabilitation, or
7 repair of tribal schools. No allocation may be made
8 under the preceding sentence unless the Indian tribe
9 has an approved application.

10 “(2) ALLOCATION FORMULA.—The amount to
11 be allocated under paragraph (1) for any calendar
12 year shall be allocated among Indian tribes on a
13 competitive basis by the Secretary of the Interior, in
14 consultation with the Secretary of Education—

15 “(A) through a negotiated rulemaking pro-
16 cedure with the tribes in the same manner as
17 the procedure described in section 106(b)(2) of
18 the Native American Housing Assistance and
19 Self-Determination Act of 1996 (25 U.S.C.
20 4116(b)(2)), and

21 “(B) based on criteria described in para-
22 graphs (1), (3), (4), (5), and (6) of section
23 12005(a) of the Elementary and Secondary
24 Education Act of 1965 (20 U.S.C. 8505(a)).

1 “(3) APPROVED APPLICATION.—For purposes
 2 of paragraph (1), the term ‘approved application’
 3 means an application submitted by an Indian tribe
 4 which is approved by the Secretary of Education and
 5 which includes—

6 “(A) the basis upon which the applicable
 7 tribal school meets the criteria described in
 8 paragraph (2)(B), and

9 “(B) an assurance by the Indian tribe that
 10 such tribal school will not receive funds pursu-
 11 ant to allocations described in subsection (d) or
 12 (e).

13 “(4) DEFINITIONS.—For purposes of this
 14 subsection—

15 “(A) INDIAN TRIBE.—The term ‘Indian
 16 tribe’ has the meaning given such term by sec-
 17 tion 45A(c)(6).

18 “(B) TRIBAL SCHOOL.—The term ‘tribal
 19 school’ means a school that is operated by an
 20 Indian tribe for the education of Indian chil-
 21 dren with financial assistance under grant
 22 under the Tribally Controlled Schools Act of
 23 1988 (25 U.S.C. 2501 et seq.) or a contract
 24 with the Bureau of Indian Affairs under the In-

1 dian Self-Determination and Education Assist-
2 ance Act (25 U.S.C. 450f et seq.).”

3 (b) REPORTING.—Subsection (d) of section 6049 of
4 the Internal Revenue Code of 1986 (relating to returns
5 regarding payments of interest) is amended by adding at
6 the end the following:

7 “(8) REPORTING OF CREDIT ON QUALIFIED
8 PUBLIC SCHOOL MODERNIZATION BONDS.—

9 “(A) IN GENERAL.—For purposes of sub-
10 section (a), the term ‘interest’ includes amounts
11 includible in gross income under section
12 1397E(f) and such amounts shall be treated as
13 paid on the credit allowance date (as defined in
14 section 1397E(d)(2)).

15 “(B) REPORTING TO CORPORATIONS,
16 ETC.—Except as otherwise provided in regula-
17 tions, in the case of any interest described in
18 subparagraph (A) of this paragraph, subsection
19 (b)(4) of this section shall be applied without
20 regard to subparagraphs (A), (H), (I), (J), (K),
21 and (L)(i).

22 “(C) REGULATORY AUTHORITY.—The Sec-
23 retary may prescribe such regulations as are
24 necessary or appropriate to carry out the pur-
25 poses of this paragraph, including regulations

1 which require more frequent or more detailed
2 reporting.”

3 (c) CLERICAL AMENDMENTS.—

4 (1) The table of parts for subchapter U of
5 chapter 1 of the Internal Revenue Code of 1986 is
6 amended by striking the item relating to part IV
7 and inserting the following:

“Part IV. Incentives for qualified public school modernization
bonds.”

8 (2) Part V of subchapter U of chapter 1 of
9 such Code is amended by redesignating both section
10 1397F and the item relating thereto in the table of
11 sections for such part as section 1397H.

12 (d) EFFECTIVE DATES.—

13 (1) IN GENERAL.—Except as provided in para-
14 graph (2), the amendments made by this section
15 shall apply to obligations issued after December 31,
16 1998.

17 (2) REPEAL OF RESTRICTION ON ZONE ACAD-
18 EMY BOND HOLDERS.—The repeal of the limitation
19 of section 1397E of the Internal Revenue Code of
20 1986 (as in effect on the day before the date of en-
21 actment of this Act) to eligible taxpayers (as defined
22 in subsection (d)(6) of such section) shall apply to
23 obligations issued after December 31, 1997.

1 **SEC. 103. SENSE OF THE SENATE REGARDING FUNDING**
2 **FOR BIA SCHOOL FACILITIES.**

3 (a) FINDINGS.—The Senate finds that—

4 (1) the Bureau of Indian Affairs operates 1 of
5 only 2 federally-run school systems; and

6 (2) there is a clear Federal responsibility to en-
7 sure that the more than 50,000 students attending
8 these schools have decent, safe schools.

9 (b) SENSE OF THE SENATE.—It is the sense of the
10 Senate that—

11 (1) sufficient funds should be provided in fiscal
12 year 2000 to begin construction of 4 new Bureau of
13 Indian Affairs school facilities and to increase funds
14 available for the improvement and repair of existing
15 facilities; and

16 (2) in addition, Congress should consider enact-
17 ing legislation to establish other funding mechanisms
18 that would leverage Federal investments on behalf of
19 Bureau of Indian Affairs schools in order to address
20 the serious construction backlog which exists at trib-
21 al schools.

TITLE II—CLASS SIZE REDUCTION

SEC. 201. CLASS SIZE REDUCTION.

Title VI of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7301 et seq.) is amended by adding at the end the following:

“PART E—CLASS SIZE REDUCTION

“SEC. 6601. SHORT TITLE.

“This part may be cited as the ‘Class Size Reduction Act of 1999’.

“SEC. 6602. FINDINGS.

“Congress finds as follows:

“(1) Rigorous research has shown that students attending small classes in the early grades make more rapid educational progress than students in larger classes, and that these achievement gains persist through at least the elementary grades.

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

“(3) Teachers in small classes can provide students with more individualized attention, spend more

1 time on instruction and less on other tasks, cover
 2 more material effectively, and are better able to
 3 work with parents to further their children’s edu-
 4 cation.

5 “(4) Smaller classes allow teachers to identify
 6 and work more effectively with students who have
 7 learning disabilities and, potentially, can reduce
 8 those students’ need for special education services in
 9 the later grades.

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

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

16 “(A) well-prepared teachers are hired and
 17 appropriately assigned to fill additional class-
 18 room positions; and

19 “(B) teachers receive intensive, continuing
 20 training in working effectively in smaller class-
 21 room settings.

22 “(7) Several States have begun a serious effort
 23 to reduce class sizes in the early elementary grades,
 24 but these actions may be impeded by financial limi-

1 tations or difficulties in hiring well-prepared teach-
2 ers.

