

Date _____ Hour 5:58

To Bruce

WHILE YOU WERE OUT

M Kelly

Of Mr. Goodley and Kevin

Phone 202-482-2527
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Message

Prob. won't be able
to make the meeting
until 7pm on the
bill

 **AVERY** Signed _____

Date 11/8 Hour 4:47

To Bruce

WHILE YOU WERE OUT

M Kenn Talley

Of 2181 Rayburn

Phone 54527

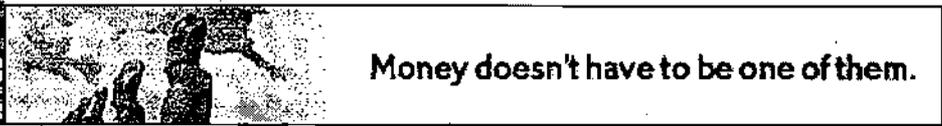
FAX

Area Code		Phone Number	
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Message

-like to set up a meeting for this evening
Chairmen will be there at 6:30 p.m.
-He said that Bruce discussed this with him earlier

 Signed Lemore



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Hopes of a quick budget deal fading away

November 9, 1999
Web posted at: 7:06 p.m. EST (0006 GMT)

WASHINGTON (CNN) -- Hopes of a budget deal between the White House and Republican congressional negotiators appeared to fade away Tuesday, with key differences still separating the two sides as they returned to the bargaining table.

"These issues are not small," White House budget chief Jack Lew said, adding that even relatively inexpensive items sometimes "have significant policy content."



Adding urgency to the situation is the imminent expiration of a temporary spending bill -- known as a continuing resolution -- that finances the portion of the government

whose fiscal 2000 spending bills have not been signed into law. The continuing resolution will expire Wednesday. Lawmakers had hoped a deal could be worked out by Wednesday, as they had wanted to return to their home districts for Veterans' Day parades and other festivities this weekend.

The situation also is affected by both sides' quest to take this year's political victories into the 2000 elections.

"This is a political world," said Sen. Ted Stevens (R-Alaska), chairman of the Senate Appropriations Committee. "I see a lot of politics in issues being raised, and people are looking long-term at next year's elections."

But other disputes cropped up that could further stall any potential budget progress, even as negotiators held talks. Sen. Larry Craig (R-Idaho) said Western state senators seeking eased restrictions on gold and other hard-rock mines

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restrictions on gold and other hard-rock mines were joining forces with Sen. Robert Byrd (D-West Virginia), who is defying the Clinton Administration and wants legislation letting Eastern coal mines dump tons of waste into nearby valleys and streams.

Byrd led a rally of coal miners at the Capitol on Tuesday, telling them that this is a "crucial time and your voices must be heard."

Some progress has been made. White House and congressional negotiators did agree to almost \$800 million that would help communities hire police officers -- nearly two-thirds of what Clinton had wanted for one of his top priorities. They would also provide three-fourths of the \$400 million the president sought for U.N. peacekeeping operations in the Balkans and elsewhere.

The GOP also agreed to add about \$1 billion for labor, health and education programs, but the two sides remained at loggerheads over Clinton's plan for hiring teachers, and other issues.

Clinton wants \$1.4 billion to hire 100,000 teachers in an attempt to reduce class sizes in the early grades. Clinton has deemed the money for new teachers the "most important matter" in the budget talks, noting that Republicans agreed to the issue last year.

"We will keep working with Congress to keep the promise that both of us made to the people of America last year," he said Tuesday before a morning meeting with his Cabinet.

Republicans say the money should be provided to the states as a block grant, allowing local and state authorities to determine how it should be spent. They are proposing spending \$1.2 billion on the grants.

"I think if we're to re-establish (the Congress') constitutional role, to control the purse strings, we've got to say that when it comes to local control versus a Washington straitjacket, the people of the United States want the education decisions made in the local school districts, not in the White House," said Sen. Arlen Specter (R-Pennsylvania).

Clinton also noted that "there is flexibility in that bill if the schools get their classes down" to spend the money on other items. But he said the class size issue was too important to spend the money on anything else.

[budget battle rages](#)
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 (9-23-99)

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"I don't think we should turn around and break the commitment and just say, 'We'll give you a blank check and we don't really care what happens to the money,'" the president said. "We can't afford to waste a penny of the money we spend on education."

The White House also contends the Republican block grant program could lead to funneling money to private schools via voucher programs, a notion most Democrats oppose.

"The way the Republicans have done it is actually quite dangerous. They think we should do it in a broad block grant that if you read their proposal could actually be used for vouchers," said White House Press Secretary Joe Lockhart. "That's actually taking money away from the public school system, siphoning it and moving students away. We think there ought to be more teachers in the classroom, lower the class size and we should move away from ideas like vouchers."

Republicans also complained that Clinton had not yet explained how he would pay for the extra spending. White House negotiators have said they would offer savings, but not until Clinton's spending demands have been satisfied.

"To all these new spending requests, I say, 'Mr. President, show me the money,'" said House Majority Whip Tom DeLay (R-Texas).

The two sides also disagree over paying off the nation's back dues to the United Nations, and Democrats oppose the .97 percent across-the-board cut included in all 13 Republican spending bills.

The two sides reported some progress in late-night talks on Monday. GOP negotiator Rep. Harold Rogers, (R-Kentucky), said he believed the two sides resolved one of the most contentious issues -- funding for Clinton's Community-Oriented Policing Services program, or COPS -- by adding an additional \$140 million.

COPS is a federal anti-crime program that has become a signature of the Clinton Administration. The program authorizes police to hire thousands of new officers, or redeploy current ones into street work within neighborhoods. Funding for the COPS program expires next year.

Rogers also said money was added for

Agreement on Quality Teachers

Labor/HHS/Education Appropriations Bill

The agreement between Congress and the Administration includes improvements to current law based on quality, flexibility, and accountability. Following are the major provisions:

More Emphasis on Teacher Quality

- Funds may no longer be used to hire unqualified teachers. Teachers hired under this act must be certified (including alternative certification) by the state in which they are employed. They must have at least a baccalaureate degree, and demonstrate the teaching skills and knowledge required to teach in their subject areas.
- All teachers hired last year under this program must also be fully qualified within one year after this bill is signed into law.
- Emergency certified teachers may no longer be hired.

More Flexibility for Schools

- The percentage of funds that schools can use for upgrading the skills of all their current teachers increases from 15 percent to 25 percent. This frees up approximately \$350 million (of the President's overall request of \$1.4 billion) for training teachers and other professional development activities, instead of for hiring new teachers.
- Schools with a major teacher quality problem – with 10 percent or more of their teachers uncertified by the state – can request a waiver through the “Ed-Flex” program to use up to all of their funding for improving the quality of uncertified teachers. This is not allowed under current law.

- Rural schools not receiving enough money to hire a new teacher will now be able to use their funds for professional development.
- States that have already set a goal of 20 or fewer students in a class will have more flexibility to fund professional development of existing teachers. This is a significant change from the 18-to-1 student-teacher ratio required in current law.

Accountability

- Parents will have the right to know the professional qualifications of their children's teachers. In addition, states and school districts receiving these funds must report to parents on the percentage of classes in core academic subjects that are taught by fully qualified teachers, as well as on progress in reducing class size.

Special Education Teachers

- Special education teachers can now be hired with these funds to teach in mainstream classrooms with regular teachers. This corrects a major problem with the Administration's interpretation of the current program.

Program Repealed

- The GOALS 2000 program will officially be repealed effective September 30, 2000.

The Fight Goes On....

Republicans will continue to fight for more flexibility for local schools through the reauthorization of the Elementary and Secondary Education Act and future appropriations bills.

CLINTON VICTORY ON SMALLER CLASSES WITH QUALITY TEACHERS

PRESIDENT CLINTON'S GOAL	ADMINISTRATION'S PROPOSAL	FINAL AGREEMENT IN OMNIBUS APPROPRIATIONS BILL	PRESIDENT'S GOAL MET
CLEAR PURPOSE	<ul style="list-style-type: none"> • Reduce class size to 18 in the early grades 	<ul style="list-style-type: none"> • Reduce class size to 18 in the early grades 	✓
FIRST STEP TOWARD HIRING 100,000 TEACHERS	<ul style="list-style-type: none"> • \$1.1 billion in first year • Help school districts hire more than 30,000 teachers in the first year of a seven year-initiative to hire 100,000 teachers 	<ul style="list-style-type: none"> • \$1.2 billion in first year • Help school districts hire more than 30,000 teachers in the first year. 	✓
TARGETING NEEDIEST STUDENTS	<ul style="list-style-type: none"> • Targeted to high poverty students using Title I formula 	<ul style="list-style-type: none"> • Targeted to high poverty communities, with 80% of funds allocated by poverty and 20% by population count 	✓
GETTING DOLLARS TO LOCAL SCHOOL DISTRICTS	<ul style="list-style-type: none"> • 99.4% of funds to local school districts; • 0.0% for federal administration; 0.5% for costs to state of program administration and testing of new teachers; 0.1% for evaluation 	<ul style="list-style-type: none"> • 100% to local school districts • 0.0% for federal administration, 0.0% for costs to state of program administration and testing of new teachers ; 0.0% for evaluation 	✓
ENSURING TEACHER QUALITY	<ul style="list-style-type: none"> • Requires that local school districts spend at least 10% of funds on improving teacher quality • New teachers must meet state certification requirements • New teachers must pass state-selected competency test 	<ul style="list-style-type: none"> • Establishes 15% cap for local school district expenditures on improving teacher quality • New teachers must meet state certification requirements • School districts may use funds for teacher competency tests 	✓
ACCOUNTABILITY FOR RESULTS	<ul style="list-style-type: none"> • Must produce annual school report card to parents and the public on student achievement and class size 	<ul style="list-style-type: none"> • Must produce annual school report card to parents and the public on student achievement and class size 	✓

(1)

Current law

SEC. 307. (a) From the amount appropriated for title VI of the Elementary and Secondary Education Act of 1965 in accordance with this section, the Secretary of Education—

(1) shall make available a total of \$6,000,000 to the Secretary of the Interior (on behalf of the Bureau of Indian Affairs) and the outlying areas for activities under this section; and

(2) shall allocate the remainder by providing each State ~~the greater of the amount the State would receive if a total of \$1,124,620,000 were allocated under section 1122 of the~~

~~Elementary and Secondary Education Act of 1965 or under section 2202(b) of the Act for fiscal year 1996, except that such allocations shall be ratably increased or decreased as may be necessary.~~

(b)(1) Each State that receives funds under this section shall distribute ~~100~~ percent of such funds to local educational agencies, of which—

(A) 80 percent of such amount shall be allocated to such local educational agencies in proportion to the number of children, aged 5 to 17, who reside in the school district served by such local educational agency from families with incomes below the poverty line (as defined by the Office of Management and Budget and revised annually in accordance with section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2))) applicable to a family of the size involved for the most recent fiscal year for which satisfactory data is available compared to the number of such individuals who reside in the school districts served by all the local educational agencies in the State for that fiscal year; and

(B) 20 percent of such amount shall be allocated to such local educational agencies in accordance with the relative enrollments of children, aged 5 to 17, in public and private nonprofit elementary and secondary schools within the boundaries of such agencies;

(2) Notwithstanding paragraph (1), if the award to a local educational agency under this section is less than the starting salary for a new teacher in that agency, the State shall not make the award unless the local educational agency agrees to form a consortium with not less than 1 other local educational agency for the purpose of reducing class size (except as provided

in subsection (c)(2)(D))

There will be an amount appropriated for class size reduction and Titles III and IV of Goals 2000: Educate America Act as determined by the appropriators.

(9

distribute 97 percent

The same percentage of that remainder as it received of the funds allocated to States under section 307(a)(2) of the Department of Education Appropriations Act, 1999 and section 304(b) of the Goals 2000: Educate America Act.

(3) Each State may use not more than 3 percent of funds under this section to improve the quality of teacher preparation programs, establish or expand alternative routes to teacher certification, test teachers in the subject areas that they teach, and provide assistance to local educational agencies in the delivery of high quality professional development to teachers. Provided further that such activities may be provided through partnerships between local educational agencies and higher education institutions, including a high need local educational agency, a school of arts and sciences and an institutions that prepares teachers.

?

OK

11/08/98 17:58 FAX

DOMESTIC POLICY COUNCIL

11/08/98

0002

11/09/99 22:12 FAX

(c)(1) Each local educational agency that receives funds under this section shall use such funds to carry out effective approaches to reducing class size with highly qualified teachers to improve educational achievement for both regular and special-needs children, with particular consideration given to reducing class size in the early elementary grades for which some research has shown class size reduction is most effective.

The basic purpose and intent of this section is to reduce class size and improve teacher quality w/qualified teachers

OK (2)

(2)(A) Each such local educational agency may ~~purposely~~ ~~the goal~~ of reducing class size through

(i) [improving teacher quality] and

NO

RESTORE

reducing class size by

~~(i) recruiting, hiring, and training certified regular and special education teachers and teachers of special-needs children, including teachers certified through State and local alternative routes;~~

use funds provided under this section for (i) recruiting (which may include the use of signing bonuses or other financial incentives) hiring, and training fully qualified regular and special education teachers and teachers of special needs children who are certified within the State, (which may include certification through State and local alternative routes) and who demonstrate competency in the content areas in which they teach unless the local educational agency determines these funds are necessary to carry out activities in order to meet the goal of ensuring that all instructional staff have the subject matter knowledge, teaching knowledge, and teaching skills necessary to teach effectively in the content area or areas in which they provide instruction. (language from Congressman George Miller's bill, H.R. 1734)

(ii) testing new teachers for academic content knowledge, and to meet State certification requirements that are consistent with title II of the Higher Education Act of 1965; and

(iii) providing professional development to teachers, including special education teachers and teachers of special-needs children, consistent with title II of the Higher Education Act of 1965.

(B) A local educational agency may use not more than a total of 16 percent of the award received under this section for activities described in clauses (ii) and (iii) of subparagraph (A).

(C) A local educational agency that has already reduced class size in the early grades to 18 or less children may use funds received under this section—

- (i) to make further class-size reductions in grades 1 through 3;
- (ii) to reduce class size in kindergarten or other grades; or
- (iii) to carry out activities to improve teacher quality, including professional development.

(iii) providing professional development to teachers, including special education teachers and teachers of special needs children, and programs promoting retention, mentoring and merit pay. inconsistent w/(4)

"(D) If a local educational agency has already reduced class size in the early grades to 18 or fewer children and intends to use funds provided under this section to carry out professional development activities, including activities to improve teacher quality, then the State shall make the award under subsection (b) to the local educational agency without requiring the formation of a consortium."

(5) Each such agency shall use funds under this section only to supplement, and not to supplant, State and local funds that, in the absence of such funds, would otherwise be spent for activities under this section.

(4) No funds made available under this section may be used to increase the salaries or provide benefits, other than participation in professional development and enrichment programs, to teachers who are, or have been, employed by the local educational agency.

45 percent (includes consolidation of titles III and IV of Goals 2000 similar to the President's ESEA bill)

20

0004

(d)(1) Each State receiving funds under this section shall report on activities in the State under this section, consistent with section 6202(a)(2) of the Elementary and Secondary Education Act of 1965.

(2) Each school benefiting from this section, or the local educational agency serving that school, shall produce an annual report to parents, the general public, and the State educational agency, in easily understandable language, on student achievement that is a result of hiring additional highly qualified teachers and reducing class size.

(e) If a local educational agency uses funds made available under this section for professional development activities, the agency shall ensure for the equitable participation of private non-profit elementary and secondary schools in such activities. Section 6402 of the Elementary and Secondary Education Act of 1965 shall not apply to other activities under this section.

(f) ADMINISTRATIVE EXPENSES.—A local educational agency that receives funds under this section may use not more than 3 percent of such funds for local administrative costs.

(g) REQUEST FOR FUNDS.—Each local educational agency that desires to receive funds under this section shall include in the application required under section 6303 of the Elementary and Secondary Education Act of 1965 a description of the agency's program to reduce class size by hiring additional highly qualified teachers.

(3) Each State and local educational agency receiving funds under this section shall publicly report to parents on the progress in reducing class sizes, increasing the percentage of classes in core academic areas taught by fully qualified teachers who are certified within the State and demonstrate competency in the content areas in which they teach, closing academic achievement gaps between students, and improving student academic achievement as defined by the State.

(4) Each school receiving funds under this section shall provide to parents, on request, the professional qualifications of their child's teacher.

(j) Titles III and IV of the Goals 2000: Educate America Act are repealed. NO

(h) No funds received under this section may be used to pay the salary of any teacher hired with funds received under section 307 of the Department of Education Appropriations Act, 1999, unless, by the start of the 2000-2001 school year, the teacher is certified within the State (which may include certification through State or local alternative routes) and demonstrates competency in the subject areas he or she teaches.

(i) Consistent with previous Congressional and Department of Education interpretation, Public Law 106-25 shall apply to this section, as amended. ED-FLEX

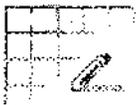
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DOMESTIC POLICY COUNCIL

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0004

*Educ -
Class size*



Morley A. Winograd @ OVP
12/05/97 11:53:03 AM

Record Type: Record

To: Jacob J. Lew/OMB/EOP
cc: Bruce N. Reed/OPD/EOP
Subject: Ed. initiative

Jack:

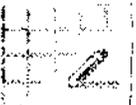
I have asked my NPR staff to comment on your memo regarding the impact of an additional 100K FTE cuts to pay for teachers. I would like to discuss their numbers with you ASAP so that Bruce and I can respond to the Vice-President on where we stand. I will separately fax over some numbers as background to our conversation, but let me give you a couple of highlights:

1. We only need to cut 50K FTE in HQ types to provide \$12B over five years for this initiative which is what Mike Cohen in Bruce's shop says we need in the way of dollars.
2. It is NOT against NPR principles to direct "streamlining" of agencies (See OMB current budget directives) by removing these types of positions and we are prepared to support, and, in fact, have the list of such cuts that each Agency still needs to make based on NPR I from 1993. We are suggesting OMB manage that process on an FTE basis, ie. tell agencies to make your overall budget number and eliminate this amount of overhead FTEs as well.
3. To reconcile our numbers with yours we need to understand if you were assuming in your memo raises of 3.1% in every year or just cumulated the impact and if you assumed the only way for agencies to meet this year's passback numbers was to make additional FTE vs. program cuts. In any case we still have a list of NPR recommended savings of about \$80B that have not been implemented and don't deal with FTE reductions. I believe OMB thinks only \$18.4B of those recommendations are still viable for a variety of reasons, but I don't know if you have already included those "viable" savings in the passbacks.

I will fax you this stuff and then lets talk.

Morley Winograd

----- Forwarded by Morley A. Winograd/OVP on 12/05/97 11:51 AM -----



Bob A. Stone
11/26/97 04:17:37 PM

Record Type: Record

To: Morley A. Winograd/OVP
cc:
Subject: See Attached

----- Forwarded by Bob A. Stone/OVP on 11/26/97 04:07 PM -----



*One -
Class size*

Impact of an Additional 100,000 FTE Cut

- o The discretionary caps that are part of the Balanced Budget Agreement are very tight, particularly in the out years.
- o Because they are so tight, there isn't enough money to fund pay raises for Federal employees. Instead it is assumed that agencies will have to absorb the costs of the 3.1% pay raise by making their workforce more efficient; that is, by reducing FTE levels.
- o The absorption of the 3.1% annual pay raise will result in a 15% (267,000) cut in FTEs by 2003. This is implicitly assumed in the President's FY 1999 Budget. An additional cut of 100,000 FTE would increase this cut to over 20% if it covered all agencies, and to nearly 25% if Defense, Justice, and FAA were exempted from the cut.
- o In addition, to make sure that the additional 100,000 cut was implemented, FTE controls on agencies would have to be reimposed. This would be contrary to the recommendations of the Vice President's National Performance Review.



