

106TH CONGRESS
1ST SESSION

H. R. 1623

To reduce class size, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 29, 1999

Mr. CLAY (for himself, Mr. KILDEE, and Mr. MARTINEZ) introduced the following bill; which was referred to the Committee on Education and the Workforce

A BILL

To reduce class size, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. CLASS SIZE REDUCTION.**

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

7 **“PART E—CLASS SIZE REDUCTION**

8 **“SEC. 6601. SHORT TITLE.**

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

1 **“SEC. 6602. FINDINGS.**

2 “Congress finds as follows:

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

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

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

20 “(4) Smaller classes allow teachers to identify
21 and work more effectively with students who have
22 learning disabilities and, potentially, can reduce
23 those students’ need for special education services in
24 the later grades.

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

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

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

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

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

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

1 **“SEC. 6603. PURPOSE.**

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

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

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

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

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

19 “(b) ALLOTMENTS.—

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

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

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

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

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

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

20 “(c) WITHIN STATE DISTRIBUTION.—

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

1 “(A) 80 percent of such remainder shall be
2 allocated to such local educational agencies in
3 proportion to the number of children, aged 5 to
4 17, who reside in the school district served by
5 such local educational agency and are from
6 families with incomes below the poverty line (as
7 defined by the Office of Management and
8 Budget and revised annually in accordance with
9 section 673(2) of the Community Services
10 Block Grant Act (42 U.S.C. 9902(2)) applica-
11 ble to a family of the size involved) for the most
12 recent fiscal year for which satisfactory data is
13 available compared to the number of such indi-
14 viduals who reside in the school districts served
15 by all the local educational agencies in the State
16 for that fiscal year, except that a State may ad-
17 just such data; and

18 “(B) 20 percent of such remainder shall be
19 allocated to such local educational agencies in
20 accordance with the relative enrollments of chil-
21 dren, aged 5 to 17, in public and private non-
22 profit elementary schools and secondary schools
23 in the school districts within the boundaries of
24 such agencies.

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

6 “(A) the local educational agency agrees to
 7 form a consortium with not less than 1 other
 8 local educational agency for the purpose of re-
 9 ducing class size; or

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

13 **“SEC. 6605. USE OF FUNDS.**

14 “(a) IN GENERAL.—Each local educational agency
 15 that receives funds under this part shall use such funds
 16 to carry out effective approaches to reducing class size
 17 with highly qualified teachers to improve educational
 18 achievement for both regular and special-needs children,
 19 with particular consideration given to reducing class size
 20 in the early elementary grades for which some research
 21 has shown class size reduction is most effective.

22 “(b) CLASS REDUCTION.—

23 “(1) IN GENERAL.—Each such local educational
 24 agency may pursue the goal of reducing class size
 25 through—

1 “(A) recruiting, hiring, and training cer-
2 tified regular and special education teachers
3 and teachers of special-needs children, including
4 teachers certified through State and local alter-
5 native routes;

6 “(B) testing new teachers for academic
7 content knowledge, and to meet State certifi-
8 cation requirements that are consistent with
9 title II of the Higher Education Act of 1965;
10 and

11 “(C) providing professional development to
12 teachers, including special education teachers
13 and teachers of special-needs children, con-
14 sistent with title II of the Higher Education
15 Act of 1965.

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

23 “(3) SPECIAL RULE.—A local educational agen-
24 cy that has already reduced class size in the early

1 grades to 18 or fewer children may use funds re-
2 ceived under this part—

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

5 “(B) to reduce class size in kindergarten
6 or other grades; or

7 “(C) to carry out activities to improve
8 teacher quality, including professional develop-
9 ment activities.

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

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

20 “(e) PROFESSIONAL DEVELOPMENT.—If a local edu-
21 cational agency uses funds made available under this part
22 for professional development activities, the agency shall
23 ensure the equitable participation of private nonprofit ele-
24 mentary and secondary schools in such activities. Section
25 6402 shall not apply to other activities under this section.

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

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

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

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

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

14 “(b) LOCAL SHARE.—A local educational agency
15 shall provide the non-Federal share of a project under this
16 part through cash expenditures from non-Federal sources,
17 except that if an agency has allocated funds under section
18 1113(c) to one or more schoolwide programs under section
19 1114, it may use those funds for the non-Federal share
20 of activities under this program that benefit those
21 schoolwide programs, to the extent consistent with section
22 1120A(c) and notwithstanding section 1114(a)(3)(B).

23 **“SEC. 6607. REQUEST FOR FUNDS.**

24 “Each local educational agency that desires to receive
25 funds under this part shall include in the application sub-

1 mitted under section 6303 a description of the agency's
2 program under this part to reduce class size by hiring ad-
3 ditional highly qualified teachers.

4 **“SEC. 6608. REPORTS.**

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

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

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