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

8 **“SEC. 6603. PURPOSE.**

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

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

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

18 **“SEC. 6604. PROGRAM AUTHORIZED.**

19 “(a) AUTHORIZATION OF APPROPRIATIONS.—For the
20 purpose of carrying out this part, there are authorized to
21 be appropriated, \$1,400,000,000 for fiscal year 2000,
22 \$1,500,000,000 for fiscal year 2001, \$1,700,000,000 for
23 fiscal year 2002, \$1,735,000,000 for fiscal year 2003,
24 \$2,300,000,000 for fiscal year 2004, and \$2,800,000,000
25 for fiscal year 2005.

1 “(b) ALLOTMENTS.—

2 “(1) IN GENERAL.—From the amount appro-
3 priated under subsection (a) for a fiscal year the
4 Secretary—

5 “(A) shall make a total of 1 percent avail-
6 able to the Secretary of the Interior (on behalf
7 of the Bureau of Indian Affairs) and the outly-
8 ing areas for activities that meet the purpose of
9 this part; and

10 “(B) shall allot to each State the same
11 percentage of the remaining funds as the per-
12 centage it received of funds allocated to States
13 for the previous fiscal year under section 1122
14 or section 2202(b), whichever percentage is
15 greater, except that such allotments shall be
16 ratably decreased as necessary.

17 “(2) DEFINITION OF STATE.—In this part the
18 term ‘State’ means each of the several States of the
19 United States, the District of Columbia and the
20 Commonwealth of Puerto Rico.

21 “(3) STATE-LEVEL EXPENSES.—Each State
22 may use not more than a total of $\frac{1}{2}$ of 1 percent
23 of the amount the State receives under this part, or
24 \$50,000, whichever is greater, for a fiscal year, for

1 the administrative costs of the State educational
2 agency.

3 “(c) WITHIN STATE DISTRIBUTION.—

4 “(1) IN GENERAL.—Each State that receives an
5 allotment under this section shall distribute the
6 amount of the allotted funds that remain after using
7 funds in accordance with subsection (b)(3) to local
8 educational agencies in the State, of which—

9 “(A) 80 percent of such remainder shall be
10 allocated to such local educational agencies in
11 proportion to the number of children, aged 5 to
12 17, who reside in the school district served by
13 such local educational agency and are from
14 families with incomes below the poverty line (as
15 defined by the Office of Management and
16 Budget and revised annually in accordance with
17 section 673(2) of the Community Services
18 Block Grant Act (42 U.S.C. 9902(2)) applica-
19 ble to a family of the size involved) for the most
20 recent fiscal year for which satisfactory data is
21 available compared to the number of such indi-
22 viduals who reside in the school districts served
23 by all the local educational agencies in the State
24 for that fiscal year, except that a State may ad-
25 just such data, or use alternative child-poverty

1 data, to carry out this subparagraph if the
 2 State demonstrates to the Secretary's satisfac-
 3 tion that such adjusted or alternative data more
 4 accurately reflects the relative incidence of chil-
 5 dren living in poverty within local educational
 6 agencies in the State; and

7 “(B) 20 percent of such remainder shall be
 8 allocated to such local educational agencies in
 9 accordance with the relative enrollments of chil-
 10 dren, aged 5 to 17, in public and private non-
 11 profit elementary schools and secondary schools
 12 in the school districts within the boundaries of
 13 such agencies.

14 “(2) AWARD RULE.—Notwithstanding para-
 15 graph (1), if the award to a local educational agency
 16 under this section is less than the starting salary for
 17 a new teacher in that agency, the State shall not
 18 make the award unless the local educational agency
 19 agrees to form a consortium with not less than 1
 20 other local educational agency for the purpose of re-
 21 ducing class size.

22 **“SEC. 6605. USE OF FUNDS.**

23 “(a) IN GENERAL.—Each local educational agency
 24 that receives funds under this part shall use such funds
 25 to carry out effective approaches to reducing class size

1 with highly qualified teachers to improve educational
2 achievement for both regular and special-needs children,
3 with particular consideration given to reducing class size
4 in the early elementary grades for which some research
5 has shown class size reduction is most effective.

6 “(b) CLASS REDUCTION.—

7 “(1) IN GENERAL.—Each such local educational
8 agency may pursue the goal of reducing class size
9 through—

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

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

20 “(C) providing professional development to
21 teachers, including special education teachers
22 and teachers of special-needs children, consist-
23 ent with title II of the Higher Education Act of
24 1965.

1 “(2) RESTRICTION.—A local educational agency
 2 may use not more than a total of 15 percent of the
 3 funds received under this part for each of the fiscal
 4 years 2000 through 2003 to carry out activities de-
 5 scribed in subparagraphs (B) and (C) of paragraph
 6 (1), and may not use any funds received under this
 7 part for fiscal year 2004 or 2005 for those activities.

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

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

14 “(B) to reduce class size in kindergarten
 15 or other grades; or

16 “(C) to carry out activities to improve
 17 teacher quality, including professional develop-
 18 ment activities.

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

24 “(d) PROHIBITION.—No funds made available under
 25 this part may be used to increase the salaries of or provide

1 benefits to (other than participation in professional devel-
 2 opment and enrichment programs) teachers who are, or
 3 have been, employed by the local educational agency.

4 “(e) PROFESSIONAL DEVELOPMENT.—If a local edu-
 5 cational agency uses funds made available under this part
 6 for professional development activities, the agency shall
 7 ensure the equitable participation of private nonprofit ele-
 8 mentary and secondary schools in such activities. Section
 9 6402 shall not apply to other activities under this section.

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

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

15 (a) FEDERAL SHARE.—The Federal share of the cost
 16 of activities carried out under this part—

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

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

23 “(b) LOCAL SHARE.—A local educational agency
 24 shall provide the non-Federal share of a project under this
 25 part through cash expenditures from non-Federal sources,

1 except that if an agency has allocated funds under section
 2 1113(c) to one or more schoolwide programs under section
 3 1114, it may use those funds for the non-Federal share
 4 of activities under this program that benefit those
 5 schoolwide programs, to the extent consistent with section
 6 1120A(c) and notwithstanding section 1114(a)(3)(B).

7 **“SEC. 6607. REQUEST FOR FUNDS.**

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

13 **“SEC. 6608. REPORTS.**

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

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

TITLE III—TEACHER EXCELLENCE

SEC. 301. SHORT TITLE.

This title may be cited as the “Teacher Excellence and Classroom Help Act”.

SEC. 302. FINDINGS.

Congress makes the following findings:

(1) According to the National Commission for Teaching and America’s Future, what teachers know and can do is the most important influence on what students learn.

(2) The Nation will need 2,000,000 new teachers over the 10 year period beginning with 1999. Unfortunately, the need for new teachers in 1998 was met by admitting 50,000 unqualified teachers to the classroom.