UNITED STATES DEPARTMENT OF EDUCATION

THE SECRETARY

November 25, 1997

*Ed -
Class Size*

Mr. Bruce N. Reed
Assistant to the President
for Domestic Policy
The White House
Washington, D. C. 20500

Dear Bruce:

Enclosed is a thoughtful response from three key people in my Department regarding the classroom size issue.

I wanted all of you in the White House to have this information before we break for the holidays.

I hope that you and your family have a pleasant and meaningful Thanksgiving weekend.

Yours sincerely,

A handwritten signature in cursive script that reads "Dick".

Richard W. Riley

cc: Mike Cohen



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF THE SECRETARY
November 23, 1997

MEMORANDUM

TO: Secretary Riley

FROM: Terry Dozier, Special Advisor on Teaching
Paul Schwarz, Principal in Residence
Mary Beth Blegen, Teacher in Residence

Terry Dozier
Paul Schwarz
Mary Beth Blegen

RE: Class Size Reduction Proposal

We want to express what must be key components of any proposal around class size reduction. While the idea is very appealing both to teachers and the public, it is a very difficult and complex issue. Our ideas are focused in the following areas.

- **Teacher Quality/Training**

Reducing class size without attending to the qualifications and training of teachers will negate benefits gained through that reduction. Even a small class size with an ill-prepared teacher will result in a poor education for the students impacted. With our work on Title V and with the National Commission on Teaching and America's Future, we are trying to focus the nation on the importance of enforcing high standards for teachers. Both you and Governor Hunt spoke passionately last week at the National Press Club about our need to maintain those standards. This proposal, if done right, could strengthen support of high standards for teachers and students but, if unaddressed, would be a retreat.

- **Knowledge of Research Findings**

All of the research findings around reducing class size tell us that it is not very effective unless the student-teacher ratio is reduced to 15-1. In addition, reducing class size alone without other improvements, including professional development for teachers and meeting the ensuing demands of more classroom space, does not necessarily lead to increased student achievement. If teachers continue to teach in the same way that they did with a class size of 30-1, few benefits will result by simply lowering the student-teacher ratio.

- **Cost**

One reason school districts have not voluntarily proceeded with class size reductions has been the prohibitive costs involved compared with the potential benefits. Tony Alvarado, Superintendent of District 2 in New York City, recently stated at the Department that reducing class size by one student across grade six would cost \$1 million. This figure does not include the necessary training needed

to help teachers learn to teach more effectively in smaller class settings. So the training of teachers to teach well in the smaller classes must be part of the proposal.

- **Space**

Many schools do not have the space to reduce class size. In some districts in California, the class size reduction initiative has floundered because of the lack of classroom space. Those districts have been unable to take advantage of the funds. We suspect that those districts that are already overcrowded and could benefit the most from such an initiative might be the least able to find space and teachers to take advantage of such a program. So it would be important to couple a major investment in class size with a major investment in school construction.

- **Unfunded Federal Mandate**

When the federal government moves aggressively into the operational budgets of school districts and then pulls out, the result is an unfunded mandate which can have very negative consequences. So the source of funding must be permanent.

- **Targeting**

It is unclear whether this proposal will be targeted to our most vulnerable students -- students in poor neighborhoods, learning-disabled students, limited-English-proficient students, etc. Currently some classes have an enrollment of 30 and others have only 18. We are unsure if this program will have the same effect in both situations. So targeting the reductions to the highest-need schools is extremely important.

- **Proper Role of the Federal Government**

The current proposal identifies actions to be taken in specific grade levels. In doing so, this proposal moves decision making away from local districts and schools, preventing them from targeting those areas that they know need the most attention. For example, some states have already taken measures to reduce class size in primary grades. In addition, recently a superintendent told Department officials that he prefers to use additional money for professional development for his entire staff rather than to reduce class size. So this clearly shows the need to have a package of initiatives, e.g., school construction, teacher development, class size reduction, so that there would be flexibility to address one area more than another based on need and previous state or local action.

We are aware that this proposal has wide appeal and we support legislation that brings additional support to schools. As the three people at the Department most responsible for bringing the school perspective to policy making, we believe our views can be helpful in strengthening this initiative.

Educ
Class Size

THE WHITE HOUSE
WASHINGTON

January 21, 1998

MEMORANDUM FOR THE PRESIDENT

FROM: BRUCE REED
MIKE COHEN

SUBJECT: Class Size Design Issues

Over the past several weeks, we have worked with the Vice President's Office, OMB, and the Education Department to develop recommendations on the design of your class size initiative. This memorandum explains our consensus recommendations and asks for a decision on the single issue on which we have not reached agreement -- whether to require basic skills testing for new teachers.

I. Background

The purpose of this initiative is to reduce class size and provide qualified teachers in the early grades, so that all 8 year olds learn to read. More specifically, this initiative will help bring down class size across the nation from an average of 22 to an average of 18 in grades 1-3. In designing the initiative, we have been guided by several considerations.

First, as you know, the best research suggests that the benefits of smaller classes accrue especially to the most disadvantaged students, and occur most powerfully when classes are no larger than 15-18 students. To be both credible and effective, the initiative must get the majority of classes into that range, especially in high-poverty schools. Second, California's recent experience demonstrates that programs to reduce class size lead to the hiring of unqualified teachers, particularly in urban areas, if safeguards are not built in. Third, efforts to reduce class size can exacerbate and be frustrated by shortages of space. Fourth, because this is a new area of federal involvement in education, the requirements placed on state and local grant recipients in order to ensure effective use of the funds must be especially well justified.

There are a number of other proposals to provide federal support to recruit or hire teachers, primarily to respond to the need to hire an estimated 2 million teachers over the next decade. Senator Kennedy proposes to help recruit 100,000 teachers per year over the next decade by forgiving up to \$8,000 in loans for each person who becomes a teacher. Rep. George Miller has also advanced a proposal to provide loan forgiveness for an-as-yet unspecified number of individuals who enter teaching.

In contrast to the Kennedy and Miller proposals, your proposal provides funds to hire teachers rather than forgive loans, since the primary cost of reducing class size is salaries for additional teachers. There is little evidence that loan forgiveness is an effective tool for attracting additional people into the profession. Moreover, you have already proposed a scholarship program (not loan forgiveness) to steer people who have decided to enter the profession toward high poverty schools.

Rep. Bill Paxon has also announced a proposal to help school districts hire 100,000 teachers, by funding teacher salaries. His proposal would pay for these new teachers by eliminating Goals 2000, Americorps, the National Endowment for the Arts, and a number of other programs. While these additional teachers could be used to lower class size, Paxon does not require that funds be used for this purpose. In addition, Senate Republicans announced an education package yesterday which they claim would fund 50,000 new teachers by block granting other programs.

We believe the existence of Republican proposals for the federal government to pay teacher salaries -- a proposal that both attaches conditions (under Paxon's plan, teachers hired with these funds could not be tenured) and requires states and local school districts to share the total cost of the initiative -- provides some protection for your proposal against charges of federal intrusion. It may also form the basis of a bipartisan achievement.

II. Funding Issues

Your budget will include \$12 billion over 7 years to hire 100,000 teachers, enough to reduce class size in grades 1-3 to an average of 18 nationwide. The table below shows the annual budget, number of teachers communities would hire each year, and the impact on class size.

Fiscal Year	Budget (in billions)	Number of Teachers Hired	Average Class Size in Grades 1-3
1998			21.9
1999	\$1.1	35,714	20.3
2000	\$1.3	42,208	20.1
2001	\$1.5	48,701	19.8
2002	\$1.7	55,195	19.6
2003	\$1.74	56,331	19.5
5 Year Total	\$7.34		
2004	\$2.3	82,143	18.6
2005	\$2.8	100,000	18.1
7 Year Total	\$12.4		

A. Distribution of Funds to States

We would distribute funds to states on the basis of the Title 1 formula, which is based on the number of students in the state, weighted by poverty and the cost of education. We also considered distributing the funds based on the number of new teachers needed to reduce class size to the target of 18, also weighted by poverty and cost. Although this formula is somewhat more efficient in targeting funds for the program purposes, it would penalize California because of that state's own class size reduction initiative. Further, while a handful of states receive either "windfalls" or "shortfalls" under the Title 1 formula when measured against the number of teachers they need to reach the class size target, most states receive a comparable percentage of the total funds under either formula.

With this formula, we will be able to reduce average class size in grades 1-3 to 18 nationwide. Once a state has reached an average of 18 in grades 1-3, it could use these funds to reduce class size in those grades still further, or to reduce class size in other grades.

B. Targeting Funds Within States

Though this proposal is universal in scope, we want to drive the funds to school districts with the largest class sizes, and to give priority to high-poverty districts. To accomplish this objective, we would require states to guarantee high-poverty school districts at least the same share of the state's class size funds that they receive of the state's Title 1 funds. States would allocate the remaining funds on the basis of class size within the state.

This approach ensures that major urban school districts and other high-poverty areas will receive their fair share of the funds, while still leaving states with the ability to target funds to school districts with large classes, regardless of their income levels.

C. Cost-Sharing Requirements

We would require matching funds from participating school districts on a sliding scale that would average 80% federal and 20% local. High-poverty school districts would be required to provide a 10% match, while the wealthiest would be required to provide a 50% match. School districts could use other federal funds for the match, which would primarily benefit high-poverty school districts that receive substantial amounts of Title 1 funds. This approach would encourage districts to use Title 1 funds for class size reductions, rather than continuing to hire classroom aides or resource teachers who pull Title 1 students out of the classroom.

D. Duration of Program

Because we will be presenting a five year budget, many will assume that we expect this initiative to end after five years. This expectation will heighten concerns that local school districts will be stuck with higher personnel costs once the program ends. (Rep. Paxon's proposal would end federal funding after 5 years.) We believe that the best way to deal with this concern is to make clear that we see this initiative as a continuing part of federal aid to education -- not a one-time effort.

This longer approach will also be necessary in order to fund 100,000 teachers; the funding levels in the first five years will pay for approximately 56,000 teachers. Because we are paying for this initiative through tobacco legislation, we will have a revenue source that can support a long-term program.

III. Teacher Quality

For reductions in class size to result in improved reading performance, we need to ensure that both newly hired and existing teachers are fully qualified, and have the knowledge and skills to teach reading effectively in small classes. Considerable research and recent experience in California demonstrate that many existing teachers need help to alter their teaching practices to capitalize on small classes. In addition, many school districts in California, particularly in high-poverty areas, have hired teachers on emergency certificates, who lack even basic preparation for teaching. We propose a number of steps to deal with these challenges.

A. 10% Set-Aside for Teacher Testing and Training: The overall budget for this initiative is based on the average cost of newly hired teachers (assuming that 75% are beginning teachers and 25% are experienced teachers returning to the classroom or moving between districts) plus a 10% increment in the first 5 years to address teacher quality issues. This increment will give every school district funds that can be used for a number of purposes, including (1) testing new teachers before they are hired and developing improved tests for teachers; (2) training existing teachers in effective reading instruction practices and/or in effective practices in small classes; (3) providing mentors or other support for newly hired teachers; (4) providing incentives to recruit teachers to high poverty schools; and (5) providing scholarships or other aid to paraprofessionals or undergraduates and to expand the pool of qualified teachers.

We will permit districts to carry over unspent funds, which will enable them to invest in the first couple of years in recruiting and training qualified teachers, before reducing class size on a large scale. In addition, we will require districts to develop an overall strategy for improving teacher quality including a plan to use other funds, such as those from Title I, the Eisenhower Professional Development Program, America Reads, and Goals 2000.

B. Require Teachers to Meet State Certification Standards: We would require states and school districts to ensure that individuals hired to fill these new positions must be either fully certified or making satisfactory progress toward full certification. School districts could use the teacher quality funds to provide teachers with the additional training needed to meet certification requirements.

C. Encourage States to Adopt Rigorous Professional Tests and Upgrade Teacher Certification Requirements: As part of this initiative, we would allow states to use some of the teacher quality funds to make their teacher certification requirements more rigorous and performance-based, reflecting what beginning teachers must know and be able to do. There is widespread agreement that current teacher certification requirements are not a good indicator of teacher quality and need to be upgraded. The National Commission on Teaching and America's Future, chaired by Gov. Hunt, has recommended that states toughen their licensure requirements. The Commission recommended that prospective teachers be required to pass rigorous tests of subject matter expertise and professional knowledge before they start teaching, and that beginning teachers not be fully certified until they have taught for several years and can demonstrate that they have met rigorous standards of classroom teaching, through classroom observations and other forms of performance assessment.

Twenty states have already adopted performance-based standards along these lines. Sixteen states are working together to develop common assessments for beginning teachers, and additional states are likely to join this effort over time. Permitting states to use a portion of their funds to improve their licensure systems is likely to accelerate these trends and to improve the quality and preparation of people entering the profession. In addition, performance-based certification will make it easier to promote "alternate route" programs that do not require prospective teachers to attend teacher education programs.

D. Teacher Testing:

All of your advisors agree on the three steps outlined above. There is disagreement about one additional component -- requiring new teachers to pass state basic skills tests. All of your advisors feel strongly that the above measures are not sufficient to persuade the public that new teachers would be able to measure up in the classroom. Existing teacher certification requirements are generally not viewed as an effective means of ensuring quality, and the tougher standards and testing requirements we are encouraging states to adopt will not be implemented for some time. Many of your advisors believe that this initiative also should require states to use basic skills testing for new teachers, with the particular test selected by each state.

The argument for a teacher testing report is that it will give parents the confidence that new teachers in the elementary grades have basic reading and math skills. It also

builds on your landmark efforts on teacher testing in Arkansas. A tough, clear message on teacher competency would make it difficult for Republican opponents to paint this initiative as simply a way for the Administration to help teachers' unions expand their memberships. The Paxon proposal takes a "tough on teachers" approach by prohibiting the teachers hired from gaining tenure. The Senate Republican education package announced this week encourages states to test elementary and secondary teachers, and allows them to use federal funds for teacher testing (activities already permitted under Goals 2000). The proposal, however, does not make this testing mandatory.

Under this proposal states would give prospective teachers basic skills tests at some point before they enter the classroom. Approximately 40 states already have such a requirement in place.¹ States would retain the ability to let teachers who fail the test teach with an emergency certificate. We considered and rejected a stronger proposal, which would require all prospective teachers to pass a test before they could do any teaching. We decided, however, that such a requirement, might well have too great an impact on poor districts, which already have a hard time finding qualified teachers. It could also drive states to lower the passing score on the tests.

The Education Department opposes this proposal, and recommends that we limit ourselves to encouraging states to adopt tough new state tests of subject matter and professional knowledge for beginning teachers, as part of our effort to upgrade teacher certification requirements. Education would be willing to require states to implement these new tests by 2003.

You are quite familiar with the arguments against a teacher testing requirement. The Education Department argues that a basic skills test is no assurance of teacher quality, and sets the bar too low for teachers, undermining your long-standing push for higher standards for both students and teachers. The Education Department believes such a test will send the wrong message to the public about teachers, reinforcing the notion that academically weak people go into teaching. Education also points out that states will be able to get around a testing requirement by granting emergency licenses.

Finally, you should know that many in the civil rights community are likely to raise concerns that any new testing requirements, especially without proper validation, are likely to have disparate impacts on minorities.

Require Teacher Testing in Basic Skills No requirement Discuss Further

¹ According to the most recent state-by-state data, the following states would have to institute basic skills testing for teachers under this proposal: Alaska, Georgia, Idaho, Iowa, Maryland, Missouri, New Jersey, New York, Utah, and Vermont.

IV. Facilities

The need to find additional classrooms to reduce class sizes will increase existing facilities needs. This impact will not be evenly distributed. Some areas, particularly cities with increasing immigrant populations (e.g., Los Angeles, South Florida) have schools that are already extremely over-crowded, while other cities, particularly in the Northeast (e.g., Baltimore, Washington, D.C.) have more capacity than the student population demands.

We propose several steps to address facilities issues, including (1) Use our \$10 billion school construction initiative to provide incentives for communities to invest in local school facilities; (2) Make facilities changes needed to reducing class size an allowable use of school construction funds; (3) Phase in implementation of the class size reduction proposal to allow for enhanced state/local facilities planning; and, (4) Allow districts that have no space available for additional classes to use some of their class size reduction funds to implement proven reading instruction practices..

V. Accountability

School districts receiving these funds will be held accountable both for using them to reduce class size, and for improving student performance in reading. We propose three forms of accountability.

First, a school district receiving these funds must show it is actually reducing class size, by reporting class size in grades 1-3 to parents and to the state each year. Second, as is the case with other federal education programs, we will incorporate a "maintenance of effort" provision, requiring states to keep up their overall investments in K-12 education. Third, we will use existing Title 1 accountability and reporting requirements to ensure that every school district and individual school makes measurable progress in improving reading achievement within three years. If a school fails to make adequate progress, it must develop and implement a corrective action plan. If the school fails to show improved reading achievement after implementing the corrective action plan, the state could withhold the equivalent of the school's share of the district's funds.

VI. Rollout

Over the next few days, we will begin more extensive discussions with possible allies on this initiative. So far, Congressional Democrats have been enthusiastic.

*Ed -
class size*

A NATIONAL EFFORT TO REDUCE CLASS SIZE: SMALLER CLASSES WITH QUALIFIED TEACHERS

January 26, 1998

REDUCING CLASS SIZE IN GRADES 1-3 TO NATIONWIDE AVERAGE OF 18. In his State of the Union address, President Clinton will propose a \$12 billion initiative over 7 years (\$7.3 billion over 5 years) to help local schools provide small classes with qualified teachers in the early grades. This will help make sure that every child receives personal attention, gets a solid foundation for further learning, and learns to read independently by the end of third grade. The new initiative will reduce class size in grades 1-3 to a nationwide average of 18, by providing funds to help local school districts hire and pay the salaries of an additional 100,000 teachers. States will receive funds for teacher training, and new teachers will be required to pass state competency tests.

Small Classes Make a Difference. Studies confirm what parents and teachers know from experience--small classes promote effective teaching and learning. In a landmark four-year experimental study of class size reduction in grades kindergarten through 3 in Tennessee, researchers found that students in smaller classes earned significantly higher scores on basic skills tests in all four years and in all types of schools. The effects of smaller classes were largest for students in inner-city classes. Follow-up studies have shown that these achievement gains continued after the students returned to regular-size classes after third grade. Teachers in the study reported that they preferred small classes in order to better identify student needs, provide more individual attention, and cover more material effectively.

A Competent Teacher in Every Classroom. To master the basics and learn to read well, students need teachers who are qualified to teach. President Clinton's class size reduction initiative will help provide qualified teachers in grades 1-3 by:

Requiring State Basic Skills Testing for New Teachers: States would be required to implement basic skills testing for new teachers, to ensure parents that new teachers have basic reading and math skills. Each state would select the tests it determines is most appropriate for this purpose. Most states have such tests. Participating states and school districts would also be required to ensure that individuals hired to fill these new positions be either fully certified, or making satisfactory progress toward full certification. School districts could use funds to provide teachers with the additional training needed to meet certification requirements.