(3) Too many new teachers leave the teaching profession in the first 3 years. Thirty to fifty percent of all new urban teachers leave the teaching profession within the first 3 to 5 years of teaching. The sink or swim mentality is too often the practice in schools. Too many beginning teachers are thrown into the classroom without the guidance and support the teachers need to succeed.

1 (4) Too many teachers and principals are not
2 prepared to help all children meet new, high State
3 standards, and use new technologies well.

4 (5) States and school districts should be held
5 accountable for making sure every child is taught by
6 a qualified teacher.

7 (6) The National Commission for Teaching and
8 America's Future recommends a major investment
9 in recruiting, preparing, and training teachers as a
10 central strategy for improving schools.

11 **SEC. 303. DEFINITIONS.**

12 In this title:

13 (1) BEGINNING TEACHER.—The term “begin-
14 ning teacher” means an individual who is—

15 (A) in the last year of a course of study to
16 prepare to become an elementary school or sec-
17 ondary school teacher;

18 (B) in the first 3 years of a teaching as-
19 signment at a public elementary school or sec-
20 ondary school; or

21 (C) an experienced teacher who is new to
22 a school or subject area.

23 (2) ELEMENTARY SCHOOL, LOCAL EDU-
24 CATIONAL AGENCY, OUTLYING AREA, SECONDARY
25 SCHOOL, SECRETARY, STATE, AND STATE EDU-

1 CATIONAL AGENCY.—The terms “elementary
2 school”, “local educational agency”, “outlying area”,
3 “secondary school”, “Secretary”, “State”, and
4 “State educational agency” have the meanings given
5 the terms in section 14101 of the Elementary and
6 Secondary Education Act of 1965.

7 (3) INDUCTION PROGRAM.—The term “induc-
8 tion program” means a program to help beginning
9 teachers succeed and stay in the classroom. Such
10 program may include—

11 (A) mentoring and coaching by trained
12 mentor teachers;

13 (B) team teaching with veteran teachers;

14 (C) time for observation of and consulta-
15 tion with veteran teachers;

16 (D) assignment of fewer course prepara-
17 tions; and

18 (E) provision of additional time for course
19 preparation.

20 (4) VETERAN TEACHER.—The term “veteran
21 teacher” means an individual who is—

22 (A) certified to teach in an elementary
23 school or secondary school;

24 (B) teaching in a public elementary school
25 or secondary school; or

1 (C) recently retired from teaching in a
2 public elementary school or secondary school.

3 **PART A—CHALLENGING STATES TO ENSURE**
4 **THAT EVERY CHILD IS TAUGHT BY A QUALI-**
5 **FIED TEACHER**

6 **SEC. 311. PURPOSES.**

7 The purposes of this part are as follows:

8 (1) To improve student achievement in meeting
9 State content and performance standards.

10 (2) To improve the quality and performance of
11 the Nation's teaching force.

12 (3) To hold States, school districts, and schools
13 accountable for improving the quality and success of
14 the teaching force by providing beginning and vet-
15 eran teachers with the support the teachers need to
16 succeed and stay in teaching, by offering incentives
17 for more qualified individuals to go into teaching, by
18 reducing out-of-field placement of teachers, and by
19 reducing the number of teachers with emergency
20 credentials.

21 (4) To provide beginning and veteran teachers
22 and principals with the induction and ongoing pro-
23 fessional development they need to help all children
24 meet high standards of achievement.

1 (5) To retain and support promising beginning
2 teachers in the teaching profession.

3 **SEC. 312. AUTHORIZATION OF APPROPRIATIONS; RESERVA-**
4 **TION.**

5 (a) AUTHORIZATION OF APPROPRIATIONS.—There
6 are authorized to be appropriated to carry out this part
7 \$1,200,000,000 for fiscal year 2000 and such sums as
8 may be necessary for each of the fiscal years 2001 through
9 2005.

10 (b) RESERVATION.—From amounts appropriated
11 under subsection (a) for a fiscal year the Secretary shall
12 reserve 1 percent to award grants to the Bureau of Indian
13 Affairs to carry out the purposes of this Act for the benefit
14 of Indians.

15 **SEC. 313. GRANTS TO STATES.**

16 (a) GRANTS AUTHORIZED.—Using amounts appro-
17 priated under section 312(a) and not reserved under sec-
18 tion 312(b), the Secretary shall award grants to State
19 educational agencies in each State, from allotments under
20 subsection (c), to enable the agencies to implement state-
21 wide initiatives—

22 (1) to improve and expand the elementary
23 school and secondary school teaching force of the
24 States through proven, effective programs to recruit,
25 train, and retain beginning teachers; and

1 (2) to provide ongoing professional development
2 to veteran teachers and principals to improve their
3 ability to help all students reach high State content
4 and performance standards.

5 (b) STATE RESERVATION.—

6 (1) IN GENERAL.—Subject to paragraph (2),
7 each State educational agency receiving a grant
8 under this section may reserve not more than 10
9 percent of the grant funds for statewide activities to
10 improve the quality of the teaching force,
11 including—

12 (A) providing assistance to local edu-
13 cational agencies to reduce out-of-field place-
14 ments;

15 (B) reducing the use of emergency creden-
16 tials;

17 (C) improving alternative certification pro-
18 grams;

19 (D) administrative costs of activities as-
20 sisted under this section;

21 (E) evaluation of the activities assisted
22 under this section;

23 (F) improving State efforts to link the pro-
24 gram assisted under this section with State
25 standards;

1 (G) supporting National Board for Profes-
 2 sional Teaching Standards certification of
 3 teachers who are or will teach in high-need
 4 schools; and

5 (H) providing assistance to local edu-
 6 cational agencies in implementing effective pro-
 7 grams of teacher recruitment, induction, and
 8 professional development.

9 (2) ADMINISTRATIVE COSTS.—Each State edu-
 10 cational agency receiving a grant under this section
 11 may use not more than 3 percent of the grant funds
 12 for administrative costs described in paragraph
 13 (1)(D).

14 (c) ALLOTMENTS.—

15 (1) IN GENERAL.—Subject to paragraph (2),
 16 the Secretary shall make an allotment to each State
 17 educational agency in each State in an amount equal
 18 to the greater of the amount the State would receive
 19 if \$1,200,000,000 were allocated under section 1122
 20 of the Elementary Secondary Education Act of 1965
 21 or under section 2202(b) of such Act for fiscal year
 22 1998, except that such allotment shall be ratably de-
 23 creased as may be necessary.

24 (2) OUTLYING AREAS.—The State educational
 25 agency serving each outlying area shall receive an al-

1 lotment under this subsection in an amount equal to
2 \$500,000.