Providing Funds for Teacher Training and Testing: 10% of the funds in this initiative can be used to promote high quality teaching by (1) training teachers in proven practices for teaching reading and in effective practices in small classes; (2) providing mentors or other support for newly hired teachers; (3) providing incentives to recruit qualified teachers to high poverty schools; and (4) testing new teachers before they are hired and developing more rigorous tests for beginning teachers.

Encouraging States to Adopt Rigorous Professional Tests and Upgrade Teacher Certification Requirements. Teachers should be able to demonstrate that they know the subject to be taught and have the necessary knowledge and skills to help their students reach challenging state academic standards. States would be encouraged to use a portion of their funds to toughen teacher certification requirements and to require new teachers to demonstrate competence. For example, states could use these funds to develop rigorous tests of subject matter expertise and professional knowledge that prospective teachers would be required to pass before they start teaching.

Holding Schools Accountable for Results. School districts receiving these funds would be required to show that each school is making measurable progress in improving reading achievement within 3 years, or take necessary corrective actions -- such as providing additional teacher training, revising the curriculum, or implementing proven practices for teaching reading. School districts could lose funding if there is no subsequent improvement in reading achievement in those schools. School districts would also be required to publish an annual school report card, providing parents and taxpayers with clear information on student achievement, class size, and teacher qualifications.

Targeting Funding. Funds for the President's class size reduction initiative will be distributed to states on the basis of the Title 1 formula. Within the state, each high-poverty school district would receive the same share of these funds as it received under Title 1, and the remaining funds would be distributed within the state based on class size. Matching funds would be required from participating school districts, on a sliding scale ranging from 10-50%, with high-poverty districts contributing the least. Once a state has reached an average class size of 18 in grades 1-3, it could use these funds to further reduce class size in the early grades, or it could extend its efforts to other grades.

Providing Facilities for Additional Classrooms. In order to help school systems meet the need for additional classroom space, the President is (1) proposing a \$10 billion school modernization initiative over 10 years, that will provide incentives for communities to invest in local school facilities by leveraging \$22 billion in bonds during 1999-2000; (2) ensuring that changes to facilities in order to accommodate class size reductions is an allowable use of school modernization funds; (3) allowing for phased-in implementation of class size initiative to enhance state/local planning.

Building on Successful Reforms in Arkansas. As part of his comprehensive education reforms while Governor of Arkansas, Bill Clinton reduced class size in Arkansas to 20 in kindergarten and 23 in grades 1 through 3. His 1983 education reform plan also included a statewide intensive training program for elementary teachers and principals to improve teaching of reading, as well as basic skills testing for new teachers and basic skills and subject matter testing for experienced teachers.

Class Size Q's and A's

1. How much does this proposal cost, and how will it be paid for?

This initiative will cost \$12 billion over 7 years, and \$7.3 billion over 5 years. It fits within the President's commitment to send Congress a balanced budget. Funding for this initiative will come from funds provided to states as part of comprehensive tobacco legislation.

2. What is class size in grades 1-3 now?

The nationwide average is 22, though many communities have classes much larger than that.

3. How does this proposal to hire 100,000 teachers compare with other Congressional proposals to hire additional teachers that have recently been announced?

A number of members in both Houses and both sides of the aisle have developed their own proposals to help school districts recruit or hire additional teachers. The President's proposal is the only one that is specifically aimed at providing smaller classes in the early grades. We do note that Rep. Paxon has announced a proposal that would also hire 100,000 teachers. While there are important differences between the President's proposal and Mr. Paxon's (Paxon's is not focused on reducing class size, and it is funded by eliminating Goals 2000, Americorps, the NEA), we hope that Paxon's proposal indicates that this is an area in which we can achieve bipartisan cooperation.

4. Gov. Wilson in California has launched his own initiative to reduce class size. Does the President's duplicate California's effort?

No. First, the President is proposing to reduce class size to an average of 18, whereas California's objective is 20. So this initiative can help California go further. Second, participating states like California will need to maintain their own efforts, and not simply use federal funds to substitute for state dollars. Third, we've learned from the experience in California in designing our proposal-- school districts need qualified teachers, adequate space for smaller classes, and the time to plan for lowering class size. The President's proposal takes care of all of these requirements.

5. Gov. Gilmore in Virginia ran on a platform of hiring more teachers. Has the President stolen Gov. Gilmore's idea?

No. In 1983 when he was Governor of Arkansas, Bill Clinton reduced class size in kindergarten to 20 and in grades 1-3 to 23. He also instituted teacher training programs in reading, and teacher testing. This national initiative to reduce class size draws on the

President's decades-long leadership and experience in education; not from recent initiatives of any governor.

6. Will the teachers unions oppose the President's call for competency tests for teachers?

We hope not. Teachers have as great an interest as anyone in making sure that new teachers are well prepared to teach, and the unions have expressed a strong commitment to making sure new teachers are prepared to teach well.

7. This is a massive new funding program. Is this an effort to "buy" the support of the education establishment for the President's testing program?

This program is a significant new investment in education, as are his School Modernization and Education Opportunity Zones initiatives. Together they reflect his deeply held view that education is his top priority, and must be the top priority for the nation. His budget reflects his priorities. They are part of an overall strategy to set very high standards and give students, teachers and schools the support they need to reach those standards.

Educ - class size

Education

Public School Choice

77/22 support/oppose a national law to give parents the right to pick the public school their children attend.

77% support (61% strongly +16% somewhat)
22% oppose (13% strongly +9% somewhat)

Arguments on Public School Choice

Given this, would you strongly support, somewhat support, somewhat oppose or strongly oppose a national law to give parents the right to pick the public school their children attend?	Strongly Support	Total Support	Total Oppose
Opponents say allowing parents to pick any school for their children to attend would flood best schools with students, overcrowding these schools and draining funds from other schools.	45	64	32
Some people say this would not be fair because people pay taxes to live in a certain community so their children can attend the public schools system in that community. Families not paying the same taxes should not be able to send their children to schools funded by these taxes.	47	68	29
Some people say the federal government should not have any say in how states determine how their public school system works.	45	68	28

Vouchers

Creating a system of public school vouchers which would allow parents who are unhappy with their current public school to get together to create a new public charter school for their children in their community

68% support (49% strongly +19% somewhat)
25% oppose (18% strongly +7% somewhat)

34% say we should have vouchers that would contribute towards the tuition of to private school; 51% say private school vouchers will take money away from public schools and we should create a system that creates more competition within the public schools through vouchers that allow parents to send their kids to new public charter schools.

Right now, its possible to set up new public schools outside of the regular school board by getting a special charter or license from the state and help from the federal government. Should these new schools be called charter schools or independent public schools?

26% charter schools/ 50% independent public schools

Which name, charter schools or independent public schools, appeals to you more?

27% charter schools/ 57% independent public schools

80/16 support/oppose government established after school programs through which college students mentor inner city students with the goal of encouraging them to attend college.

**80% support (64% strongly +16% somewhat)
16% oppose (11% strongly +5% somewhat)**

81/10% support/oppose a government promise to eliminate 100,000 bureaucrats from public school systems and hire 100,000 new teachers.

**81% support (62% strongly +19% somewhat)
10% oppose (6% strongly +4% somewhat)**

49% we need more federal involvement, 44% less federal involvement in education.

- Under 35: **71/24**; Over 35: **42/51**
- No College Degree: **60/35**; College Degree: **32/59**
- Dem: **63/26**; GOP: **34/65**; Ind: **48/44**

Discussion Draft
7/6/99

*Educ -
Class Size*

Alternative Class Size Reduction Proposal

Based on H.R. 1995. Consistent with H.R. 1995, local school districts would receive a single funding stream for the three required purposes: improving instruction in math and science through professional development, providing professional development in other subjects, and hiring teachers to reduce class size in the early grades. This proposal would not call for a dedicated funding stream for class size reduction. In order to strengthen the class size reduction component, H.R. 1995 would be amended to reflect the components described below.

Note: It is possible to create a version of this proposal that provides the added flexibility described below, but retains a separate funding stream dedicated to class size reduction.

Clarified Purpose. We would clarify that the overall purpose of this part is to help states and local school districts increase student achievement through improving teacher quality and *providing smaller classes with qualified teachers in the early grades.*

Focus on Smaller Classes in the Early Grades. Districts would use their funds to meet the goal of reducing class size to an average of 18 students per regular classroom in the early grades, defined as grades 1 – 3. However, states or districts that have pre-existing class size reduction initiatives with a class size target of no more than 20 could use the state/local target instead of 18. School districts that have already reduced class size to 18 (or the preexisting target) would not be required to use any funds for class size reduction. These districts could use the funds to make further reductions in class size in the early grades, to reduce class size in other grades, or for the other purposes of this part of Title II.

Local Plan and Performance Indicators Required. Local school districts would be required to submit a plan to the State, developed with input from teachers and parents, showing how the district would create smaller classes with qualified, well prepared teachers in the early grades. The local plan would specify the target class size and grade levels, describe the district's strategy for achieving the target with qualified, well prepared teachers; and specify the performance indicators that will be used to monitor the district's progress and performance. The plan should detail the challenges the district faces in reducing class-sizes in the early grades and lay-out a strategy for achieving the goal of 18 students per regular classroom by the end of the five years. This class size reduction plan should be part of a broader local plan in which the district describes its strategy for meeting all three purposes of this part, and also shows how its use of these funds will be coordinated with its use of other federal funds (as already required in H.R. 1995) and state and local funds.

Note: We are requiring local districts to assume an appropriations trajectory that we cannot guarantee.

Flexible, Long Term Phase In. School districts would phase in the implementation of

class size reduction over the same seven year period as in the Administration's original proposal, or five years from enactment of ESEA reauthorization. While school districts could begin reducing class size immediately if they choose to, many districts will need time to first address the need to prepare, recruit or provide professional development in order to ensure an adequate number of qualified teachers. These districts would outline a plan for addressing these challenges and, in accordance with the plan, could use funds in the first several years for these purposes, and then hire additional teachers in the subsequent years. For example, a high poverty community could prepare for a reduction in class size by using funds under this part in years 1-4 to provide (1) scholarships to undergraduate students or mid-career professionals from other fields preparing to teach in exchange for a commitment to teach in the district for three years; (2) intensive professional development in early reading instruction to current teachers in the target grades or wishing to transfer to those grades; and, (3) incentives to attract additional new teachers. At the same time, the district could also use these funds to develop and implement a mentoring program for the newly hired teachers. Funds from the fifth year would then be used to hire the additional teachers needed to reduce class size and provide them with needed mentoring and support. Districts would be required to spend funds in accordance with the plan they submitted to the State.

Authorized Funding Levels. This proposal should include authorized funding levels for each of the outyears; the funding levels should reflect at least the scaled up funding in the Administration's proposed ramp-up of class size funding, which reaches approximately \$2.8 billion in the final year. If we assume the Goals 2000 would be straightlined at \$500 million per year, and Eisenhower at \$350 million per year, then the total over five years would be approximately \$14 billion, and the authorization for the final year would be \$3.65 billion. Ideally, this proposal would reach more than \$4 billion in the final year, and total \$15-20 billion over five years.

Targeted Funding. Funding should be as highly targeted as possible and should protect the Class Size Reduction funding already provided to high poverty districts in FY 1999.
Note: We are currently working on the issues of hold harmless provisions, the breakdown between formula and competitive grants, and the issue of requiring a local match (as currently required in Eisenhower and the CSR proposal).

Other Class Size provisions to be addressed:

- **Special Education Teachers.** Current law and H.R. 1995 permit districts to use CSR funds to hire special education teachers; H.R. 1995 makes clear that this does not have to result in class size reduction. We should propose either a cap on the total that can be spent on hiring special education teachers, or some language, consistent with our guidance and the advice from the special education community, indicating that if special ed. teachers are hired they should be used to team teach with regular classroom teachers in classrooms in which special ed. students have been mainstreamed.

- ***Small Districts.*** We need to retain the small district provision in our current proposal.
- ***Accountability for Results.*** Each district would be required to provide an annual report card, for each school, on class size in the early grades, and on reading and math achievement in grades 3 or 4 (consistent with Title I assessment requirements). In addition, districts would be required to submit an annual progress report to the district based on their initial plan. If the district was not staying on course to meet the goal of reducing class size to 18, the State could take appropriate sanctions. Districts that show substantial achievement gains over three years could receive a waiver from the state, exempting them from the requirement for reducing class size.
- ***Teacher Accountability.*** This proposal would include provisions to ensure that States and districts end the practices of hiring teachers on emergency certification and teacher teaching out-of-field.
- ***Set Aside for Professional Development.*** Current law and our proposal allow districts to use up to 15% of the CSR funds for professional development. We do not need this provision under the proposal outlined here.
- ***Waivers.*** H.R. 1995 permits states to waive the requirement to use some funds for class size reduction if the district can show that it would have to hire unqualified teachers or lacks classroom space, or would instead use the funds to ensure that all teachers have necessary subject matter knowledge, teaching knowledge and skills to teach effectively. While the five-year phase-in helps address these issues, we should probably retain provisions allowing states to waive the requirement at least for districts that can demonstrate they lack space or the ability to recruit certified teachers.

Other Priority Issues to Address

- *Set-aside for Institutions of Higher Education for professional development*
- *Strengthen attention to providing research-based, high quality professional development in overall purpose section, and in the professional development section*
- *Set-aside for states for standards development, assessments and reporting*

PRESIDENT CLINTON CALLS ON CONGRESS TO INVEST IN NATIONAL PRIORITIES TO IMPROVE OUR PUBLIC SCHOOLS

October 22, 1999

In a speech to top teachers from around the country, President Clinton today will call on Congress to fund strategic initiatives in education. Noting that the issue is not only how much we spend on education, but also how *wisely* we spend, the President will call for targeted investments to reduce class size and improve teacher quality, turn around failing schools, expand after-school programs, prepare students for college, and raise standards. He will point out that the Republican appropriations bill shortchanges these goals, and will urge Congress to work with him to pass an education spending bill that prepares our children for the 21st Century.

WORLD-CLASS SCHOOLS BY INVESTING IN SCHOOL REFORM AND ACCOUNTABILITY.

Speaking to more than 400 top teachers today at the annual meeting of the National Board for Professional Teaching Standards (NBPTS), President Clinton will call on Congress to invest in proven strategies for school reform. He will remind Republicans what any good teacher knows: that targeting our education dollars -- on smaller classes, after-school and summer school programs, quality teachers, college preparation, and educational technology -- is the most effective way to achieve results.

The President will also recognize the special role that "master teachers," like those certified by the NBPTS, can play in turning around our lowest-performing schools. The NBPTS is an independent, nonprofit organization that establishes rigorous standards for teachers. It operates a system of voluntary national certification designed to give teachers clear and objective standards of practice, and to help drive professional development and standards-based reform of teaching in the states.

REPUBLICAN EDUCATION BILL FAILS TO MEET THESE STANDARDS. President Clinton is committed to ensuring that the prosperity generated by years of fiscal discipline and the hard work of the American people is invested in their priorities. That is why today the President will pledge again to protect these priorities as the budget process moves forward, and will remind Americans that the current Republican Labor/HHS/Education appropriations bill:

- Reneges on the class size reduction initiative that both parties agreed to last fall, and provides no guarantee that 30,000 teachers hired last year can continue teaching in smaller classes throughout the country. It provides no funding for the additional 8,000 teachers the President's plan would support this year.
- Fails to hold low-performing schools accountable for results, by not funding the President's plan for a \$200 million Title I accountability fund to fix schools identified as failing. The current appropriations bill provides no funding at all for turning around failing schools, a strategy that is helping raise student achievement in North Carolina, Texas, and elsewhere.
- Underinvests in after-school and summer school programs, denying at least 300,000 students access to safe and academically enriching opportunities to get extra help to reach high standards.
- Undercuts efforts to improve teacher quality, by shortchanging teacher quality and recruitment programs, and eliminates the successful Troops to Teachers program that enables retired military personnel to teach in high-need areas.
- Underinvests in the GEAR UP program, denying more than 130,000 disadvantaged young people the help they

**PRESIDENT CLINTON RELEASES REPORT ON BENEFITS OF CLASS SIZE REDUCTION,
URGES CONGRESS TO FUND THIS IMPORTANT INITIATIVE**

October 31, 1999

President Clinton today will release a new report by the Council of the Great City Schools on the benefits of smaller classes for students in America's urban schools. The report demonstrates that the President's class size reduction initiative is helping schools across the nation improve student learning by enabling them to hire additional highly qualified teachers in the early grades, where students learn to read and master the basics. Urban districts report that the President's initiative is flexible enough to allow them to meet their unique needs but focused enough to ensure smaller classes in the early grades. Unfortunately, Republicans in Congress are now trying to renege on the bipartisan commitment made last year to fund this important initiative. President Clinton today will call on Congress to heed the voices of those at the community level who want to hire more high-quality teachers and give children smaller, more personal classes.

RAISING STUDENT ACHIEVEMENT BY REDUCING CLASS SIZES IN THE EARLY GRADES. Last year, Congress made a down payment of \$1.2 billion toward the President's goal of hiring 100,000 new teachers to bring class sizes in the early grades to a national average of 18. The first teachers hired with that down payment began teaching in classrooms nationwide this fall. Today, the President will call on Congress to keep its commitment and finish the job. Unfortunately, Republicans have passed an appropriations bill that eliminates the class size initiative and fails to guarantee that a single cent will be used to hire a single teacher to reduce the size of a single class. Research has shown that class size reduction in the early grades is one of the most direct and effective ways to boost children's academic achievement and build a solid foundation for further learning.

EDUCATION LEADERS EMPHASIZE THE IMPORTANCE OF THE PRESIDENT'S PLAN. In the report to be released today, the Council of the Great City Schools finds that there is strong demand for the dedicated resources provided by the President's class size reduction initiative -- and that these resources are making a tangible difference. The Council is an organization of the nation's largest urban public school systems, working to improve K-12 education in the inner city, and governed by superintendents and education board members from 58 cities across the country. The President has worked closely with this group and many others at the local level to fight irresponsible cuts in key investments for our children's future. Among the findings of the Council's report:

- Teachers hired under the class size reduction program are working in areas of highest need, including literacy, mathematics, bilingual and special education.
- Teacher quality is being enhanced through this program. Over 22,000 urban teachers are receiving high-quality training, and urban schools have been able to provide new and current teachers with critical training on instructional practices and technology.
- In just the first year of the President's class size initiative, 3,558 teachers have been hired in 40 of the nation's largest urban school districts to reduce class sizes in the early grades.