3 (d) APPLICATIONS.—A State educational agency that
4 desires a grant under this section shall submit an applica-
5 tion to the Secretary at such time, and in such manner
6 as the Secretary may require. Each such application shall
7 include—

8 (1) a description of the State’s teacher short-
9 ages relating to high-need school districts or high-
10 need subject areas;

11 (2) a description of the need for professional
12 development of veteran teachers in the State and the
13 need for strong induction programs for beginning
14 teachers, which needs assessment shall be developed
15 with the involvement of teachers;

16 (3) a description of how the State educational
17 agency will improve the quality of the State’s teach-
18 ing force and meet the requirements of this section;

19 (4) a description of how the State educational
20 agency will align activities assisted under this sec-
21 tion with State content and performance standards,
22 and State assessments;

23 (5) a description of how the State educational
24 agency will advance teacher knowledge in content
25 areas and of best instructional practices;

1 (6) a description of how the State educational
2 agency will—

3 (A) implement plans to encourage a reduc-
4 tion in out-of-field placement of teachers;

5 (B) reduce the number of teachers hired
6 with emergency certification;

7 (C) increase the State’s commitment to
8 aligning professional development with State
9 content and performance standards, and State
10 assessments; and

11 (D) increase the rigor and quality of State
12 certification and licensure tests for teachers en-
13 tering the field of teaching, including subject
14 matter tests for secondary school teachers;

15 (7) a description of how the State educational
16 agency will coordinate activities assisted under this
17 section with efforts under Goals 2000: Educate
18 America Act, titles I and title II of the Elementary
19 and Secondary Education Act of 1965, section 307
20 of the Department of Education Appropriations Act,
21 1999, and title II of the Higher Education Act of
22 1965, as appropriate; and

23 (8) a plan, developed with the extensive partici-
24 pation of teachers, for addressing long-term teacher

1 recruitment, retention, and professional development
2 needs, which may include—

3 (A) technical assistance to help school dis-
4 tricts reform hiring practices to support strong
5 teacher recruitment and retention; or

6 (B) establishing State or regional partner-
7 ships to address teacher shortages.

8 **SEC. 314. ATTRACTING NEW TEACHERS PROGRAMS.**

9 (a) SCHOLARSHIPS.—Each State educational agency
10 receiving a grant under this part shall use 20 percent of
11 the grant funds—

12 (1) to award scholarships to qualified individ-
13 uals who enter the elementary school or secondary
14 school teaching field;

15 (2) to establish partnerships described in sub-
16 section (c) to assist in carrying out the scholarship
17 program under this section, including the recruit-
18 ment of prospective teachers and support services
19 for the teachers.

20 (b) ELIGIBLE INDIVIDUALS.— The scholarships shall
21 be awarded on a statewide basis to individuals who—

22 (1) want to change professions in mid-career
23 and receive graduate or continuing education in
24 order to teach in public elementary schools or sec-
25 ondary schools, including paraprofessionals that

1 want to become fully certified or licensed teachers;
2 or

3 (2) want to obtain an undergraduate degree in
4 order to teach in public elementary schools or sec-
5 ondary schools.

6 (c) AMOUNT.—The amount of the scholarship shall
7 be determined by the State educational agency. The State
8 educational agency shall consider the need of the individ-
9 ual in determining the amount of the scholarship.

10 (d) PARTNERSHIPS.—A State educational agency
11 shall enter into partnerships with local educational agen-
12 cies that serve school districts with the greatest teacher
13 shortages in the State and colleges of education at institu-
14 tions of higher education in order to establish the scholar-
15 ship program. The State educational agency may also in-
16 clude in the partnership community-based organizations
17 and other organizations, for the purpose of implementing
18 a successful scholarship program.

19 (e) REQUIREMENTS.—The scholarship program shall
20 include the following:

21 (1) Requirements that scholarship recipients
22 agree to teach for at least 3 years after completion
23 of the degree for which the scholarship was awarded.

1 (2) Requirements that scholarship recipients
2 agree to teach in high-need school districts or high-
3 need content areas.

4 (3) Coordination of incentives under the pro-
5 gram assisted under this section with incentives
6 under the Federal student loan forgiveness program
7 under section 428J of the Higher Education Act of
8 1965 in order to attract more individuals to teach-
9 ing.

10 **SEC. 315. LOCAL TEACHER QUALITY IMPROVEMENT**
11 **GRANTS.**

12 (a) GRANTS AUTHORIZED.—Each State educational
13 agency receiving a grant under this part shall use not less
14 than 70 percent of the grant funds to award grants, on
15 a competitive basis, to eligible local educational agencies
16 to enable the local educational agencies to carry out the
17 authorized activities described in subsection (e).

18 (b) DEFINITION OF ELIGIBLE LOCAL EDUCATIONAL
19 AGENCIES.—In this section the term “eligible local edu-
20 cational agency” means a local education agency that—

21 (1) is eligible to receive assistance under title I
22 of the Elementary and Secondary Education Act of
23 1965, and meets additional eligibility criteria estab-
24 lished by the State educational agency with respect
25 to—

1 (A) high rates of poverty of the families of
 2 the children attending schools served by the
 3 local educational agency;

4 (B) the need for support for improving
 5 teacher quality based on low achievement of
 6 students served by the local educational agency;

7 (C) low-teacher retention rates in the
 8 schools served by the local educational agency;

9 (D) the need for improving or expanding
 10 veteran teacher knowledge and skills in high-
 11 priority areas, such as—

12 (i) State content and performance
 13 standards, and State assessments;

14 (ii) technology;

15 (iii) improving the ability of children
 16 with disabilities and limited English pro-
 17 ficient children to meet State content and
 18 performance standards;

19 (iv) discipline; and

20 (v) implementing proven programs
 21 and research-based best practices; and

22 (E) high out-of-field placement rates.

23 (c) **EQUITABLE GEOGRAPHIC DISTRIBUTION.**—A
 24 State educational agency shall ensure an equitable dis-

1 tribution of grants under this section among local edu-
 2 cational agencies serving urban and rural areas.

3 (d) AWARD RULE.—A State educational agency shall
 4 ensure that a portion of the funds awarded to eligible local
 5 educational agencies under this section are awarded to eli-
 6 gible local educational agencies with high numbers of chil-
 7 dren in poverty and high percentages of children in pov-
 8 erty.

9 (e) AUTHORIZED ACTIVITIES.—A local educational
 10 agency that receives a grant under this section—

11 (1) shall use the grant funds—

12 (A) to provide high-quality induction pro-
 13 grams for beginning teachers, including mentor
 14 and internship programs; and

15 (B) to provide high-quality professional de-
 16 velopment for veteran teachers and principals to
 17 ensure that every child has the opportunity to
 18 meet high State standards under the guidance
 19 of—

20 (i) teaching by a qualified, knowledge-
 21 able, skillful teacher in the classroom; and

22 (ii) a qualified, knowledgeable, skillful
 23 principal of a school; and

24 (2) may use the grant funds to establish a part-
 25 nership with an institution of higher education, an-

1 other local educational agency, or another organiza-
2 tion, for the purpose of carrying out the activities
3 under this program.

4 (f) LOCAL EDUCATIONAL AGENCY APPLICATION.—

5 Each eligible local educational agency desiring a grant
6 under this section shall submit an application to the State
7 educational agency at such time, in such manner, and ac-
8 companied by such information as the State educational
9 agency may require. Each such application shall include
10 a description of—

11 (1) the partnership that the local educational
12 agency will form to carry out the authorized activi-
13 ties described in subsection (d);

14 (2) the goals of the activities assisted under this
15 section and the role of each member of the partner-
16 ship in meeting the goals;

17 (3) a plan for selecting and assigning beginning
18 and veteran teachers for participation in the pro-
19 gram;

20 (4) the release time and other rewards or incen-
21 tives offered to beginning teachers and veteran
22 teachers for participation in the induction or profes-
23 sional development program;

1 (5) the training and support that will be pro-
2 vided to veteran teachers participating in the induc-
3 tion program;

4 (6) how the program—

5 (A) shall address the ongoing professional
6 development of teachers and principals in the
7 areas of—

8 (i) course content; and

9 (ii) instructional strategies;

10 (B) may address the ongoing professional
11 development of teachers and principals in the
12 areas of—

13 (i) meaningful parental and commu-
14 nity involvement in schools;

15 (ii) use of educational technologies
16 and the integration of the technologies into
17 the curriculum;

18 (iii) understanding the special needs
19 and cultural diversity of students insofar
20 as the special needs and cultural diversity
21 impact student learning; and

22 (iv) classroom management and dis-
23 cipline;

24 (7) a description of how the induction and pro-
25 fessional development activities will—

1 (A) improve the ability of teachers and
 2 principals to help all students reach high State
 3 content and performance standards;

4 (B) advance teacher knowledge of content
 5 areas and best instructional practices in 1 or
 6 more of the core academic content areas;

7 (C) involve collaborative groups of teachers
 8 and administrators from the same school dis-
 9 trict and, to the greatest extent possible, from
 10 the same school;

11 (D) be of sufficient duration to have a
 12 positive and lasting impact on classroom in-
 13 struction and, to the greatest extent possible,
 14 include school-based followup support such as
 15 coaching or study groups;

16 (E) be embedded in school districtwide and
 17 school-based professional development plans de-
 18 signed to raise student achievement on State
 19 academic standards; and

20 (F) be based on the best, most recent re-
 21 search and practice on school leadership, teach-
 22 ing, and learning;

23 (8) how teachers, parents, and school adminis-
 24 trators will be extensively involved in developing and

1 implementing the induction and professional develop-
2 ment activities;

3 (9) how the program will address the profes-
4 sional development needs of paraprofessionals and
5 other student services personnel, including coun-
6 selors; and

7 (10) a plan for reducing out-of-field placement
8 of teachers.

9 (g) EVALUATION.—Each local educational agency re-
10 ceiving a grant under this section shall submit to the State
11 educational agency, a biennial evaluation of the program
12 assisted under this section, which evaluation shall be de-
13 veloped with the extensive participation of teachers. Each
14 such evaluation shall describe—

15 (1) the effectiveness of the program in meeting
16 the goals of the program;

17 (2) the effectiveness of the mentor training to
18 effectively address the skills, pedagogy, and aca-
19 demic areas the mentor teachers need in order to
20 provide appropriate assistance to beginning teachers;

21 (3) the benefits and concerns identified by men-
22 tor teachers and beginning teachers participating in
23 the program;

24 (4) the impact of the program with respect to—

25 (A) the classes taught by new teachers;

1 (B) staff members;

2 (C) parents; and

3 (D) the elementary school or secondary
4 school involved in the program;

5 (5) the effectiveness of the induction and pro-
6 fessional development programs in helping the teach-
7 ers help their students meet State content and per-
8 formance standards;

9 (6) data relating to—

10 (A) how many new teachers participated in
11 the program;

12 (B) how many new teachers who partici-
13 pated in the program are retained in the teach-
14 ing profession compared to how many new
15 teachers were retained in the teaching profes-
16 sion during years in which the program did not
17 operate; and

18 (C) how many mentor teachers who par-
19 ticipated in the program continued the partici-
20 pation; and

21 (7) any changes made by an institution of high-
22 er education in the preparation of new teachers, and
23 in the professional development opportunities related
24 to teaching that are offered by the institution, as a

1 result of the institution’s participation in the pro-
 2 gram.

3 **SEC. 316. SUPPLEMENT NOT SUPPLANT.**

4 Funds made available under this part shall be used
 5 to supplement and not supplant other Federal, State, and
 6 local funds expended for teacher programs.

7 **PART B—IMPROVING TEACHER PREPARATION**

8 **SEC. 321. SENSE OF THE SENATE.**

9 It is the sense of the Senate that—

10 (1) Congress should fully fund title II of the
 11 Higher Education Act of 1965, relating to Teacher
 12 Quality Enhancement Grants for States and Part-
 13 nerships, at \$300,000,000; and

14 (2) the 105th Congress made a strong commit-
 15 ment to holding institutions of higher education ac-
 16 countable for improving the initial preparation of
 17 teachers, and the 106th Congress should make a
 18 strong investment in accomplishing that goal.

19 **PART C—IMPROVING TEACHER TECHNOLOGY**
 20 **TRAINING**

21 **SEC. 331. IMPROVING TEACHER TECHNOLOGY TRAINING.**

22 (a) STATEMENT OF PURPOSE FOR TITLE I.—Section
 23 1001(d)(4) of the Elementary and Secondary Education
 24 Act of 1965 (20 U.S.C. 6301(d)(4)) is amended by insert-
 25 ing “, giving particular attention to the role technology

1 can play in professional development and improved teach-
 2 ing and learning” before the semicolon.

3 (b) SCHOOL IMPROVEMENT.—Section 1116(c)(3) of
 4 such Act (20 U.S.C. 6317(c)(3)) is amended by adding
 5 at the end the following:

6 “(D) In carrying out professional develop-
 7 ment under this paragraph a school shall give
 8 particular attention to professional development
 9 that incorporates technology used to improve
 10 teaching and learning.”.

11 (c) PROFESSIONAL DEVELOPMENT.—Section
 12 1119(b) of such Act (20 U.S.C. 6320(b)) is amended—

13 (1) in paragraph (1)—

14 (A) in subparagraph (D), by striking
 15 “and” after the semicolon;

16 (B) in subparagraph (E), by striking the
 17 period and inserting “; and”; and

18 (C) by adding at the end the following:

19 “(F) include instruction in the use of tech-
 20 nology.”; and

21 (2) in paragraph (2)—

22 (A) by striking subparagraph (D); and

23 (B) by redesignating subparagraphs (E)
 24 through (I) as subparagraphs (D) through (H),
 25 respectively.