REPUBLICAN EDUCATION BILL IGNORES THE VOICES OF TEACHERS AND COMMUNITIES. Making targeted investments in class size reduction is a common-sense strategy that teachers and school leaders across the country support. And yet, as the President will point out today, Republicans in Congress are undermining such investments by breaking their pledge to dedicate funds for smaller classes and by shortchanging other key programs. The Republican education spending bill:

- Abandons the bipartisan commitment to fund the President's class size reduction initiative, and provides no guarantee that the teachers hired for this year can continue teaching. It also provides no funding for the 8,000 additional teachers the President's plan would support this year.
- Fails to hold schools accountable for results by providing no funds to turn around failing schools;
- Underfunds after-school and summer programs, denying as many as 800,000 students access to a safe place to learn during after-school hours when most juvenile crime and drug and alcohol abuse occur;
- Shortchanges teacher quality and recruitment programs, and eliminates the successful Troops to Teachers program that enables retired military personnel to teach in high-need areas;
- Underinvests in educational technology and the GEAR-UP program, denying more than 130,000 disadvantaged young people the help they need to get into college
- Fails to fund the President's plan to build or modernize 6,000 schools across the country.



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Hill, Clinton Reach Deal on Teachers

By Eric Pianin and Juliet Eilperin
 Washington Post Staff Writers
 Thursday, November 11, 1999; Page A1

Congressional Republicans and the White House tentatively agreed last night on a nearly \$1.4 billion plan to hire new teachers and reduce class size, clearing away one of the major obstacles to a final compromise on the budget.

GOP leaders dropped their efforts to convert the money to a block grant that would leave local school boards with broad discretion in spending the funds. At the same time, the administration signaled a willingness to provide local schools with more flexibility to use the money for teacher training, according to GOP and administration negotiators.

The money would represent the second installment on a seven-year program by President Clinton to finance the hiring of 100,000 new teachers, the central feature of his education agenda. Aides had made it clear that the proposal was perhaps Clinton's top priority in budget negotiations, and yesterday's compromise signaled that the two sides were moving rapidly to bridge their last remaining differences.

Administration officials and Democrats remained cautious that the two sides could wrap up on key spending bills by week's end, as some Republican leaders predicted. But with members anxious to recess for the year, Republicans were clearly in a compromising mood, and they moved closer to the Democrats on a broad range of issues.

In addition to the agreement on schools, Republicans agreed to add \$1.35 billion more to a huge labor, health and education bill for a broad range of programs, including childhood immunization, infectious diseases, Hispanic initiatives and occupational safety programs. GOP leaders nearly doubled the amount of money they previously were willing to provide for Clinton's desert and ranch land acquisition program, to \$475 million, though still short of what the administration has sought.

The Republicans have also added money for Clinton's program to hire 50,000 more police officers and other law enforcement programs, and GOP lawmakers said they were nearing an agreement with the Treasury Department over international debt relief.

Still, the GOP was balking at last-minute White House demands for more money for the National Endowment of the Arts, the Smithsonian

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and state land and water programs. GOP leaders and the White House also remained deadlocked on abortion language holding up payment of nearly \$1 billion in dues owed the United Nations.

But it seemed clear yesterday that a budget battle that began in January with sharp partisan rhetoric over taxes and Social Security was winding up on a fairly business-like basis. More than a month after the start of the new fiscal year, Congress and the administration finally appeared close to working out differences on the five annual spending bills that have yet to be approved. Any deal must be ratified by the full House and Senate.

The president has already signed the eight other spending bills that help finance the federal government's operations.

While the GOP has been reluctant to engage the administration directly over spending issues until recently, high-level intervention appears to have played a role in getting the talks back on track after they appeared to snag Tuesday.

Early yesterday, Clinton spoke separately with Senate Majority Leader Trent Lott (R-Miss.) and House Speaker J. Dennis Hastert (R-Ill.). House Majority Leader Richard K. Armey (R-Tex.) later announced that the House would try to "complete our work for the year" Friday.

Lott, who spoke three times with Clinton yesterday, said that the two sides were fairly close to a final deal. "There's not much difference in what we're talking about," Lott said.

The Republican eagerness to complete the talks this week reflects, in part, leadership concerns that the longer the negotiations drag out, the more time the administration and individual members have to make last-minute demands.

Clinton has proved adroit in the past in squeezing out big concessions in the final days of talks, and this year is no exception. "We've made some real progress in putting 50,000 more police on our streets, we're making some progress in other areas," Clinton told reporters in the morning, before departing for Pennsylvania. Moreover, there has been a rash of last-minute pleading by House members and senators, who view the spending bills as their last opportunity to secure wanted projects or legislative language.

"Members have their pet projects, a little more money for my visitors' center here or a little more money to buy a piece of land there," said Rep. Ralph Regula (R-Ohio), a key member of the Appropriations Committee.

Rep. Anne M. Northup (R-Ky.) noted that "at some point you have to deal" with the White House. "I don't know if waiting in a standoff eyeball to eyeball gets you a better solution," Northup said.

Still, the last-minute press to complete the talks also has left some individual members with greater leverage to extract concessions. For example, Sen. Robert C. Byrd (D-W.Va.) has threatened to hold up final action unless Congress adopts language allowing West Virginia coal companies to dump mining waste in local streams. The White House has

tried to persuade Byrd to drop his measure, but he has steadfastly resisted, several sources said.

At the same time, Sens. Mary Landrieu (D-La.) and Herb Kohl (D-Wis.) have made similar threats over funding for coastal states including Louisiana and protections for Wisconsin's dairy industry.

Republican strategists say that one way around that problem may be to put all five remaining bills together in one big package to heighten pressure on lawmakers to approve it. But Wisconsin Rep. David R. Obey, the ranking Democrat on the Appropriations Committee, warned that such a maneuver could backfire and jeopardize final passage of the spending bills.

"You're going to maximize opposition to it if you put them in one bill," Obey said.

One of the most nettlesome problems centers on whether to tie the payment of U.N. dues to abortion restrictions. Rep. Christopher H. Smith (R-N.J.) has insisted any payment include language barring international family planning groups from lobbying for changes in abortion laws overseas, known as the Mexico City policy, and he said House leaders have continued to back his position.

"Everybody is totally on the same page," Smith said. "We could stay here till Christmas, for all I care. If it means a protracted negotiation, so be it."

Some GOP leaders also are continuing to insist that the administration come up with budget cuts or savings to offset the new spending. "They have presented us with a bonanza of new spending, but not one credible proposal for how they're going to pay for it," said a spokesman for House Majority Whip Tom DeLay (R-Tex.). "These negotiations will go nowhere until they tell us how they intend to pay for these programs."

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Republicans Agree on Teacher Plan

By Alan Fram
Associated Press Writer
Wednesday, Nov. 10, 1999; 10:50 p.m. EST

WASHINGTON — Under pressure from the White House, Republicans agreed Wednesday to a new installment of President Clinton's plan to hire new teachers as the two sides worked toward a budget deal that could send Congress home for the year next week.

The administration and Republicans also moved toward restoring roughly \$12 billion in Medicare cuts to hospitals and nursing homes enacted two years ago, and neared a deal to let the International Monetary Fund step up its debt-relief efforts.

But as congressional and White House bargainers met into the evening, they gave up hope of finishing in time for Congress to adjourn Friday. Senate Majority Leader Trent Lott, R-Miss., sent the Senate home for Veterans Day and planned no votes there until at least next Wednesday.

"There's no way we can get this done tonight," Senate Appropriations Committee Chairman Ted Stevens, R-Alaska, said of the bargaining.

The two sides agreed to a second year of Clinton's seven-year plan to hire 100,000 teachers, said people from both parties. The White House has made that proposal its highest-profile issue in this year's budget fight.

Clinton had requested \$1.4 billion for the program for fiscal 2000, which began Oct. 1, and negotiators agreed to \$1.325 billion. Twenty-nine thousand teachers were hired in the first year of the program and Clinton's request would have provided money to hire 8,000 more in fiscal 2000.

Bargainers also agreed to let school districts use 25 percent of the program's funds for teacher training and other education programs. That limit has been 15 percent, and Republicans have wanted school districts to have more flexibility in using the money.

Teachers hired under the act would have to be certified, and schools with at least 10 percent of uncertified teachers could request waivers to use the money for training instead of hiring.

"I'm pleased," said Rep. William Goodling, R-Pa., chairman of the House Education and Workforce Committee. "Would I have liked more? Yes. Would they have liked more? Yes."

The two sides also exchanged offers on an effort by conservatives to

restrict overseas abortion lobbying.

Sen. Robert Byrd, D-W.Va., still was insisting on letting coal mining companies dump waste into valleys and streams by suspending provisions of the Clean Water Act. Language doing that temporarily was being considered, said a Democrat who spoke on condition of anonymity.

Republicans did agree to add \$1.45 billion for labor, health and education programs, compared to \$2.3 billion that Clinton sought earlier.

House Majority Leader Dick Arme, R-Texas, said he was nearing an agreement with Treasury Secretary Lawrence Summers over international debt relief.

Arme had opposed an administration effort to let the International Monetary Fund sell up to 14 million ounces of its gold and use the extra money to help multinational banks forgive some debt owed by poor countries. Helping some of those countries' economies by easing their loan problems has become an administration priority.

Arme said the two sides are moving toward an agreement to let the IMF re-value some of its gold at more than the \$48 per ounce it is currently valued and use the extra capital for debt forgiveness. Included would be "iron clad" language limiting the use of that money for debt forgiveness, Arme said.

Republicans are considering a package containing perhaps all five incomplete spending bills for the new fiscal year that might reach the House floor by Friday.

A fight over paying nearly \$1 billion in overdue United States dues to the United Nations – which conservatives have linked to the overseas abortion issue – was not resolved.

Still to be addressed was how the two sides would pay for the several billion dollars in extra spending that Clinton's negotiators have won in recent days' bargaining.

Senate Budget Committee Chairman Pete Domenici, R-N.M., said he had a package of savings that would let them abandon the 1 percent across-the-board cut in planned agency spending that Congress approved last month. Clinton opposed that cut, saying it was "mindless" and would hurt federal programs.

As the budget talks proceeded, Congress did other wrap-up work:

–Congressional bargainers working on a deal to raise Medicare payments to health-care providers agreed to lift \$1,500 annual limits on rehabilitative therapy coverage for the elderly and disabled. The payments were part of a plan to restore cuts of \$12 billion over five years made in payments to hospitals and other health-care providers.

–Efforts to revive an oil and chemical tax as part of an overhaul of the Superfund chemical cleanup program died for the year, mainly due to opposition by House Ways and Means Committee Chairman

Bill Archer, R-Texas.

-Former Sen. Carol Moseley-Braun, D-Ill., was confirmed 96-2 by the Senate as ambassador to New Zealand, overcoming early opposition by Senate Foreign Relations Chairman Jesse Helms, R-N.C. Eighty judicial and other nominees were also confirmed, ending a weeks-long logjam.

-Italian-Americans suffered widespread violations of their civil liberties during World War II and the time has come for the president to acknowledge those injustices, the House declared in non-binding legislation.

Meanwhile, Clinton signed a measure that will keep agencies functioning through Nov. 17. It was the fifth temporary spending bill since the new fiscal year began.

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DATE OF LETTER: 10/20/99

NAME/ADDRESS OF CORRESPONDENT:

The Honorable William Clay
U.S. House of Representatives

SUBJECT:

Writes to affirm their support for the continuation and expansion of the class-size initiative

ROUTED TO:

LaStein - Org - 99/10/25

DATE: 10/25/99

COMMENTS:

1230/MO
letter also signed by 19 additional signees
starting page 402286

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- D Draft Response
- F Furnish Fact Sheet to be used as enclosure
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October 20, 1999

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The Honorable William Jefferson Clinton
 The President
 The White House
 1600 Pennsylvania Avenue, NW
 Washington, DC 20500



402370

POSTAGE WILL BE PAID BY ADDRESSEE

Dear Mr. President:

Last year, as part of the appropriation's process, Congress made a promise to our nation's school children that we would reduce class-sizes over the next 7 years. It was an important down payment toward our goal of reducing class-sizes. Congress provided \$1.2 billion for the first year's commitment. We now face the choice of continuing this funding or turning our backs on smaller class-sizes. We are writing to affirm our strong support for the continuation and expansion of the class-size initiative.

Research shows clearly that smaller classes with highly qualified teachers in the early grades help increase student achievement in reading and math, reduce classroom disruptions and time spent on discipline, and help each child receive more personalized attention. In addition, research shows that students who attend small classes in the early grades have better high school graduation rates, higher grade-point averages, and are more inclined to pursue higher education.

As a result of the bipartisan commitment to reduce class size last year, communities throughout America have already hired nearly 30,000 teachers for the current school year, providing smaller classes in the early grades to an estimated 1.7 million children. We should not be pulling the rug out from under these teachers and students by eliminating funding for this program. Instead, we should be expanding the benefits of smaller classes, led by highly qualified teachers, to more students and schools by funding the program at \$1.4 billion, the level requested by your Administration.

If the final Labor-HHS-Education Appropriations bill that reaches your desk does not include full funding for the Class-Size Reduction Program and strong provisions to ensure teachers are fully qualified, we strongly urge you to veto it.

Sincerely,

1230/120

William L. Clay

WILLIAM L. CLAY
Member of Congress

DAVID WU
Member of Congress

Matthew G. Martinez

MATTHEW G. MARTINEZ
Member of Congress

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FAX COVER SHEET

TO: *Balson*

FAX #: *375-5730*

FROM: *Chen*

DATE:

PAGES (including cover): *45*

Comments:

59476

Class Size Language

Sec. 307. (a) From the amount appropriated for title VI of the Elementary and Secondary Education Act of 1965 in accordance with this section, the Secretary of Education-- (1) shall make available a total of \$6,000,000 to the Secretary of the Interior (on behalf of the Bureau of Indian Affairs) and the outlying areas for activities under this section; and (2) shall allocate the remainder by providing each State the same percentage of that remainder as it received of the funds allocated to States under section 307(a)(2) of the Department of Education Appropriations Act, 1999.

(b)(1) Each State that receives funds under this section shall distribute 100 percent of such funds to local educational agencies, of which-- (A) 80 percent of such amount shall be allocated to such local educational agencies in proportion to the number of children, aged 5 to 17, who reside in the school district served by such local educational agency from families with incomes below the poverty line (as defined by the Office of Management and Budget and revised annually in accordance with section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2))) ~~applicable to a family of the size involved for the most recent fiscal year for which~~ ^{are} satisfactory data is available compared to the number of such individuals who reside in the school districts served by all the local educational agencies in the State for that fiscal year; and (B) 20 percent of such amount shall be allocated to such local educational agencies in accordance with the relative enrollments of children, aged 5 to 17, in public and private nonprofit elementary and secondary schools within the boundaries of such agencies.

(2) Notwithstanding paragraph (1), if the award to a local educational agency under this section is less than the starting salary for a new, fully qualified teacher in that agency who is certified ^{his or her} within the State (which may include certification through State or local alternative routes), ~~have a baccalaureate degree, and demonstrate~~ the general knowledge, teaching skills, and subject matter knowledge required to teach in their content areas, that agency may use funds under this section to (A) help pay the salary of a full or part-time teacher hired to reduce class size, which may be in combination with other Federal, State, or local funds; or (B) pay for activities described in ~~subparagraph 2(a)(iii)~~ ^{subsection (c)(2)(A)(iii)} which may be related to teaching in smaller classes.

(c)(1) The basic purpose and intent of this section is to reduce class size with fully qualified teachers. Each local educational agency that receives funds under this section shall use such funds to carry out effective approaches to reducing class size with fully qualified teachers who are certified within the State, including teachers certified through State or local alternative routes, and who demonstrate competency in the areas in which they teach, to improve educational achievement for both regular and special needs children, with particular consideration given to reducing class size in the early elementary grades for which some research has shown class size reduction is most effective.

(2)(A) Each such local educational agency may use funds under this section for --
(i) recruiting (including through the use of signing bonuses and other financial incentives), hiring, and training fully qualified regular and special education teachers (which may

include hiring special education teachers to team-teach with regular teachers in classrooms that contain both children with disabilities and non-disabled children) and teachers of special-needs children, who are certified within the State, including teachers certified through State or local alternative routes, have a baccalaureate degree and demonstrate the general knowledge, teaching skills, and subject matter knowledge required to teach in their content areas;

- (ii) testing new teachers for academic content knowledge, and to meet State certification requirements that are consistent with title II of the Higher Education Act of 1965; and,
- (iii) providing professional development (which may include such activities as promoting retention and mentoring) to teachers, including special education teachers and teachers of special-needs children, in order to meet the goal of ensuring that all instructional staff have the subject matter knowledge, teaching knowledge, and teaching skills necessary to teach effectively in the content area or areas in which they provide instruction, consistent with title II of the Higher Education Act of 1965.

Except as provided under clause (ii)

(B)(i) A local educational agency may use not more than a total of 25 percent of the award received under this section for activities described in clauses (ii) and (iii) of subparagraph (A).

(ii) A local educational agency in an Ed-Flex Partnership State under Public Law 106-25, the Education Flexibility Partnership Act, and in which 10 percent or more of elementary teachers (as defined by section 14101(14) of the Elementary and Secondary Education Act, have not met applicable State and local certification requirements (including certification through State or local alternative routes), or if such requirements have been waived, may apply to the State Educational Agency for a waiver that would permit it to use more than 25 percent of the funds it receives under this section for activities described in subparagraph (A)(iii) for the purpose of helping teachers who have not met the certification requirements become certified. *at 7465*

in elementary schools

(iii) If the State Educational Agency approves the local educational agency's application for a waiver under clause (i), the local educational agency may use the funds subject to the waiver for activities described in subparagraph (A)(ii) that are needed to ensure that at least 90 percent of the teachers in elementary schools are certified within the State.

(C) A local educational agency that has already reduced class size in the early grades to 18 or less children (or has already reduced class size to a State or local class size reduction that was in effect on the day before enactment of the Department of Education Appropriations Act, 2000, if that State or local educational agency is 20 or fewer children) class size may use funds received under this section— *goal*

- (i) to make further class-size reductions in grades kindergarten through 3;
 - (ii) to reduce class size in other grades; or
 - (iii) to carry out activities to improve teacher quality, including professional development.
- (D) If a local educational agency has already reduced class size in the early grades to 18 or fewer children and intends to use funds provided under this section to carry out

professional development activities, including activities to improve teacher quality, then the State shall make the award under section (b) to the local educational agency.

(3) Each such agency shall use funds under this section only to supplement, and not to supplant, State and local funds that, in the absence of such funds, would otherwise be spent for activities under this section.

(4) No funds made available under this section may be used to increase the salaries or provide benefits, other than participation in professional development and enrichment programs, to teachers who are not hired under this section. Funds under this section may be used to pay the salary of teachers hired under section 307 of the Department of Education Appropriations Act, 1999.

Inconsistent; section cited applies to States, not LEAs.

(d)(1) Each State and local educational agency receiving funds under this section shall report on activities in the State under this section, consistent with section 6202(a)(2) of the Elementary and Secondary Education Act of 1965.

(2) Each State and local educational agency receiving funds under this section shall publicly report to parents on the progress in reducing class size, increasing the percentage of classes in core academic areas taught by fully qualified teachers who are certified within the State and demonstrate competency in the content areas in which they teach, and the impact of hiring additional highly qualified teachers and reducing class size has had, if any, on increasing student academic achievement.

(3) Each school receiving funds under this section shall provide to parents upon request, the professional qualifications of their child's teacher

(e) If a local educational agency uses funds made available under this section for professional development activities, the agency shall ensure for the equitable participation of private nonprofit elementary and secondary schools in such activities. Section 6402 of the Elementary and Secondary Education Act of 1965 shall not apply to other activities under this section.

(f) Administrative expenses.--A local educational agency that receives funds under this section may use not more than 3 percent of such funds for local administrative costs.

(g) Request for funds.--Each local educational agency that desires to receive funds under this section shall include in the application required under section 6303 of the Elementary and Secondary Education Act of 1965 a description of the agency's program to reduce class size by hiring additional highly qualified teachers.

(h) No funds under this section may be used to pay the salary of any teacher hired with funds under section 307 of the Department of Education Appropriations Act, 1999, unless by the start of the 2000-2001 school year, the teacher is certified within the State (which may include certification through State or local alternative routes) and demonstrates competency in the subject areas in which they teach.

he or she

THE SENATE OF THE STATE OF CALIFORNIA

(1) Titles III and IV of the Goals 2000: Educate America Act are repealed on September 30, 2000.

Remark
[This title may be cited as the "Department of Education Appropriations Act, 2000".]



NATIONAL EDUCATION ASSOCIATION

Edue -
Class Size

Robert F. Chase, President
Reg Weaver, Vice President
Dennis Van Rochem, Secretary-Treasurer

1201 16th Street, N.W.
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Don Cameron, Executive Director

Executive Office

January 7, 1999

The Honorable Bill Clinton
President of the United States
The White House
1600 Pennsylvania Avenue, N.W.
Washington, D.C. 20500

cc: LEW/MATHEWS
SPERLING
REED/mc
FRAMONTANO

Dear Mr. President:

On behalf of the National Education Association (NEA) and its 2.4 million members, I want to thank you for making equity and excellence in public education a priority of your Administration. As you prepare your State of the Union address, we urge you to consider showcasing the imperative need for Congress to pass school building modernization legislation to help states and localities meet this enormous challenge. School modernization legislation will promote quality public education for every child by helping to lower class size, improve the learning environment, and connect more students to new educational technologies.

As you well know, the lack of modern school buildings is a national problem that affects children of all income levels in urban, suburban and rural communities. According to a 1995 General Accounting Office estimate, the national costs for renovating and repairing existing schools to make them healthy and safe structures was \$112 billion. An additional \$73 billion is needed to build new classrooms to accommodate record enrollment levels as well as to reduce class size. The added cost of bringing all of America's classrooms into the technological era will push the national price tag over \$200 billion.

States and localities are unable to address this national crisis alone. Historically, national education needs have been addressed through a partnership of federal, state and local governments, with the federal government providing targeted resources. In other areas, our federal government has shown itself ready, willing, and able to provide financial assistance to states to resolve acute problems, such as this country's crumbling highway infrastructure. Certainly, the need for safe and technologically up-to-date schools is no less important to our national economy and security than repairing and expanding the nation's highways, to which Congress last year devoted \$216 billion over 5 years. Comparatively, the school modernization bill in the 105th Congress would have provided federal tax credits subsidies in the amount of \$21.6 billion dollars, roughly a dime for every dollar spent on our nation's roads and bridges.

Over the past two years, NEA and its members have generated thousands of calls and letters to members of Congress to urge them to support a federal, state and local partnership to modernize school buildings. Recent election campaigns at the federal, state and local levels demonstrate that a bipartisan public consensus exists for concerted efforts to make school modernization a reality. For our part, we will continue to make our bipartisan "Modern Schools, Better Learning" campaign a top priority as the 106th Congress begins its work. After two years of legislative attempts, grassroots mobilization, and speeches by Republican and Democratic candidates alike on the importance of school modernization, our members are eager for enactment of legislation.

Several recent events demonstrate that the American public supports an effort to enact modern schools legislation and understands the connection between modern schools and class size reduction. In November, California residents passed a record bond for school construction. During the November campaign, Republican and Democratic candidates alike at the state level campaigned on the promise of modern schools and smaller class sizes. Twenty-three of our state affiliates reported to us that their respective state legislatures are likely to support school modernization bills.

School modernization, along with an expansion of the class size initiative and investments in the recruitment, support and professional development of teachers, will make a real difference in helping all of America's children meet world-class academic standards and be prepared for the careers of the 21st century. We urge you to use the opportunity presented by the State of the Union address to make a clear and convincing case for enactment of modern schools legislation. We pledge to continue our efforts to work with you and your Administration to make this a reality in 1999.

Sincerely,



Bob Chase
President

October 13, 1998

NOTE TO JACK LEW AND BRUCE REED

FROM: Barbara Chow and Mike Cohen
SUBJECT: Class Size Proposal

Our proposal makes modifications to the Republican proposal that we received last night. We just learned that Obey's staff does not believe that we should be working in the framework of the Republican proposal, and believes instead that we should modify our own proposal to address some of their concerns. We will now start working on modifying our bill to address Republican concerns.

Must-have items:

- o a formula that is targeted, preferably using Title I (as was in the original Republican offer) but see fall-back position below. The formula will be very sensitive; we should vet our Fallback before offering it.
- o the report card and accountability provisions
- o the changes to the Purpose
- o maintenance of effort

Non-Starter Items that must be deleted because they drain resources from class size funding:

- o local control provision, but see fall-back position below.
- o in the 4th bullet under Uses of Funds, delete "costs associated with teaching children identified with special needs"
- o any use of funds for instructional materials

Can Trade Away:

- o in Special Priorities -- delete language we added on "teacher of limited-English proficient students, teachers in subjectare with a shortage of qualified teachers, and teachers in large class sizes."

Fall-Back Positions:

Funding formula -- If the Republicans reject using the Title I formula for State and within State distribution, propose using the Title VI formula for distribution to States, and Title I for sub-state distribution. This will focus funds within States on higher poverty areas. (Attached)

Local Control -- If you cannot delete "Local Control", then get it modified to base the determination on achievement of an average class size of 18. (Attached)

Maintenance of Effort -- If our language is not acceptable, we will do a new MOE.

**PROPOSED MODIFICATIONS TO THE GORTON/GOODLING DRAFT PROPOSAL
FOR LOCAL TEACHER QUALITY GRANTS -- 10/13 REVISED**

NEW LANGUAGE IN ITALICS; DELETIONS WITHIN BOLD BRACKETS

Local Teacher Quality and Class Size Reduction Grants

Purpose

Amends Title VI of the Elementary and Secondary Education Act to create a new Part D. The purpose of this new part is to provide funds to local educational agencies to allow such agencies to hire high quality teachers, including special education teachers, [and] reduce class size *in the early grades to a national goal of 18, and raise student achievement.*

Use of Funds Part D

Local educational agencies shall use funds made available under this section *to improve teacher quality, reduce the number of children in regular classes, and raise student achievement through* [for] one or more of the following activities:

- Hiring new high quality teachers who have successfully completed an academic major in the subject area in which they plan to teach and possess strong teaching skills;
- Hiring new high quality *certified* teachers, *including* through State and local alternative teacher certification procedures, *in order to reduce class size in the early grades*;
- Reducing class size by increasing the ratio of *regular* classroom teachers to students;
- Providing professional development to teachers to teach special needs children [and to reduce the costs associated with teaching children identified as special education students];
- [COMBINE THE TWO PROFESSIONAL DEVELOPMENT PROVISIONS AS FOLLOWS] Providing professional development to teachers consistent with Title II of the Higher Education Act Amendments of 1998; or, Providing for [teacher] *Testing new teachers using State competency exams based on the subject areas taught by the teacher, or content deemed appropriate by the State for elementary school teachers; except that the total spent on these forms of professional development may not exceed 10% of the funds provided under Part D.*
- [• Providing for the acquisition and use of instructional and educational materials to assist classroom teachers to improve students achievement;]

Funding Limitation

- None of these funds shall be used to increase the salaries or provide additional benefits to currently employed teachers.
- *No local education agency may use more than 3 percent of its allocation for local administrative costs.*

Special Priorities

- In hiring new quality teachers under this section, local educational agencies may give priority to hiring new special education teachers, *teachers of Limited-English proficient students, teachers in subject areas with a shortage of qualified teachers, and teachers in schools with large class sizes.*

Funding Formula

- Over and above the money currently allocated to Title VI activities, an additional \$1.1 billion will be dispersed pursuant to this part *to States in accord with the Title I formula.*
- For purposes of this part, the State educational agency shall distribute 100 percent of these funds directly to local educational agencies based upon the formula *in the title I of the Elementary and Secondary Education Act adjusted for the hold-harmless provision.* [under this section (this is the current Title VI formula which is distributed based on student enrollment in public and private nonprofit schools within the local education agency based on the following criteria:

Children living in areas with high concentrations of low income families;
 Children from low income families; and
 Children living in sparsely populated areas.))]

Application Process

There will be no new application required. Instead, Local Education Agencies will submit to the State, in its application for funds under Title VI, a description of how they will meet the requirements of this part. The State shall be responsible for ensuring compliance by the local education agencies.

Annual Public Report Card

- *At the end of each school year in which a school receives funds under this program, the local educational agency shall issue a report card on that school to parents and the general public. The report card shall provide clear, and easily understandable information on (1) class size reduction goals in grades 1-3 and other grade levels determined by the LEA, (2) actual class sizes that year (3) teacher certification, licensure and related academic qualifications for teachers, (4) student achievement levels in reading in grades 1-3, and in other grade levels and subject areas determined by the*

local education agency.

- *Based on the public report card the state may require a local educational agency to take appropriate corrective actions as a condition for continued receipt of funds.*

[Local Control

If the local education agency decides by an affirmative approval of the local school board, that they do not need funds under this part for the purposes of hiring quality teachers and reducing class size, then the local educational agency can spend these funds on activities under section 6301.]

Maintenance of Effort

A local educational agency may receive grant funds under Part D only if it has on file with the SEA an assurance that the LEA will spend at least as much, from non-Federal resources, as the LEA spent in the previous year for the combination of:

- a) teachers in regular classrooms in grades 1 through 3 in schools receiving assistance under Part D;*
- b) teachers in each other grade and subject area for which funds under Part D are expended; and*
- c) the other quality improvement activities eligible for support under Part D.*

The Secretary may waive or modify this requirement if he determines that doing so would be equitable due to exceptional or uncontrollable circumstances.

Alternative Text: Funding Formula

The additional \$1.1 billion will be disbursed to the States in accord with the Title VI formula. The State Educational Agency shall distribute 100% of these funds directly to local educational agencies, based upon the formula in Title I of the ESEA, adjusted for the hold-harmless provision.

Alternative Text: Local Control

If the local educational agency determines by an affirmative approval of the local school board that it has achieved an average class size of 18 in grades 1-3 in regular classrooms and therefore does not need funds under this part for the purposes of reducing class size, then the local educational agency can spend these funds on activities under section 6301.

ADMINISTRATION CHANGES TO BE DRAFT JUVENILE CRIME BILL

1. Prosecutors/Courts Initiative

The bill should guarantee a percentage of funds for the Administration's \$100 million prosecutors/courts initiative -- just as it does with other programs. This could be accomplished by amending the current authorizing language, which guarantees 45% of the funds -- or \$450 million -- for the Republicans' Accountability Block Grant, to say that 10% of the funds -- or \$100 million -- are reserved for a prosecutors/courts program, and 35% of the funds -- or \$350 million -- are reserved for the Accountability Block Grant.

2. Juvenile Brady -- Gun Ban for Violent Juveniles

The most recent draft of the juvenile crime bill includes a juvenile Brady provision that is unacceptable. Not only would it allow states to circumvent the ban by easily restoring a juvenile's right to own a gun, but its effective date is contingent on the Attorney General making a determination that the records to enforce this new ban would be "routinely available" through the National Instant Criminal Background Check System. We should insist on our tougher version of juvenile Brady.

3. Increased Penalties for the Youth Handgun Safety Act

The draft juvenile crime bill does not include increased penalties for juvenile handgun possession (from mandatory probation to up to 1 year imprisonment) or for transferring a handgun to a juvenile (from 1 to 3 years imprisonment). Generally, these penalty increases have not been considered controversial, and they have most likely been dropped to deny the Administration a "gun victory." We should insist on their inclusion.

4. Postpone Juvenile Crime Bill Funding Formula Until FY 2000

The current Commerce-Justice-State (CJS) appropriations bill includes language that would allow any juvenile crime legislation that passes to supersede the juvenile crime allocations already included in the CJS appropriation. This would effectively cut prevention funding for FY 1999 and should be deleted. The juvenile crime bill's funding formula should not go into effect until FY 2000.

Claslan8 10/14/ 2:20 pm Republican offer modifications

Provided further, That, notwithstanding any other provision of law, for FY 1999 only, \$1,100,000,000 shall be sent directly to the States under [[OPEN ISSUE Title VI of the Elementary and Secondary Education Act of 1965, to be allocated fifty (50) percent based on school age population and fifty (50) percent based on *child* poverty (as defined by the Office of Management and Budget and revised annually in accordance with section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2)) applicable to a family of the size involved for the fiscal year for which the determination is made, compared to the number of such individuals who reside in the school districts served by all the local educational agencies in the State for such preceding fiscal year) with a point five (.05) percent minimum for small states]]:

Provided further, That if a local educational agency would receive a suballocation of less than \$35,000, it shall not receive that allocation and the funds it would have received will be allocated to the remaining local educational agencies in the State in accord with the suballocation formula in the prior proviso:

Provided further, That no funds for this provision are for Federal administration:

[[OPEN ISSUE Provided further, That the State educational agency shall distribute one hundred (100) percent of the funds directly to local educational agencies based fifty (50) percent on student enrollment in public and private non-profit schools within the local educational agency and at least fifty (50) percent based on *child* poverty (as defined by the Office of Management and Budget and revised annually in accordance with section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2))]]

Provided further, That a local educational agency may use no more than three (3) percent of its suballocation for local administrative costs:

[[OPEN ISSUE WITH ALTERNATIVE LANGUAGE TO FOLLOW Provided further, this provision is to carry out effective approaches to reducing class size *primarily in grades one through three*, with quality teachers (including recruiting, hiring, training and testing *new* regular and special education teachers and teachers of special needs children, and hiring qualified teachers through state and local alternative routes to teacher certification) in order to improve educational achievement for both regular and special needs students; provide professional development to these teachers and to special education teachers, including the teaching of special needs children **and teaching children in small class settings**, consistent with title II of the Higher Education Act Amendments Act of 1998]]

Provided further, That this provision is to carry out effective approaches to reducing class size with quality teachers to improve educational achievement in the early elementary grades, for both regular and special needs students;

Provided further, That local educational agencies may pursue the goal of reducing class size through recruiting, hiring, and training certified regular and special education teachers and teachers of special needs children, including those certified through state and local alternative

routes, testing new teachers for state certification, and providing professional development to teachers, including special education teachers, and teachers of special needs children consistent with Title II of the Higher Education Act Amendments of 1998, except that not more than ten (10) percent of the funds provided under this provision may be used for professional development:

Provided further, That no new application shall be required of the local additional agency and that the local educational agency shall describe *in an addendum* to its application required under section 6303 of Title VI of the elementary and Secondary Act of 1965 how the local educational agency will meet the requirements of this provision:

Provided further, That each school benefiting from this provision, or the local educational agency for that school, shall produce an annual report to the parents and the general public on its **class size reduction and student achievement in the early grades and other grades, and the State shall provide a comparable report to the Secretary.**

OPEN ISSUES:

Maintenance of Effort

Matching

Further, an LEA that has already reached the State goal for class-size reduction in grades 1-3 may use subgrant funds to make further class-size reductions in those grades, to reduce class sizes in other grades, or to undertake additional quality improvement activities.



Tanya E. Martin
12/12/97 11:32:33 AM

Record Type: Record

To: Bruce N. Reed/OPD/EOP
cc: Michael Cohen/OPD/EOP, William R. Kincaid/OPD/EOP
bcc:
Subject: Re: Basics

1. Number of teachers :

1996 -- 2.6 million public elementary and secondary teachers (est)
(1.5 million in elementary and 1.1 million in secondary)

2. The 2 million teachers over 10 years estimate includes more than replacements: it is based upon increased school enrollment (baby boom echo) and increased teacher retirements (original baby boomers).

The estimate of 2 million teachers anticipates that a little over 1 million will be new-to-the classroom teachers and the remainder will be teachers returning to teaching from central offices, other professions etc.

3. Estimated number of teachers in grades 1 and 2: 247,300

4. Estimated number of teachers in grades 1,2, and 3 : 367,700

5. With 100K teachers, we could bring class size down to an average of 19 in three grades. With approx 106K teachers, we could bring class size down to a maximum of 19 in three grades.

We're working on tobacco-funded scenarios and will be meeting on the formula funding possibilities this afternoon.

Bruce N. Reed



Bruce N. Reed
12/12/97 10:01:02 AM

Record Type: Record

To: Michael Cohen/OPD/EOP, Tanya E. Martin/OPD/EOP, William R. Kincaid/OPD/EOP
cc:
Subject: Basics

Could you fill in a few #'s for me?

How many teachers are there altogether?

When we say we need 2 million over 10 years, are those all replacements?

How many teachers are there in grades 1 & 2? 1, 2 & 3?

Also, I'd love to hear how you design wizards are coming with the idea of paying for this through tobacco. It occurs to me that you might want to think up an option that gets to 100,000 teachers, even over 7 years. With 100k teachers, could we reduce class size below 20 in 3 grades??

To: ~~Adm~~ Fredrick
From: Lrett



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**COMMITTEE ON EDUCATION & THE WORKFORCE
U.S. HOUSE OF REPRESENTATIVES**

**FOR IMMEDIATE RELEASE
Oct. 14, 1998**

**CONTACT: Jay Diskey
or Bill McCarthy
202/225-4527**

WHITE HOUSE ACCEPTS REPUBLICAN EDUCATION FUNDING PROPOSAL
*GOP Proposal Sends 100 percent of Funds
to Local Schools - Not Washington Bureaucrats;
Emphasis Placed on Special Education*

WASHINGTON - The White House today dropped its demands for new federal education mandates and accepted a House Republican proposal to send \$1.1 billion directly to local school districts to help reduce class size and to train, test, recruit and hire new teachers.

"The Clinton Administration has acknowledged that local control is the name of the game," said Chairman Bill Goodling (R-PA), who designed the GOP proposal. "President Clinton has acceded to our proposal to bypass the U.S. Department of Education and to send 100 percent of the funds directly to the local level.

"This is a real victory for the Republican Congress, but more importantly, it is a huge win for local educators and parents who are fed up with Washington mandates, red tape and regulation," Goodling said. "We agree with the President's desire to help classroom teachers; but our proposal does not create big, new federal education programs. Rather our proposal will drive dollars directly to the classroom and gives local educators more options for spending federal funds to help disadvantaged children."

Speaker Newt Gingrich and Chairman Goodling gave the proposal to White House Chief of Staff Erskine Bowles Tuesday. Today's agreement removes one of the final stumbling blocks to final approval of the federal budget for fiscal year 1999.

House Republicans also stood fast on the existing prohibition on the President's proposed federal tests in 4th grade reading and 8th math. "And, we did not agree to the President's request to create a massive federal school construction program that would ultimately lead to the U.S. Department of Education acting as a national school board determining local school construction and maintenance issues," Goodling said.

While the Administration's initiative centered primarily on the hiring of new teachers, the Republican proposal would allow funds to be used not only for reducing class size, but also for the recruiting, hiring, training and testing of regular teachers, special education teachers and teachers of special needs children.