1 (d) PURPOSES FOR TITLE II.—Section 2002(2) of
 2 such Act (20 U.S.C. 6602(2)) is amended—

3 (1) in subparagraph (E), by striking “and”
 4 after the semicolon;

5 (2) in subparagraph (F), by striking the period
 6 and inserting “; and”; and

7 (3) by adding at the end the following:

8 “(G) uses technology to enhance the teach-
 9 ing and learning process.”.

10 (e) NATIONAL TEACHER TRAINING PROJECT.—Sec-
 11 tion 2103(b)(2) of such Act (20 U.S.C. 6623(b)(2)) is
 12 amended by adding at the end the following:

13 “(J) Technology.”.

14 (f) LOCAL PLAN FOR IMPROVING TEACHING AND
 15 LEARNING.—Section 2208(d)(1)(F) of such Act (20
 16 U.S.C. 6648(d)(1)(F)) is amended by inserting “, tech-
 17 nologies,” after “strategies”.

18 (g) AUTHORIZED ACTIVITIES.—Section
 19 2210(b)(2)(C) of such Act (20 U.S.C. 6650(b)(2)(C)) is
 20 amended by inserting “, and in particular technology,”
 21 after “practices”.

22 (h) HIGHER EDUCATION ACTIVITIES.—Section
 23 2211(a)(1)(C) of such Act (20 U.S.C. 6651(a)(1)(C)) is
 24 amended by inserting “, including technological innova-
 25 tion,” after “innovation”.

TITLE IV—STRENGTHENING AFTER-SCHOOL PROGRAMS

PART A—SCHOOL-AGED CHILD CARE

SEC. 411. DEFINITIONS.

The Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858 et seq.) is amended—

(1) by redesignating section 658P (42 U.S.C. 9858n) as section 658T;

(2) by transferring section 658T (as so redesignated) to the end of such Act; and

(3) in section 658T (as so redesignated)—

(A) in paragraph (4), by adding at the end the following:

“The term ‘eligible child’, used with respect to school-aged child care and development services, means a school age child.”; and

(B) by adding at the end the following:

“(15) CHILD CARE; CHILD CARE SERVICES.—

The terms ‘child care’ and ‘child care services’ include child care and development services.

“(16) CHILD CARE AND DEVELOPMENT SERVICES.—The term ‘child care and development services’ means services described in section 658H(f).

“(17) CHILD WITH A DISABILITY.—The term ‘child with a disability’ has the meaning given the

1 term in section 602 of the Individuals with Disabil-
 2 ities Education Act (20 U.S.C. 1401).

3 “(18) ELEMENTARY SCHOOL; SECONDARY
 4 SCHOOL.—The terms ‘elementary school’ and ‘sec-
 5 ondary school’ mean a public elementary or second-
 6 ary school (as the case may be) as such schools are
 7 defined for purposes of section 14101 of the Ele-
 8 mentary and Secondary Education Act of 1965 (20
 9 U.S.C. 8801).

10 “(19) SCHOOL AGE CHILD.—The term ‘school
 11 age child’ means an individual who—

12 “(A)(i) is not less than 5 and not more
 13 than 16 years of age; or

14 “(ii) at the election of the State involved,
 15 is less than 5 years of age; and

16 “(B) meets the requirements of subpara-
 17 graphs (B) and (C) of paragraph (4).”

18 **SEC. 412. AUTHORIZATION OF APPROPRIATIONS.**

19 Section 658B of the Child Care and Development
 20 Block Grant Act of 1990 (42 U.S.C. 9858) is amended—

21 (1) by striking “There is” and inserting “(a) IN
 22 GENERAL.—There is”;

23 (2) by striking “this subchapter” and inserting
 24 “this subchapter (other than section 658H)”; and

25 (3) by adding at the end the following:

1 “(b) PROGRAMS FOR CHILD CARE AND DEVELOP-
 2 MENT SERVICES.—There is authorized to be appropriated
 3 and there is appropriated to carry out section 658H,
 4 \$150,000,000 for fiscal year 2000, \$200,000,000 for fis-
 5 cal year 2001, \$300,000,000 for fiscal year 2002,
 6 \$350,000,000 for fiscal year 2003, and 1,000,000,000 for
 7 fiscal year 2004.”

8 **SEC. 413. STATE PLAN.**

9 Section 658E(c) of the Child Care and Development
 10 Block Grant Act of 1990 (42 U.S.C. 9858c(c)) is
 11 amended—

12 (1) in paragraph (2)—

13 (A) in subparagraph (A)—

14 (i) in clause (i)—

15 (I) by inserting “, other than
 16 through assistance provided under
 17 paragraph (3)(E),” after “under this
 18 subchapter”; and

19 (II) in subclause (II), by striking
 20 “section 658P(2)” and inserting “sec-
 21 tion 658T(2)”; and

22 (ii) in clause (ii), by striking “eligible
 23 provider” and inserting “eligible child care
 24 provider (or, in the case of child care and

1 development services, an entity described
 2 in section 658H(c))”; and

3 (B) in the first sentence of subparagraph
 4 (E)(i)—

5 (i) by inserting after “within the
 6 State” the following “(or, in the case of
 7 child care and development services, other
 8 appropriate requirements)”; and

9 (ii) by striking “such requirements”
 10 each place it appears and inserting “such
 11 licensing or appropriate requirements”;
 12 and

13 (2) in paragraph (3)—

14 (A) in subparagraph (A), by striking
 15 “(D)” and inserting “(E)”; and

16 (B) by adding at the end the following:

17 “(E) PROGRAMS FOR SCHOOL-AGE CHILD
 18 CARE AND DEVELOPMENT SERVICES.—

19 “(i) IN GENERAL.—The State plan
 20 shall provide that the State will reserve the
 21 portion described in clause (ii) of the State
 22 allotment under section 658O for each fis-
 23 cal year for grants and contracts to carry
 24 out activities under section 658H.

1 “(ii) PORTION.—For each fiscal year,
 2 the portion referred to in clause (i) is the
 3 amount that bears the same relationship to
 4 the State allotment for that year as the
 5 amount appropriated under section
 6 658B(b) for that year bears to the total
 7 amount appropriated under section 658B
 8 for that year.”.

9 **SEC. 414. SCHOOL-AGE CHILD CARE AND DEVELOPMENT**
 10 **SERVICES.**

11 The Child Care and Development Block Grant Act
 12 of 1990 (42 U.S.C. 9858 et seq.) is amended by inserting
 13 after section 658G the following:

14 **“SEC. 658H. AFTER SCHOOL SERVICES.**

15 “(a) PURPOSE.—It is the purpose of this section to
 16 fund quality child care and development services through
 17 grants and contracts, including direct services provided
 18 outside of normal school hours, to promote the health and
 19 academic achievement of school age children, and assist
 20 the children in avoiding high risk behaviors.