###

Class Size language 10/14 11:30 am classlan7

Provided further, That, notwithstanding any other provision of law, \$1,100,000,000 shall be available under Title VI of the Elementary and Secondary Education Act of 1965, to be allocated such that each State and, within each State, each local educational agency, shall receive the same share of funds as it received under section 1122 of that Act for fiscal year 1998, to carry out effective approaches to reducing class sizes with quality teachers (including recruiting, hiring, and training teachers, *including special education teachers*, and testing new teachers for State certification) in order to improve educational achievement in the early elementary grades, which shall be expended in accordance with the statement of the managers on the conference report accompanying this Act and such regulations as the Secretary of Education determines are necessary to implement such statement, including regulations to ensure that States and local educational agencies are appropriately held accountable for class size reduction and improved student achievement: *Provided further*, That in expending funds made available under the previous proviso, no State educational agency may use more than one-half of one percent of its allocation or \$50,000, whichever is greater, for administrative costs and State-level activities and no local educational agency may use more than 5 percent of its suballocation for local administrative costs: *Provided further*, That no funds for the class size reduction initiative under this heading may be used for Federal administration.

CONCEPTUAL AGREEMENTS [Suggested language here and under Open Issues could be statutory or report language.]

Teacher Quality and Hiring. Local educational agencies shall use funds to reduce class size by hiring additional teachers and improving the quality of teachers. Suggested language in addition to the above:

“Hiring, recruiting, and preparing new high quality certified teachers who possess strong teaching skills, including teachers of special education and teachers certified through state and local alternative routes;

“Providing for and requiring testing of new teachers using State competency examinations based on subject areas to be taught, or content deemed appropriate by the State for elementary school teachers;

“Providing professional development to teachers to teach special needs children, and providing professional development to teachers consistent with Title II of the Higher Education Act Amendments of 1998, except that the total spent on these forms of professional development from funds under this provision may not exceed ten percent of these funds.”

No new application

Agree on principle of no new application.

Unresolved as to whether the class size description is part of the Title I or Title VI

application. Administration position, reflected in the language below, is that the description should be an addendum to the Title I application.

Suggested language:

“There will be no new application required. Instead, the local education agency will submit to the State, an addendum to its application for funds under Title I which includes a description of how it will meet the requirements of this provision. The State will be responsible for ensuring compliance by the local education agencies.”

School Report Card suggested language:

“At the end of each school year in which a school receives funds under this program, the local educational agency shall issue a “Class Size Reduction and Teacher Quality Accountability Report” for that school to parents and the general public, which shall provide clear and easily understandable information on

“(1) class size reduction goals in grades one through three and other grade levels determined by the local educational agency.

“(2) actual class sizes that year.

“(3) teacher certification, licensure and related academic qualifications of that year’s teachers.

“(4) student achievement levels in reading in grades one through three and in other grade levels and subject areas determined by the local educational agency.

“Based on such accountability report, the State may require a local educational agency to take appropriate corrective actions as a condition for continued receipt of funds.”

PRESUMED AGREEMENT

Extending Availability of Funds. Suggested language:

“Funds received under this provision shall remain available for obligation and expenditure by the LEA for one fiscal year beyond the period ordinarily provided by the General Education Provisions Act.”

OPEN ISSUES

Maintenance of Effort. Suggested language:

“A local educational agency may receive grant funds under Part D only if it has on file with the SEA an assurance that the LEA will spend at least as much, from non-Federal resources, as the LEA spent in the previous year for the combination of:

“a) teachers in regular classrooms in grades 1 through 3 in schools receiving

assistance under Part D;

“b) teachers in each other grade and subject area for which funds under Part D are expended; and

“c) the other quality improvement activities eligible for support under Part D.

“The Secretary may waive or modify this requirement if he determines that doing so would be equitable due to exceptional or uncontrollable circumstances.”

Matching Requirements. Suggested language:

“The Secretary shall have authority to establish through regulations, graduated matching requirements beginning with a five percent match for LEAs with a 30 to 40 percent child poverty rate, up to a 45 percent matching requirement for LEAs with less than a ten percent child poverty rate.”



Michael Cohen
10/15/98 01:59:16 AM

Record Type: Record

To: Bruce N. Reed/OPD/EOP, Elena Kagan/OPD/EOP, Barbara Chow/OMB/EOP
cc: Laura Emmett/WHO/EOP
Subject: Class size negotiations

Together with Kennedy, Harkin, Clay, Daschle and ED staff, I met with staff from Goodling and Gorton's office on the outstanding class size issues. The R's came with their own draft, and insisted we work off of theirs. Much of their draft was lifted from the ED draft, which they had gotten from ED earlier in the evening. So we had a common starting point to work from, and it was easy to reach agreement on the bill language reflecting the points we had previously agreed to.

However, we were unable to resolve the outstanding issues, principally because the Republicans were unwilling to make any of the concessions Elena proposed at the end of the afternoon meeting. Further, they were clearly not interested in finding common ground at the meeting; they conceded early on that they had not agreed to any of our end-of-the-afternoon proposals, and would not move from their positions at this meeting. There was one area (see below) where they were open to bringing back our idea and so we have the basis to communicate again in the morning, and agreed to. Otherwise, it is not clear how best for us to proceed.

Here is where we are on an issue-by-issue basis, starting with the simple stuff:

Private School Participation: We agreed to language on this. It essentially requires equitable participation for private school teachers in professional development, and states that the private school provisions in Title 6 now otherwise do not apply to this program.

Participation by BIA schools. Daschle's staff yielded to Gorton on the size of the set aside for BIA schools. While the 1% setaside that Gorton could live with is much lower than in other programs, no one on our side felt strongly enough to fight--nor believed it would be possible to move Gorton very far on this if we tried.

Reducing Class Size in the early grades. Kennedy feels very strongly that we not give up on our original focus on grades 1-3. We had suggested that we could live with a priority for grades 1-3 (if adequately defined, Kennedy could live with this), and we did this in three places in our bill -- the statement of purpose in the opening paragraph; the provision that describes what local district's can spend the money on, and in the "local flexibility trigger" that allows other uses of the funds once an average class size of 18 is reached in grades 1-3. Their draft contained none of these.

While they were initially unwilling to consider any of our language, or possible modifications to it, Vic ultimately did agree to take our "trigger" proposal back to Goodling. In our judgment, this is actually the only provision with any teeth in it--if it is enacted into law it would have the effect of getting local districts to work on grades 1-3 first.

We could probably still get a decent message about this being an initiative aimed at grades 1-3 with new compromise language the Dems agreed to after the meeting. (i.e., requiring LEA's to give

priority consideration to grades 1-3 because of the research showing that the impact of class size reduction is greatest in the early grades). However, we didn't think this ought to be in play until we hear back on the trigger idea--and perhaps until one of you can get a better deal from the Speaker.

Cap on Professional Development and Teacher Testing. It was my understanding from Elena that Gingrich had agreed to a 10% cap on these items together. However, the Goodling draft proposed 10% for teacher testing, and an additional 10% for professional development. They claimed that the Speaker had only been asked about professional development, and therefore the additional 10% set-aside made sense.

We could easily live with a 10% cap on professional development, and an additional 2% or so for testing. However, it did not seem like a good idea to concede to Goodling's staff a point you had already won with the Speaker. Let me know if you want me to try this one out; the Dems will be ok with it.

State Administrative Funds. Our proposal is for .5% for state administration. Kennedy's staff has been very strong on this as is Riley. The R's were unmoveable on this, and insisted on nothing on State Administration.

In my judgment, Riley and Kennedy are not going to fall on their swords on this--and we certainly shouldn't. Clay could care less; he's just being a loyal team player. While they both think that some state \$ are needed, they are digging in on this mainly because they don't want to be hounded by the head of the state school superintendent's group, who has been a staunch supporter of and good friend to both of them. And neither wants to be the first to back off. I've told Scott Fleming to talk to Riley first thing in the morning, and explain that no one here is going to fall hold this up over state administration. I will follow up with Riley as well.; he will be here for the school safety conference.

I think we should try to get Kennedy and Riley to converge on a compromise--.025 % rather than .05%--which works out to roughly 50K per state. If we try this and the R's won't budge, both Kennedy and Riley should find it a lot easier to drop this, and to let each other off the hook.

Formula. It is our understanding there is agreement on the distribution of funds to states (the higher of Title 1 or Eisenhower for each state), on an appropriations of an additional \$100 million (bringing the appropriations to \$1.2 billion), and that the within state formula will be worked out sometime tomorrow at your level.

I'll check in first thing in the morning.

themselves with tax cuts confronts a paradox: Cuts seem least urgent when they are most affordable. When the economy is lulling, the sound conservative instinct is to not mess with success. And when the economy is flooding Washington with revenues, it also is filling taxpayers' bank accounts, making tax relief feel less urgent.

Even worse, from the conservatives' point of view, prosperity makes people cheerful, indiscriminately so: The flames of resentment of government flicker low. Today, polls record the public's emphatic preference for increased government

spending on education, health and defense rather than tax cuts, and less emphatically but still decisively for retiring debt rather than cutting taxes. Big government has never been less threatened.

Government growth has slowed since the arrival of the Republican "revolution" in 1995-96, largely because of something Republicans are rightly vowing to reverse — the decline of defense spending. More than 300 programs have been eliminated, but these were mostly wee things, and the annual savings of

about \$3 billion about equals the increase since 1995 in the budget (now more than \$34 billion) of the Education Department, which Republicans vowed to abolish. Another department Republicans targeted for extinction, Commerce, now has a budget 40 percent higher than it did in 1995.

Government economic statistics include the category "durable goods," defined as things that last at least three years. Republican goals are not durable goods.

ART ill., barrie maguire ■

76. The Washington Post

08/08/99; Edition: FINAL; Section: OP-ED; Page B07

Not Just More Teachers — Better Ones, Too

By George Miller

President Clinton recently threatened to veto a House-passed education bill on teacher quality. He should reconsider his threat. While the bill clearly needs significant improvements, it represents a timely end to more than 30 years of federal failure to demand that every child, rich or poor, have a fully qualified teacher.

Virtually every member of the House of Representatives voted July 20 to require that all states, as a condition of receiving billions in federal education funding, set a goal of having a fully qualified teaching force by 2004 and be held accountable for closing achievement gaps between rich and poor students.

The need to address the issue is more urgent than ever. Record student enrollments, teacher retirements and pressures to reduce class size are creating an unprecedented demand for qualified teachers. In fact, the Department of Education estimates that schools will need to hire more than 2 million new teachers over the next decade.

This new legislation would focus on helping schools with the increasingly difficult task of recruiting, training and keeping qualified teachers in our nation's schools so that all students have the opportunity to meet high academic standards.

Since 1965 the federal government has spent more than \$120 billion on the Title I program, the lion's share of the federal investment in elementary and secondary education. In that time, our

nation's leaders have pledged to give American students a world-class education. But no president or Congress has ever taken certain steps necessary to achieve that goal.

In the past, we said teachers should be qualified, but we never demanded it, and we never defined it. Now, for the first time, we would say that simply having a degree from a school of education or being state or locally "certified" is not sufficient. Teachers must prove that they know the subject they are teaching, either by passing a competency test or by holding a college degree in that subject.

In the past, we also said we wanted to close the achievement gap between rich and poor, and between minority and non-minority students — Title I's primary goal. But all we did was measure the failure to do so. Now, for the first time, we would say that states will hold schools accountable for closing the gap between those students.

As you might expect, however, a political fight threatens this consensus. Last year, the president successfully demanded that Congress approve \$1.2 billion as a down payment on his goal of adding 100,000 new teachers in an effort to reduce class sizes. The president has urged that these 100,000 teachers be well-qualified. But his program is being implemented without any real standards for teacher quality. Individuals with no training and no knowledge of the subjects they teach are eligible to become new teachers.

Thus, his program is left open to the

valid criticism that reducing class size alone is unlikely to boost achievement, especially if it means pairing an even greater number of poor and minority children with underqualified teachers, as it has in my home state of California.

Teacher quality is one of the greatest concerns of American parents. And the evidence supports them. Teacher quality is the most important in-school factor affecting student achievement. And the poorest schools have an especially hard time attracting and retaining qualified teachers.

In response to this concern, House Democrats introduced legislation that continued the president's class size program but also set clearer guidelines for teacher quality and held states accountable for closing student achievement gaps. It nearly passed. The Republicans passed an alternative bill, the Teacher Training Empowerment Act, which 23 Democratic colleagues and I supported. The Republicans adopted the accountability and quality standards of the Democratic proposal, but they took the added step of merging President Clinton's class size reduction initiative with other teacher training and school reform activities.

The president and congressional Democrats want to fulfill their pledge of hiring 100,000 new teachers. The Republicans, still smarting from Clinton's 11th-hour victory last fall, want to continue the program but steal the president's thunder by repackaging it as a Republican initiative that puts equal

Edw -
Class Size

emphasis on class size and teacher quality.

If we could put politics aside, we could take the extraordinary and unprecedented step of having smaller classes with fully qualified teachers. Here's how:

The Republicans should listen to the president and others who have sought changes in their bill to maintain a separate class size reduction program and

better target the funding formula to poor districts. And the administration should accept improvements made by both parties in the House that would set clearer guidelines for teacher quality and provide for more accountability tied to student learning.

For 30 years the federal government has been the enabler of unqualified teachers and unaccountable school systems, especially with regard to our

most at-risk students. Our children will not be first in math, science or any other subject if we do not guarantee them fully qualified teachers and hold schools accountable for providing them with a first-class education.

The writer is a Democratic representative from California and a member of the House Education and the Workforce Committee. ■

EDITORIAL

77. New York Times

August 9, 1999

The New Affirmative Action Fight

Three years ago California voters approved Proposition 209, a retrograde measure that ended affirmative action programs in public college admissions and in government hiring and contracts. The rationale was that minorities should not be given any special preferences but should instead compete on an equal footing with others. But now a new lawsuit has made it clear how badly that stacks the deck against outstanding minority students in California. Worse yet, a renewed political drive against racial preferences in California could make it virtually impossible even to inform minorities of the opportunities available to them.

The lawsuit, brought against the state by the American Civil Liberties Union, charges that students at black and Hispanic high schools have little or no chance to take the challenging courses that would help get them admitted to California's first-tier public universities. The suit focuses on the advanced-placement courses that are designed to give students exposure to college-level work while still in high school. These courses end with an examination administered by the College Board, which costs about \$75 per student. Many states view the exams as so important that they waive the fees for the poorest students.

The examinations are especially crucial in California, where the elite universities figure the scores into the admissions formula. As noted in the

A.C.L.U. suit, black and Hispanic students often attend schools where the courses are few or nonexistent or where no one bothers to tell them that they can take the examinations at little or no cost.

The suit was filed on behalf of four black and Hispanic students at Inglewood High School, which offers only three advanced-placement courses. Inglewood is 97 percent black. Beverly Hills High, which is 91 percent white, offers 14 advanced-placement courses. Rasheda Daniel, a 17-year-old straight-A student at Inglewood, said: "I feel cheated. There are a lot of bright students at my school who will work hard and succeed, if only they had the A.P. courses to prove it."

Meanwhile, the anti-affirmative action camp in California is trying to twist the meaning of Proposition 209 to ban outreach and recruitment efforts that merely encourage minorities and women to compete for jobs, contracts and college slots. This pernicious attack, if successful, would take away a crucial remaining tool to remedy the lingering effects of racial and gender discrimination.

Legal cases challenging the constitutionality of outreach programs are working their way through the California courts. Gov. Gray Davis, who was an opponent of Proposition 209, recently vetoed a bill passed by the California Legislature declaring that focused outreach to underrepresented groups is legal. To the anger of civil rights groups, he has also refused to

revoke a policy, initiated by former Gov. Pete Wilson, that ended state data collection on whether minority contractors are getting any share of the billions of dollars of government contracts that are given annually. Without good data, the state cannot know whether its agencies are discriminating against minority and women-owned companies.

The challenge to outreach programs is an ominous sign of where the race debate is headed. Until now, opponents of affirmative action have tended to attack quotas and set-asides, not outreach efforts. Efforts such as community campaigns to increase awareness of college or job opportunities do not give minorities any advantage in the final selection process or in any way lower objective standards. They only aim to broaden the applicant pools.

Mr. Davis apparently believes that diversity in the workplace and on college campuses can be achieved solely through outreach programs based on nonracial characteristics like economic status or geographic residence. But the legacy of racial discrimination is not fully accounted for by measuring qualities like economic status. The anti-affirmative action forces sold their position to California voters as simple fairness for all. But the attack on outreach programs looks like an attempt to deny minorities and women the very information they need to compete fairly. ■

36. Education Daily

August 11, 1999

**Miller Challenges Clinton's Veto Threat Of Teacher Bill**

A leading Democratic lawmaker this week asked President Clinton to reconsider his opposition to a Republican teacher quality bill, while also urging the GOP to compromise by supporting a revised version of the president's smaller-classes program.

Rep. George Miller, D-Calif., on Sunday pro-posed that Clinton support H.R. 1995, the Teacher Empowerment Act—with a few modifications.

Miller touted provisions that he wrote and the House approved last month.

The House-passed bill would require states to develop plans for employing a fully qualified teaching force by 2003, and defined qualified instructors as those who pass subject-matter exams or earn degrees in their field of teaching (ED, July 22).

"In the past, we said teachers should be qualified, but we never demanded it and we never defined it," Miller wrote in an Aug. 8 editorial for *The Washington Post*. "Now, for the first time, we would say that simply having a de-gree from a school of education or being state or locally 'certified' is not sufficient."

Clinton has threatened to veto H.R. 1995 because it would consolidate his program for smaller K-3 classes into a larger authority for teacher training or hiring. But Miller wrote that the new class-size program "is being implemented without any real standards for teacher quality," leaving the program vulnerable "to the valid criticism that reducing class size alone is unlikely to boost achievement."

Miller suggested GOP lawmakers compromise by continuing the K-3 class-size program as a separate initiative, writing in new standards for teacher quality and retaining provisions that target money to needy school districts.

Julie Green, a spokeswoman for Education Secretary Richard Riley, said Clinton is not revising his stand in light of Miller's advice.

"The president has made his views on this legislation very clear," she said. "He will insist on legislation that preserves last year's commitment to class-size reduction as well as ensures well-prepared teachers. In that, we respectfully disagree with Mr. Miller."

—William J. Cahin

37. Education Daily

August 11, 1999

Survey: Most Students Don't Feel Safe At School

In the wake of the Columbine High School massacre, 63 percent of high school-age students do not always feel safe in their schools, says a national survey released Tuesday.

And even more of them, 65 percent, believe teachers and administrators have not taken "all the necessary steps to make them feel safe and secure," according to the 1999-2000 State of Our Nation's Youth poll, conducted by the Horatio Alger Association. Those numbers are up by 7 and 8 percentage points, respectively, since 1998.

Jennifer Park, educational analyst for the association, acknowledged that the school shooting outside Littleton, Colo., might have skewed that data: The Columbine incident occurred April 20, and surveys were mailed out only two days later.

But while the findings are at odds with reports of increased school safety (see related story, p. 1), the data from the 1,327 respondents nevertheless remains a "benchmark for the attitudes and behaviors of students," she said.

A panel of seven high school students assembled at a news conference for the survey's release concurred. News media may exaggerate the prevalence of violence, they said, but students' heightened sense of danger is real.

"We feel safe ... but our views of violence and everything changed after [Columbine]," said Jennifer Duke, a 17-year-old at Pearl High School in Pearl, Miss., which was also the site of a school shooting in 1997.

Measures intended to stop future school violence, such as metal detectors, gun buy-backs, mentoring, and conflict-resolution programs, are no substitute for increased communication between faculty and students, according to the panel. "These new initiatives are more reactive than proactive," said Kristin Gayman, a 15-year-old at the School Without Walls in Washington, D.C.

The survey's findings should serve as "a wake-up call," added Vicki Baker, an associate superintendent in Kansas who moderated the comprehensive poll also surveyed students about the quality

of their schools, top career choices, courses considered important for future success, opportunities, effort, grades, role models, outside activities, and future plans.

Among the largest statistical changes from the previous two years are a decrease in the time spent on homework and a decrease in the number of students participating in outside activities. The mean number of hours of homework students reported working per week was 5.9, down about 10 percent since 1997.

Meanwhile, 46 percent of students reported participating in an athletic team or club, down 5 percentage points from 1998. That decrease coincided with a small increase in the number of students who had a job in the past school year, 38 percent, up 1 point from last year.

Researchers found a direct correlation between the average weekly hours spent on homework and grades received and an inverse relation between the average weekly hours spent at work and grades received.

them.

It also calls on school officials to make CHIP enrollment part of the school registration process, collaborate with school lunch and school health center staff, and feature information on CHIP in parent mailings, at parent nights and at other school events.

Governors Must Lead
Speaking to governors in St. Louis, Clinton called for all-out efforts to sign up kids for the program by sending eligibility workers into schools, churches, day care centers and health care centers.

"This is an enormous opportunity to shrink the health problem of no insurance for children," he said. "The last six months of the CHIP program indicate to me that if you just keep working at it, we can get up to at least the 4 to 5 million kids that we anticipated."

Clinton also urged Congress not to reduce funding for CHIP, even though states haven't spent all their federal funds provided under the program. GOP leaders in Congress have eyed unused state funds for federally financed social programs to help them

meet tight budget caps and provide tax cuts.

"Rather than talk about giving the money back to Congress," he said, "we should talk about how we're going to invest it for the purpose for which it was intended."

More information on CHIP can be found on the Education Department's Internet site at www.ed.gov/chip, or through the Health and Human Services Department on the Web at www.insurekidsnow.gov. —Jonathan Fox

21. Education Daily

August 13, 1999

* *GOP Unnerves Democrats, Finding K-12 Sea Legs*

Republican lawmakers, especially those in the House, so far in 1999 have succeeded in developing a consistent K-12 message, passing measures that represent their desire to enhance teacher quality and to provide added spending authority to states and districts.

Disturbing some Democratic partisans and capturing support from others, Republicans this year have shown they have an agenda for revising the 1965 Elementary and Secondary Education Act (ESEA), and the political guts to challenge President Clinton on critical issues.

While the president has emphasized the need for smaller K-3 classes, GOP lawmakers—with support from Democrats such as California Rep. George Miller—have called for better teacher training.

"This year has been a little unnerving because on this [education] issue, Democrats are used to completely dominating the field," said a Democratic analyst. "It's clear the Republicans are here, and they're making some headway."

Democrats clearly haven't lost dominance on this issue yet, but they don't have the stranglehold that they used to.

A Succession Of Successes The Capitol Hill press corps since January has written a litany of stories noting that the GOP holds only a five-seat majority in the House.

But month to month and week to week, House Speaker Dennis Hastert and Rep. Bill Goodling, R-Pa., chairman of the House education committee, have succeeded in ushering a series of GOP

education bills to passage, with minimal defections from Republican regulars.

The success so far has been no accident.

Hastert's education aide, Katherine Kless, has been conducting separate weekly strategy meetings with staff from the House Education and the Workforce Committee and with key Republican supporters, such as aides from the Heritage Foundation and Empower America, the non-profit group run by former Education Secretary William Bennett.

The Payoff The dividends of these weekly planning sessions are clear. The House so far has passed.

x P.L. 106-25, a measure expanding the Education Flexibility Demonstration Partnership (Ed Flex) from 12 states to all 50, letting all states exercise greater control of ESEA funds (ED, April 19).

x Resolutions calling for added special education funding and for a \$400 increase, to \$3,525, in the maximum Pell Grant (ED, May 6).

x Amendments to a juvenile crime bill, H.R. 1501, that would let schools expel and cut off services to disabled students who bring weapons to school, exempt teachers from many lawsuits, and require schools receiving federal e-rate funds to install anti-pornography software on their computers (ED, June 18).

x A teacher-training bill, H.R. 1995, that would let districts spend \$2 billion on teacher hiring or training. It also would require states to develop plans for employing a fully qualified teaching

force by fiscal 2003, and define a qualified instructor as one possessing a degree in his or her field, or passing a subject-matter exam (ED, July 22); and x

A tax-cut measure, H.R. 2488, that would let families save up to \$2,000 annually in tax-free accounts for either K-12 or higher education expenses, and take modest steps toward easing the cost and headaches associated with holding bond money for school construction.

Hastert not only has kept Republicans in line, but also has attracted some liberal defectors.

Fully 81 Democrats voted for the GOP's juvenile crime bill, and 24 supported the Republican teacher-training proposal—defying Clinton's veto threat. Democrat Miller recently challenged Clinton's position (ED, Aug. 11).

"The smart thing that they took on is the teacher quality issue," said Amy Wilkins, principal partner at the Education Trust in Washington, D.C. "The Republicans have been skillful in selecting an issue that is both important public policy and really popular."

Good News The GOP focus on quality instruction has turned heads in unusual quarters.

"It's always encouraging when the dialogues seem to be so much more rational about education," said Gerald Tirozzi, executive director of the National Association of Secondary School Principals, and Clinton's former K-12 chief at the Education Department. "The Republicans are putting some very interesting concepts on the table."

Note: Hash words for ED staff in last 2 paragraphs (para) from Joe Karpinski

Comparison of Class Size Reduction Provisions

Issue	Current Law	Martinez Proposal	Republican TEA Act	FY 2000 Labor/HHS
Use of Funds	<p>(1) Recruiting, hiring and training certified regular and special Ed teachers (including teachers certified through alternative means);</p> <p>(2) Testing Teachers;</p> <p>(3) Professional Development Limits (2) and (3) to 15% of grant funds</p> <p>If an LEA has already reduced class size to 18 or fewer:</p> <p>(1) further class size reductions in early grades;</p> <p>(2) class size reductions in other grades</p> <p>(3) teacher quality activities.</p>	<p>(1) Recruiting, hiring and training <i>fully qualified</i> regular and special Ed teachers (including teachers certified through alternative means);</p> <p>(2) Testing Teachers;</p> <p>(3) Professional Development Limits (2) and (3) to 15% of grant funds</p> <p>If an LEA has already reduced class size to 18 or fewer:</p> <p>(1) further class size reductions in early grades;</p> <p>(2) class size reductions in other grades</p> <p>(3) teacher quality activities.</p>	<p>Only a portion of funds are required to be used for class size reduction. This requirement can be waived.</p> <p>Block Grants Class-size; Eisenhower Teacher Training, and Goals 2000.</p>	<p>LEAs may use class size reduction funds for activities listed in FY 99 Appropriations bill, but are also permitted to use class size reduction funds for <u>any</u> other purpose which the LEA determines will improve student achievement.</p>
Level of Funds	\$1.2 billion for FY 99 - one time appropriation	\$1.5 billion for FY 2000, \$1.8 billion for FY 2001, \$2.1 billion for FY 2002, \$2.4 billion for FY 2003, \$2.7 billion for FY 2004, \$3.0 billion for FY 2005.	\$2.0 billion for entire block grant, no specific allocation for class size reduction.	\$1.2 billion for FY 2000
Teacher Quality	Allows the hiring of teachers who are progressing toward <u>certification</u>	Requires the hiring of "fully qualified" teachers.	Requires the hiring of "fully qualified" teachers.	Allows the hiring of teachers who are progressing toward certification
Within State Formula	80% poverty, 20% population	80% poverty, 20% population	50% poverty, 50% population (Hold Harmless based on FY 99 appropriations)	80% poverty, 20% population
Vouchers	No	No	No	YES

3 points:

1. Class size reduction is working.

- This report shows that school districts are hiring an estimated 29,000 high-quality teachers with the funds from last year's budget agreement.
- The program is helping 1.7 million children, and the average class size in grades 1-3 in those schools has dropped from 23 to 18. • Supporting professional devel + teacher quality:
- Our view is, this program is working – it's not broke, so don't fix it. **We want a budget that hires more teachers, not fires the teachers schools hired this year.**

\$100m for prof. develop.

more teachers and better teachers.

* Other initiatives, teacher quality recruitment + traps to Teachers

2. This debate isn't about flexibility and local control. It's about whether we're going to give Americans smaller classes with good teachers, or whether we're just going to promise them a pig in a poke.

- Republicans like to talk about sending money to the classroom. That's exactly what this program does. Funds go directly to the local school district, which decides who to hire and which schools to help.
- The only requirement is that since the purpose of this program is to hire quality teachers to reduce class size, the money should ~~actually~~ ^{keep that promise and} go to hire quality teachers to reduce class size – not projects totally unrelated to what we've all agreed we should do.
- The Labor/HHS bill that Congress passed and the President vetoed last week would not only failed to guarantee that a single dollar goes for class size reduction – it would let communities use class size money for vouchers.
- **That's not local flexibility; that conservative ideology. We believe that taxpayers dollars should go to hire more teachers for smaller classes in the public schools, not open a backdoor to vouchers in the private schools.**

• Local districts like this program - This report shows flexibility + innovation.

* Same debate on 100,000 Cops

3. This shouldn't be a partisan issue. Everyone involved in this debate agreed on this program last year.

- Republicans and Democrats agreed to create this program last fall, before the election.
- Leading Republicans put out press releases praising it. Dick Armey praised it. Bill Goodling called it "a real victory for the Republican Congress, but more importantly, it is a huge win for local educators and parents who are fed up with Washington mandates, red tape, and regulation."
- Last fall, Republicans ran campaign ads claiming this victory.
- **We believe smaller classes are a good idea every year, not just in election years.**

PRESIDENT CLINTON CALLS ON CONGRESS TO BUILD ON THE SUCCESS OF THE CLASS SIZE REDUCTION INITIATIVE

November 8, 1999

Today, President Clinton will release a new report from the U.S. Department of Education highlighting the initial success of his initiative to reduce class sizes in the early grades. The report shows that more than 29,000 teachers have already been hired under the initiative, directly benefiting about 1.7 million schoolchildren. In his remarks, the President will point out that Republican budget plans would undermine this progress and he will urge Congress not to renege on its bipartisan commitment to hire 100,000 high-quality teachers to reduce class sizes. Only by investing in such proven and targeted strategies for reform, the President will note, can we ensure that our children get the education they need and deserve.

CLASS SIZE REDUCTION IS SUCCEEDING ACROSS THE COUNTRY. The U.S. Department of Education report that the President will release today reveals the positive impact that the class size reduction program is having nationwide. Among its key findings, the report shows that 1.7 million children nationwide have benefited from the program, that 29,000 teachers have been hired under the program, and that average class size for grades 1-3 in schools receiving assistance has been reduced to 18. The report also describes how the program is complementing state and local efforts -- and that the program is targeted enough to accomplish its goals while being flexible enough to accommodate varying local needs.

- In Philadelphia, for instance, funds from this program are being used to hire fully certified teachers and also to support teacher recruitment through a new "Literacy Interns" program.
- In Jackson, Mississippi, the public schools have used federal class size reduction funds to place experienced teachers in low-performing elementary schools.
- In Columbus, Ohio, these funds have helped the district hire fully certified teachers for 13 high-poverty, low-performing schools -- and reduce class size in grades 1-3 at these schools from 25 to about 15.

Meanwhile, in concert with the President's initiative, twenty states are now undertaking efforts to reduce class sizes in the early grades.

INVESTING IN WHAT WORKS FOR OUR SCHOOLS. The class size reduction initiative is part of the President's comprehensive approach to improving student achievement by investing in what works, raising standards, and increasing accountability. As today's report notes, a substantial body of research demonstrates that lowering class size in the early grades produces significant and lasting benefits for students and teachers alike. Smaller classes allow teachers to spend more time on instruction and less time on discipline. Teachers can provide more individualized instruction to meet their learning needs. Students attending small classes in the early grades make more rapid educational progress than students in larger classes, and these achievement gains persist well after students move on to larger classes in later grades. Moreover, the research shows that disadvantaged students benefit most from smaller classes.

REPUBLICANS SHOULD PUT AMERICA'S PRIORITIES ABOVE PARTISANSHIP. Last year, Congress came together across party lines to make a down payment of \$1.2 billion on the President's class size reduction initiative. At the time, Republican leaders praised the proposal. Now they have gutted this program and are trying to score political points rather than do what is right for our nation's schoolchildren. The Republican spending bill abandons the commitment to hire 100,000 teachers to reduce class size, and provides no guarantee that the 29,000 teachers already hired can continue teaching. It also provides no funding for the additional 8,000 teachers that the President's plan would support this year. Today, the President will call on Congress to finish the job of hiring high-quality teachers and giving our children smaller classes, and to work out a budget that reflects the values and priorities of the American people.

CLINTON VICTORY ON SMALLER CLASSES WITH QUALITY TEACHERS

PRESIDENT CLINTON'S GOAL	ADMINISTRATION'S PROPOSAL	FINAL AGREEMENT IN OMNIBUS APPROPRIATIONS BILL	PRESIDENT'S GOAL MET
CLEAR PURPOSE	<ul style="list-style-type: none"> • Reduce class size to 18 in the early grades 	<ul style="list-style-type: none"> • Reduce class size to 18 in the early grades 	✓
FIRST STEP TOWARD HIRING 100,000 TEACHERS	<ul style="list-style-type: none"> • \$1.1 billion in first year • Help school districts hire more than 30,000 teachers in the first year of a seven year-initiative to hire 100,000 teachers 	<ul style="list-style-type: none"> • \$1.2 billion in first year • Help school districts hire more, than 30,000 teachers in the first year. 	✓
TARGETING NEEDIEST STUDENTS	<ul style="list-style-type: none"> • Targeted to high poverty students using Title I formula 	<ul style="list-style-type: none"> • Targeted to high poverty communities, with 80% of funds allocated by poverty and 20% by population count 	✓
GETTING DOLLARS TO LOCAL SCHOOL DISTRICTS	<ul style="list-style-type: none"> • 99.4% of funds to local school districts; • 0.0% for federal administration; 0.5% for costs to state of program administration and testing of new teachers; 0.1% for evaluation 	<ul style="list-style-type: none"> • 100% to local school districts • 0.0% for federal administration; 0.0% for costs to state of program administration and testing of new teachers ; 0.0% for evaluation 	✓
ENSURING TEACHER QUALITY	<ul style="list-style-type: none"> • Requires that local school districts spend at least 10% of funds on improving teacher quality • New teachers must meet state certification requirements • New teachers must pass state-selected competency test 	<ul style="list-style-type: none"> • Establishes 15% cap for local school district expenditures on improving teacher quality • New teachers must meet state certification requirements • School districts may use funds for teacher competency tests 	✓
ACCOUNTABILITY FOR RESULTS	<ul style="list-style-type: none"> • Must produce annual school report card to parents and the public on student achievement and class size 	<ul style="list-style-type: none"> • Must produce annual school report card to parents and the public on student achievement and class size 	✓

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 JOHN F. TIERNEY, MASSACHUSETTS
 RON KING, WISCONSIN
 LORETTA BANCHEZ, CALIFORNIA
 HAROLD E. FORD, JR., TENNESSEE
 DENNIS J. KUCINICH, OHIO
 DAVID WAI, OREGON
 RUSH D. HOLT, NEW JERSEY

MAJORITY-(202) 226-452
 (TTY)-(202) 226-337
 MINORITY-(202) 225-372
 (TTY)-(202) 226-311

November 8, 1999

The Honorable William J. Clinton
 The White House
 1600 Pennsylvania Avenue
 Washington, DC 20500

Dear Mr. President:

Your Chief of Staff, John Podesta, has stated emphatically, "...I think we are not prepared to go home until we do get more teachers and lower class size." If that's the case, we may indeed be here for quite some time. However, I don't believe this is necessary.

On the issue of the 100,000 new teachers program, I believe it should not be that difficult to bridge our differences if both sides agree to put politics and slogans aside. Already, we are very close to an agreement on funding levels and targeting these funds to those most in need. We both agree that reducing class size and improving teacher quality are important goals. Our remaining differences are centered upon the amount of flexibility local schools should have in striking the balance between these goals, and how much of an emphasis should be given to teacher quality in this program. Clearly, we should be able to find an honorable compromise.

As you are aware, the Education appropriations bill, which passed in both the House and Senate, includes \$1.2 billion for a program to enable schools to hire teachers or carry out other activities to improve education. You have responded that this proposal would give local schools too much flexibility. In effect, you are worried that schools would simply squander these funds on unimportant local priorities. Conversely, many Republicans, myself included, believe that your "100,000 New Teachers" program lacks flexibility, and is in effect a mandate that schools use these funds only to hire teachers.

Is there a bipartisan compromise? Yes. Earlier this year, with the support of over two dozen Democrats, the House passed H.R. 1995, the Teacher Empowerment Act (TEA). In an effort to meet your objective of reducing class size, this bill maintains a focus on hiring teachers.

In fact, schools MUST use a portion of these funds to hire teachers in order to reduce class size. However, unlike your "100,000 New Teachers" program, which I believe puts quantity over quality, the TEA bill gives flexibility to schools that are unable to find qualified teachers or that do not have adequate space to reduce class size. Instead, these schools would have the ability to fund initiatives such as high quality, research based professional development, teacher mentoring or instituting reforms such as merit-based pay for teachers.

use \$ to recruit

Along with this flexibility, the Teacher Empowerment Act includes critical provisions to ensure quality. First, it includes public accountability for the use of these funds by ensuring States and schools receiving grants report on their progress in several key areas. These include progress in improving student academic achievement, closing gaps in academic achievement, increasing the percentage of classes in core academic areas taught by fully qualified teachers, and in reducing class size. The bill also ensures States will develop a plan to have all teachers fully qualified not later than 2004. In addition, the bill gives parents the right to obtain the professional qualifications of their children's teachers -- including where they are teaching with an emergency certification.

These provisions are nowhere to be seen under the current "100,000 New Teachers" program. Furthermore, the TEA bill does not allow schools to hire teachers who are not fully qualified. This is in contrast to the "100,000 New Teachers" program. As we have found based upon a recent survey of some of the largest school districts, this program is on track to hiring more than 10,000 teachers who are not fully qualified. no-Philly, big cities

*

Why is quality so important? The simple fact is that it doesn't matter how small the class is if the teacher is unqualified or lacks the necessary knowledge in the subject being taught. Unfortunately, this is happening far too often in schools across America.

But if there's going to be tough accountability -- there must also be flexibility. Schools must be able to choose the right balance between priorities such as reducing class size and focusing on teacher quality. We simply can not, and should not, be making these decisions at the Federal level. In short, the Teacher Empowerment Act is about smaller class size, accountability, and the flexibility to achieve results. Certainly, we all agree these are key priorities. That being the case, we should be able to easily work out our differences.