21 “(b) IN GENERAL.—Each State that receives funds
 22 to carry out this subchapter for a fiscal year shall use the
 23 funds reserved as described in section 658E(c)(3)(E) to
 24 make grants to eligible entities to carry out programs to
 25 expand the availability and affordability of quality child

1 care and development services, including direct services
2 provided outside of normal school hours (including before-
3 and after-school care and weekend, holiday, and summer
4 care) for school age children.

5 “(c) ELIGIBLE ENTITIES.—To be eligible to receive
6 a grant under this section, an entity shall be—

7 “(1) an elementary school or secondary school;
8 or

9 “(2) a community-based organization, including
10 a community-based entity that operates a child care
11 center or youth center or is a family child care pro-
12 vider, that meets such requirements of the type de-
13 scribed in subparagraphs (E) and (F) of section
14 658E(c)(3) as the State and local governments in-
15 volved may prescribe.

16 “(d) APPLICATION.—To be eligible to receive a grant
17 under this section, an entity shall submit an application
18 to the State at such time, in such manner, and containing
19 such information as the State may require. At a minimum,
20 each application shall contain—

21 “(1) information demonstrating the manner in
22 which the entity will carry out a program described
23 in subsection (b) in a manner that meets the needs,
24 of the community to be served, for child care and de-

1 velopment services, including direct services provided
2 outside of normal school hours;

3 “(2) an assurance that the entity will carry out
4 direct services provided through the program
5 during—

6 “(A) at least 3 days in each week that the
7 program operates, and for at least 3 hours on
8 each day that the program operates; or

9 “(B) at least 10 hours in each week that
10 the program operates;

11 “(3) information demonstrating the manner in
12 which the entity will serve children with disabilities;
13 and

14 “(4) information demonstrating the manner in
15 which the entity will carry out the planning, estab-
16 lishment, implementation, and evaluation of the pro-
17 gram, and provide staff training for the program, in
18 coordination with other entities carrying out pro-
19 grams for children or public transportation pro-
20 grams in the community.

21 “(e) PREFERENCE.—In making grants under this
22 section, a State shall give preference to entities that—

23 “(1) serve communities with—

1 “(A) a high rate of poverty, as determined
 2 in accordance with criteria established by the
 3 Secretary; and

4 “(B) a high incidence of at-risk children;
 5 and

6 “(2) propose programs that make transpor-
 7 tation services available to the children served, if
 8 needed to enable the children to receive other serv-
 9 ices described in this section, using transportation
 10 provided under other public programs in the commu-
 11 nity, such as transportation provided under the
 12 Head Start Act (42 U.S.C. 9831 et seq.), or under
 13 programs providing services to older individuals,
 14 educational programs, or public transportation pro-
 15 grams.

16 “(f) USE OF FUNDS.—

17 “(1) IN GENERAL.—An entity that receives a
 18 grant under this section shall use the funds made
 19 available through the grant to provide—

20 “(A) direct services outside of normal
 21 school hours;

22 “(B) quality services; and

23 “(C) indirect services.

24 “(2) DIRECT SERVICES AND RELATED QUALITY
 25 SERVICES.—

1 “(A) IN GENERAL.—The entity shall use
2 not less than 75 percent of the funds described
3 in paragraph (1) to provide two or more of the
4 direct services described in subparagraph (B) to
5 school age children and to carry out related
6 quality services.

7 “(B) DIRECT SERVICES.—The direct serv-
8 ices referred to in subparagraph (A) consist
9 of—

10 “(i) recreational activities;

11 “(ii) community-based service pro-
12 grams that provide for meaningful human,
13 educational, environmental, or public safe-
14 ty service;

15 “(iii) academic assistance and tutor-
16 ing;

17 “(iv) mentoring;

18 “(v) conflict management;

19 “(vi) health and nutrition services, in-
20 cluding disease and injury prevention serv-
21 ices;

22 “(vii) literacy services;

23 “(viii) child care (other than another
24 service described in this subsection); and

1 “(ix) transportation of school age chil-
2 dren between—

3 “(I) school or home; and

4 “(II) the facility in which the
5 services are provided.

6 “(C) QUALITY SERVICES.—The quality
7 services referred to in subparagraph (A) consist
8 of—

9 “(i) provision of community-based
10 training, related to the provision of direct
11 services, for staff of the entity, at times
12 and in locations that are accessible to the
13 staff;

14 “(ii) provision of financial assistance
15 to the staff to attend courses at an institu-
16 tion of higher education that are related to
17 the provision of direct services;

18 “(iii) provision of financial assistance
19 to staff to promote staff retention;

20 “(iv) provision of financial assistance
21 to enable the child care and development
22 services program provided by the entity to
23 obtain accreditation by a nationally recog-
24 nized accreditation organization;

“(v) data collection relating to direct services, including the collection of data described in paragraphs (1)(B) and (2) of section 658K(a) for family units receiving assistance under this section, and submission of the data to the State for inclusion in the reports described in section 658K(a)(2); and

“(vi) evaluation of the child care and development services provided by the entity in accordance with criteria determined by the State, and participation in audits described in section 658K(b).

“(3) INDIRECT SERVICES.—

“(A) IN GENERAL.—The entity shall use not more than 25 percent of the funds described in paragraph (1) to provide indirect services that support the sustainability of the direct services and the accountability of entities carrying out the direct services.

“(B) SERVICES.—The indirect services referred to in subparagraph (A) may include—

“(i) carrying out activities to provide increased compensation to staff who provide the direct services to school age chil-

1 dren outside of normal school hours and
 2 who participate in appropriate training;

3 “(ii) developing and maintaining elec-
 4 tronic databases of providers who provide
 5 the direct services outside of normal school
 6 hours, and making the information in the
 7 databases available to the public through
 8 arrangements with elementary schools, sec-
 9 ondary schools, public libraries, commu-
 10 nity-based agencies, and other public agen-
 11 cies; and

12 “(iii) conducting community needs as-
 13 sessments to determine the need for direct
 14 services outside of normal school hours.

15 “(g) DEFINITIONS.—In this section:

16 “(1) DIRECT SERVICES.—The term ‘direct serv-
 17 ices’ means the services described in subsection
 18 (f)(2)(B).

19 “(2) INDIRECT SERVICES.—The term ‘indirect
 20 services’ means the services described in subsection
 21 (f)(3).

22 “(3) QUALITY SERVICES.—The term ‘quality
 23 services’ means the services described in subsection
 24 (f)(2)(C).”.

1 **SEC. 415. CONFORMING AMENDMENTS.**

2 (a) QUALITY ACTIVITIES.—Section 658G of the Child
3 Care and Development Block Grant Act of 1990 (42
4 U.S.C. 9858e) is amended by striking “this subchapter”
5 and inserting “this subchapter (other than section
6 658H)”.

7 (b) REDESIGNATION.—Section 658K of the Child
8 Care and Development Block Grant Act of 1990 (42
9 U.S.C. 9858i) is amended, in subsection (a)(2)(A), by
10 striking “section 658P(5)” and inserting “section
11 658T(5)”.

12 (c) CONSTRUCTION.—Section 658O(c)(6) of the
13 Child Care and Development Block Grant Act of 1990 (42
14 U.S.C. 9858m(c)(6)) is amended by inserting “(other than
15 the amounts provided to carry out section 658H)” after
16 “this subsection” each place it appears.

17 **PART B—STRENGTHENING THE 21ST CENTURY**
18 **COMMUNITY LEARNING CENTERS ACT**

19 **SEC. 421. PROGRAM AUTHORIZATION.**

20 Section 10903 of the 21st Century Community
21 Learning Centers Act (20 U.S.C. 8243) is amended—

22 (1) in subsection (a)—

23 (A) in the subsection heading, by inserting
24 “TO LOCAL EDUCATIONAL AGENCIES FOR
25 SCHOOLS” after “SECRETARY”; and

1 (B) by striking “rural and inner-city pub-
 2 lic” and all that follows through “or to” and in-
 3 serting “local educational agencies for the sup-
 4 port of public elementary schools or secondary
 5 schools, including middle schools, that serve
 6 communities with substantial needs for ex-
 7 panded learning opportunities for children and
 8 youth in the communities, to enable the schools
 9 to establish or”; and

10 (C) by striking “a rural or inner-city com-
 11 munity” and inserting “the communities”;
 12 (2) in subsection (b)—

13 (A) by striking “States, among” and in-
 14 serting “States and among”; and

15 (B) by striking “United States,” and all
 16 that follows through “a State” and inserting
 17 “United States”; and

18 (3) in subsection (c), by striking “3” and in-
 19 serting “5”.

20 **SEC. 422. APPLICATIONS.**

21 Section 10904(a) of such Act (20 U.S.C. 8244(a))
 22 is amended—

23 (1) in the first sentence, by striking “an ele-
 24 mentary or secondary school or consortium” and in-
 25 serting “a local educational agency”;

1 (2) in paragraph (1), by striking “or consor-
2 tium”;

3 (3) in paragraph (2), by striking “and” after
4 the semicolon;

5 (4) in paragraph (3)—

6 (A) in subparagraph (B), by inserting “,
7 including programs under the Child Care and
8 Development Block Grant Act of 1990” after
9 “maximized”;

10 (B) in subparagraph (D), by striking “or
11 consortium”; and

12 (C) in subparagraph (E)—

13 (i) in the matter preceding clause (i),
14 by striking “or consortium”; and

15 (ii) in clause (ii), by striking the pe-
16 riod and inserting a semicolon;

17 (5) by adding at the end the following:

18 “(4) information demonstrating that the local
19 educational agency will—

20 “(A) provide not less than 35 percent of
21 the annual cost of the activities assisted under
22 the project from sources other than funds pro-
23 vided under this part, which contribution may
24 be provided in cash or in kind, fairly evaluated;
25 and

1 “(B) provide not more than 25 percent of
 2 the annual cost of the activities assisted under
 3 the project from funds provided by the Sec-
 4 retary under other Federal programs that per-
 5 mit the use of those other funds for activities
 6 assisted under the project; and

7 “(5) an assurance that the local educational
 8 agency, in each year of the project, will maintain the
 9 agency’s fiscal effort, from non-Federal sources,
 10 from the preceding fiscal year for the activities the
 11 local educational agency provides with funds pro-
 12 vided under this part.”; and

13 (6) in the matter preceding paragraph (1), by
 14 striking “Each such” and inserting the following:

15 “(b) CONTENTS.—Each such”.

16 **SEC. 423. USES OF FUNDS.**

17 Section 10905 of such Act (20 U.S.C. 8245) is
 18 amended—

19 (1) by amending the matter preceding para-
 20 graph (1) to read as follows:

21 “(a) IN GENERAL.—Subject to subsection (b), grants
 22 awarded under this part may be used to establish or ex-
 23 pand community learning centers. The centers may pro-
 24 vide 1 or more of the following activities:”;

1 (2) in subsection (a)(11) (as redesignated by
2 paragraph (1)), by inserting “, and job skills prepa-
3 ration” after “placement”;

4 (3) by adding at the end of subsection (a) (as
5 redesignated by paragraph (1)) the following:

6 “(14) Mentoring programs.

7 “(15) Academic assistance programs.

8 “(16) Drug, alcohol, and gang prevention ac-
9 tivities.”; and

10 (4) by adding at the end the following:

11 “(b) SPECIAL RULES.—Each grant awarded under
12 this part—

13 “(1) shall be used for an activity described in
14 subsection (a) that—

15 “(A) offers expanded learning opportuni-
16 ties for children and youth in the community;
17 and

18 “(B) is conducted before or after school,
19 except that a supportive activity, such as train-
20 ing, may be conducted during school if the sup-
21 portive activity relates directly to the activity
22 described in subsection (a) that is conducted be-
23 fore or after school; and

24 “(2) may be used for an activity described in
25 subsection (a) that does not offer expanded learning

1 opportunities for children and youth in the commu-
 2 nity.”.

3 **SEC. 424. CONTINUATION AWARDS UNDER CURRENT STAT-**
 4 **UTE.**

5 Such Act (20 U.S.C. 8241 et seq.) is further
 6 amended—

7 (1) by redesignating sections 10906 and 10907
 8 (20 U.S.C. 8246 and 8247) as sections 10907 and
 9 10908, respectively; and

10 (2) by inserting after section 10906 the follow-
 11 ing:

12 **“SEC. 10907. CONTINUATION AWARDS.**

13 “Notwithstanding any other provision of law, the Sec-
 14 retary may use funds appropriated under this part to
 15 make payments under this part for projects that were
 16 funded under this part for fiscal year 1999, under the
 17 terms and conditions that applied to the original grants
 18 for the projects.”.

19 **SEC. 425. AUTHORIZATION OF APPROPRIATIONS.**

20 Section 10908 of such Act (as redesignated by section
 21 424(1)) (20 U.S.C. 8247) is amended by striking
 22 “\$20,000,000 for fiscal year 1995” and inserting
 23 “\$600,000,000 for fiscal year 2000 and such sums as may
 24 be necessary for each of the fiscal years 2001 through
 25 2004”.

1 **SEC. 426. EFFECTIVE DATE.**

2 This part, and the amendments made by this part,
3 shall take effect on October 1, 1999.

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