Mr. President, I respectfully urge you to reconsider your prior opposition to the Teacher Empowerment Act, and to work with me to come to an agreement which meets all of our concerns and priorities.

Sincerely,

Bill

Bill Goodling
Chairman

WHITE HOUSE ACCEPTS REPUBLICAN EDUCATION FUNDING PROPOSAL

Goodling Proposal Sends 100 percent of Funds to Local Schools - Not Washington Bureaucrats; Emphasis Placed on Special Education

For Release: 10-15-98

Contact: Greg Englert

WASHINGTON, DC -- The White House today dropped its demands for new federal education mandates and accepted a House Republican proposal to send \$1.1 billion directly to local school districts to help reduce class size and to train, test, recruit and hire new teachers.

"The Clinton Administration has acknowledged that local control is the name of the game," said Chairman Bill Goodling (R-PA), who designed the GOP proposal. "President Clinton has acceded to our proposal to bypass the U.S. Department of Education and to send 100 percent of the funds directly to the local level.

"This is a real victory for the Republican Congress, but more importantly, it is a huge win for local educators and parents who are fed up with Washington mandates, red tape and regulation," Goodling said. "We agree with the President's desire to help classroom teachers, but our proposal does not create big, new federal education programs. Rather, our proposal will drive dollars directly to the classroom and give local educators more options for spending federal funds to help disadvantaged children."

Speaker Newt Gingrich and Chairman Goodling gave the proposal to White House Chief of Staff Erskine Bowles Tuesday. Today's agreement removes one of the final stumbling blocks to final approval of the federal budget for fiscal year 1999.

House Republicans also stood fast on the existing prohibition on the President's proposed federal tests in 4th grade reading and 8th math. "And, we did not agree to the President's request to create a massive federal school construction program that would ultimately lead to the U.S. Department of Education acting as a national school board determining local school construction and maintenance issues," Goodling said.

While the Administration's initiative centered on the hiring of new teachers, the Republican proposal would allow funds to be used not only for reducing class size, but also for the recruiting, hiring, training and testing of regular teachers, special education teachers and teachers of special needs children.

House Republican Education Proposal Wednesday, Oct. 14, 1998

Highlights

Dollars to the Classroom & Local Control

1. \$1.1 billion additional funds made available in FY99 under the Elementary and Secondary Education Act.

1. Control of the funds remains totally at the local level to reduce class size and to hire and train quality teachers.

1. 100 percent of funds driven locally and no funds used for federal or state administration. No more than 3 percent of the funds may be used for local administration.

1. A Revised Federal Formula: 50 percent based on school-aged population and 50 percent based on Title I (poverty). The formula will have a small state minimum.

Flexibility of Uses

1. Funds must be used to reduce class size with quality teachers including:

1. Recruiting, hiring, training and testing regular teachers, special education teachers and teachers of special needs children.

2. Hiring qualified teachers through state and local alternative certification routes.

3. Professional development of regular teachers, special education teachers and teachers of special needs children consistent with Title II of the Higher Education Act.

(No funds may be used to increase teachers' salaries or benefits.)

Accountability

1. Each school shall produce an annual report to parents and the general public on its student achievement.

No New Paperwork

1. No new application for funds will be required of the local educational agency.



NOT FIT TO TEACH YOUR KID

University of the
Education



Temporary License

State of New York
Department of Education

valid for service only in the public school district named, is issued
as satisfied the minimum requirements prescribed by the

NAME: RUNGAR

In some city schools,
50% of teachers
are uncertified

A DAILY NEWS INVESTIGATION - PAGES 4 & 5

Alternative Teacher Quality Provisions:

**Teacher Empowerment Act (TEA) Version:
Consolidates Goals 2000, Class Size and
The Eisenhower Professional Development Program**

Section 307 of the Department of Education Appropriation Act of 1999 and Title VI of the Elementary and Secondary Education Act are amended to read as follows:

That \$ (Goals 2000 State grant and parent training funds, Eisenhower funds, and class size funds) is for an initiative focusing on reducing class size and teacher quality to be distributed through a formula which ensures that each State and locality receives the same proportion of funds as received for fiscal year 1999 under section 307(b)(1) (A) and (B) of the Department of Education Appropriation Act of 1999; Title II of the Elementary and Secondary Education Act (as in effect on the day before the date of the enactment of this Act); and section 304(b) of the Goals 2000: Educate America Act.

Provided further, That, States may use up to 5 percent of the funds under this part to improve the quality of teacher preparation programs, establish or expand alternative routes to teacher certification, test teachers in the subject areas that they teach, and provide assistance to local educational agencies in the delivery of high quality professional development to teachers. Provided further that such activities may be provided through partnerships between local educational agencies and higher education institutions, including a high need local educational agency, a school of arts and sciences and an institution that prepares teachers.

Provided further that a local educational agency receiving funds under this part shall use 50 percent of their portion made available under this part for reducing class size by recruiting (including through the use of signing bonuses or other financial incentives), hiring, and training fully qualified teachers, who are certified within the State, which may include certification through State or local alternative routes, and who demonstrate competency in the content areas in which they teach. Provided that teachers hired with funds provided under section 307(b)(1)(a) and (b) of the Department of Education Appropriation Act of 1999 shall, by the 2000/2001 school year, be certified within the State, which may include certification through State or local alternative routes, and who shall demonstrate competency in the content areas in which they teach. And that the local educational agency may also use 50 percent of the funds under this part not set aside for hiring teachers and activities related to reducing class size for initiatives to promote the retention of fully qualified teachers, implement or expand programs to provide alternative routes to teacher certification, implement reforms to improve teacher quality such as merit-pay and tenure reform, test teachers in the subject areas that they teach, and to provide high quality professional development activities, including those which enable teachers to individually select training programs which best meet their needs to improve the academic success of their students.

Provided further, That a local educational agency receiving funds under this part may instead use these funds to hire special education teachers regardless of whether such action reduces class size.

Provided further, That each such agency shall use funds under this section only to supplement, and not to supplant, State and local funds, that in absence of such funds, would otherwise be spent for activities under this section. And for the 50 percent of funds under this part not set aside for hiring teachers and activities to reduce class size that such agency shall use not less than the amount expended by the agency under section 2206(b) of this Act (as in effect on the day before the date of the enactment of this Act) for the fiscal year preceding such enactment for professional development activities in mathematics and science.) And that each State and local education agency receiving funds under this part shall publicly report to parents on the progress of: increasing the percentage of classes in core academic areas taught by fully qualified teachers who are certified within the State and demonstrate competency in the content areas in which they teach; closing academic achievement gaps between students; and improving student academic achievement as defined by the State. And that each school receiving funds under this part shall provide to parents upon request, the professional qualifications of their child's teacher.

Provided further, That Titles III and IV of the Goals 2000: Educate America Act, and Title II of the Elementary and Secondary Education Act, are hereby repealed.

REPUBLICANS RAN ON MORE TEACHERS/SMALLER CLASSES IN 1998

Republicans in Congress are blocking the President's plan to keep our promise to hire 100,000 teachers in order to reduce classroom size. However Republicans agreed to make a downpayment in 1998 and even campaigned on the accomplishment in the 1998 elections. Here are a few examples from Television and radio advertisements of Republican candidates from New York to California taking credit for the vote or promising to further reduce classroom size:

NATIONAL REPUBLICAN CONGRESSIONAL COMMITTEE:

"Another 30-second spot, by GOP media consultant Mike Murphy, shows a mother dropping her son off at school, saying she likes GOP 'ideas for smaller class size, better teachers and involved parents.'

The ad acknowledges recent studies that found many teachers lack adequate skills in grammar, spelling and mathematics. The mother in the spot says, 'I think his teachers do a great job, but I'd like to see them tested every so often . . . to make sure our kids get the best.'

These ads are airing in 53 markets, while 20 more ads, tailored to issues relevant in particular House races, are airing in 20 other television markets, NRCC spokesman Mary Crawford said." [Washington Times, 10/22/98]

REP. STEVE CHABOT (R-OH)/NRCC

[MOTHER]: 'My son just started the first grade. And I worry about the education he is getting.' She goes on to praise congressional Republicans for supporting 'smaller class sizes, better teachers and involved parents. The Republican plan for teacher testing and smaller class sizes makes a lot of sense to me,' she says.

At the end of the commercial, Mr. Chabot's Cincinnati district office number is flashed on the screen and an announcer asks viewers to call him and "tell him to keep working for teacher testing and smaller class sizes." [Cincinnati Enquirer, 10/23/98]

FORMER SEN. AL D'AMATO (R-NY)

"Al D'Amato works hard every day to get our children the education they deserve. To reduce class sizes, he voted to hire 100,000 new teachers. Chuck Schumer? He missed that vote. And he even missed the vote to provide millions for New York schools" [Hotline, 10/21/98]

SEN. BEN NIGHTHORSE CAMPBELL (R-CO)

ANNOUNCER [V/O]: "In a small Colorado school, Linda Campbell instills values and knowledge in her students. Like his bride, Ben Nighthorse Campbell was a teacher. As our senator, he's voted to restore \$3 billion in school funding. For expanded student loans. Educational block grants to reduce classroom sizes and reward good teachers with higher salaries. Zero tolerance against drugs and school violence. Values. Independence. Courage. For Colorado. Ben Nighthorse Campbell." [10/1/98]

REP. J.D. HAYWORTH (R-AZ)

ANNOUNCER [V/O]: "J.D. Hayworth, listening to Arizona. Arizonans want safer schools, education dollars spent in our classrooms, smaller classroom sizes, excellent teachers, and more affordable education. J.D. Hayworth."

HAYWORTH: "I want 95 cents of every education dollar spent in our classrooms. We need smaller class sizes and tax-free education savings accounts. Let's reward good teachers with higher salaries, and use competency testing to weed out the bad." [10/15/98]

REP. HEATHER WILSON (R-NM)

WILKINS: "I'm LaNell Wilkins, a teacher here in Albuquerque, and I'm voting for Heather Wilson for Congress. As a mom with kids, she understands the need for improving our schools. In Congress, Heather will put our education dollars into bricks and books, not bureaucrats. She's for more teachers in the classroom, and Heather will fight for higher standards for teachers."

WILSON: "In the past two years, a lot of us have fought to reform education in New Mexico. I know how important it is for our kids, and I'll take that same fight to Congress."

ANNOUNCER: "Heather Wilson for Congress." [6/11/98]

GOV. GEORGE RYAN (R-IL)

RYAN: "I think education's so important that as governor I'll make it my top priority. I have a simple goal: make sure that every third grader can read at the third grade level. Because if our kids can't read, they'll be lost forever. To reach this goal, I'll hire more teachers to reduce class size. I'll give less money to bureaucracy, and I'll put more money into the classroom."

ANNOUNCER [V/O]: "And that's why the largest teachers organization in Illinois endorses George Ryan for governor. The right choice for education." [10/9/98]

GOV. KENNY GUINN (R-NV)

GUINN: "I support class size reduction, but that's not new in my background. I did that 25 years ago when I was school superintendent. In fact, I did it before it was fashionable in state law. And we all know that whenever you lower the class size, it creates a demand for more teachers, and we already have a shortage of teachers right here in Nevada."

INTERVIEWER: "How do you propose to resolve that?"

GUINN: "Well, I would require that our two universities expand their educational programs in teaching credentials and certification, so that we would have Nevada students that would grow up to be teachers to teach our Nevada kids." [8/14/98]

GOV. PAUL CELLUCCI (R-MA)

ANNOUNCER [V/O]: "Education, taxes, health care. Critical issues, and Governor Paul Cellucci is leading the fight. His plan: Hire 4,000 new teachers to lower class size, cut the income tax to five percent. It's time the legislature kept their promise. Control the rising problems of HMO's with a patient's bill of rights. Support Governor Cellucci's Plan. Don't let the legislature stand in the way of smaller class sizes, lower taxes, and better health care. Paul Cellucci. Governor."

[6/25/98]

CALIFORNIA GUBERNATORIAL CANDIDATE DAN LUNGREN (R)

LUNGREN: "The focus has gotta be on the kids, not on the bureaucracy."

ANNOUNCER [V/O]: "Straight talk on improving our schools."

LUNGREN: "I'm working to make the class size reduction permanent. But we also need to do more."

ANNOUNCER [V/O]: "Standardized tests for students. Competency tests for teachers. School choice for parents."

LUNGREN: "Accountability and local control are the building blocks of any meaningful school reform. It's not so much that our kids are failing in school, it's that our schools are failing our kids. That's why we need to give parents a greater role."

ANNOUNCER [V/O]: "Dan Lungren. A governor we can trust." [10/18/98]

CONCESSIONS WE'VE MADE

1. Accountability language
2. Teacher quality
3. Codifying waivers on kindergarten, 18-20, rural
4. Making certifying existing elementary teachers an allowable use of 15%
5. Expanding list of allowable activities

The Goals 2000 Act is repealed upon reauthorization of ESEA (we didn't propose in our proposal)

Title III *[Repeals Ed Flex for 1st 12 states]*

-- get a commitment to money for states to keep working on standards and assessment

FLEXIBILITY

1. Expand list of allowable activities for recruit, hire, and train (scholarships etc.)
2. Change cap [If more than 10% uncertified, can use an additional 5%]
3. Other allowable uses for those who've met targets (eg fixing failing schools, ending social promotion, enforcing discipline, expanding public school choice) (Title VI) - *Research-based proven practices*
4. Commit to work together as part of ESEA reauthorization to consolidate Goals/Eisenhower (or to support a TEA bill over and above class size).

QUALITY

1. Miller language on all qualified by 2004.
2. If more than 10% of existing elementary teachers are not fully qualified, LEA may use an additional 5% for that purpose.

William F. Goodling, Committee on Education and the Workforce

“This is a real victory for the Republican Congress, but more importantly, it is a huge win for local educators and parents who are fed up with Washington mandates, red tape and regulation. We agree with the President’s desire to help classroom teachers, but our proposal does not create big, new federal education programs. Rather, our proposal will drive dollars directly to the classroom and give local educators more options for spending federal funds to help disadvantaged children.” [The San Francisco Examiner 10/15/98]

Gov. John McKernan, Hon. Mike Castle, Hon. Amo Houghton, Hon. Rick Lazio, Hon Fred Upton, The Republican Main Street Partnership Board of Directors

“ Our agenda must be positive; it must be an agenda for governance. On education, we should champion communities and parents, reducing class size and increasing accountability” [Roll Call 2/22/99]

Dick Arney, House Majority Leader

“We are very pleased to receive the President’s request for more teachers, especially since he offered to provide a way to pay for them. And when the President’s people are willing to work with us so that we could let the state and local communities use this money, make these decisions, manage the money, spend it on teachers where they saw need, whether it be for special education or for regular teaching, with freedom of choice and management and the control; at the local level, we thought this good for America and good for the schoolchildren. We are very excited to move forward on that.” [The NewsHour with Jim Lehrer 10/15/98]

Sen. Slade Gorton

“On education, there has been a genuine meeting of the minds involving the President and the Democrats and Republicans here in Congress...It will go directly through to each of the 14,000 school district in the United States, and each of those school districts will make its own determination as to what kinds of new teachers that district need most, which kind should be hired. We’ve made a step in that direction that we like. We never were arguing over the amount of money that ought to go into education. And so this is a case in which both sides genuinely can claim triumph.” [Federal News Service, 10/15/98]

Former Speaker Newt Gingrich

“We said the local school board would make the decision, no new federal bureaucracy, no new state bureaucracy, not a penny in the bill that was passed goes to pay for bureaucracy; all of it goes to local school districts...” [The American Spectator, December 1998]

“...a victory for the American people. There will be more teachers, and that is good for all Americans.” [Washington Times, 10/16/98]

Rep. Marge Roukema

“Too many of our schools across the state have class sizes too large to be able to educate children whose skills are different. This is going to improve classroom instruction and give our children an opportunity to compete in the next century.” [The Record (Bergen County, NJ), 10/16/98]

FLEXIBILITY

1. Expand list of allowable activities for recruit, hire, and train (scholarships etc.)
2. Add kindergarten
3. Make certifying existing elementary teachers an allowable use of 15%
4. Change cap [If more than 10% uncertified, can use an additional 5%]
5. Other allowable uses for those who've met targets (eg fixing failing schools, ending social promotion, enforcing discipline, expanding public school choice)
6. Commit to work together as part of ESEA reauthorization to consolidate Goals/Eisenhower (or to support a TEA bill over and above class size).
7. [Lift target from 18 to 20]

QUALITY

1. Make certifying existing elementary teachers an allowable use of 15%
2. Miller language on all qualified by 2004.
3. If more than 10% of existing elementary teachers are not fully qualified, LEA may use an additional 5% for that purpose.

NOVEMBER 10, 20:43 EST

Budget Issues Narrow But Linger

By ALAN FRAM
 Associated Press Writer

WASHINGTON (AP) — Budget bargainers clinched a deal Wednesday on President Clinton's plans for hiring new teachers and approached agreement on international debt relief. Falling short was a last-ditch effort by Republican leaders for a broad budget agreement with the White House that would let Congress adjourn by the weekend.

Two sides agreed to continue Clinton's effort to hire 100,000 teachers over seven years, said a Democrat familiar with the talks who spoke on condition of anonymity. The White House has made that proposal its highest-profile issue in this year's budget fight.

Clinton had requested \$1.4 billion for the program for fiscal 2000, which began Oct. 1, and negotiators agreed to \$1.325 billion.

Bargainers also agreed to let school districts use 25 percent of the program's funds for teacher training and other education programs. That limit has been 15 percent, and Republicans have wanted school districts to have more flexibility in using the money.

The two sides also exchanged offers on an effort by conservatives to restrict overseas abortion lobbying.

Congressional and White House bargainers met into the evening Wednesday, though they gave up hopes of finishing in time for Congress to adjourn Friday. Senate Majority Leader Trent Lott, R-Miss., sent the Senate home for Veterans Day and said there would be no votes there until at least next Wednesday.

"There's no way we can get this done tonight," Senate Appropriations Committee Chairman Ted Stevens, R-



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PRESIDENT CLINTON HIGHLIGHTS SUCCESS OF CLASS SIZE INITIATIVE AND CALLS ON CONGRESS TO PUT ASIDE PARTISANSHIP AND REDUCE CLASS SIZE IN THE EARLY GRADES

November 11, 1999

In a meeting today with teachers, President Clinton will discuss the importance of class size reduction and underscore the importance of yesterday's bipartisan deal to continue and build on the success of this program. The teachers will brief the President about their experience with smaller classes and the impact of his initiative in the first year. Last year Congress reached a bipartisan agreement to make a down payment of \$1.2 billion toward the President's goal of hiring 100,000 new teachers to reduce class size in the early grades to a national average of 18. President Clinton is pleased that a bipartisan deal has been reached to continue this important program by providing \$1.3 billion this year to continue on the path to hiring 100,000 new teachers.

IMPROVING STUDENT ACHIEVEMENT BY REDUCING CLASS SIZES.

Reducing class size should not be a partisan issue – it is good education policy, backed by research, and championed by elected officials in both parties. Research has shown that small classes in the early grades is one of the most direct and effective ways to boost children's academic achievement. A landmark study of class size reduction in kindergarten through third grade in Tennessee found that students in smaller classes earned significantly higher scores on basic skills tests in all four years and in all types of schools. Smaller classes were found to make the greatest difference for minority and disadvantaged students. Recent follow-up studies of the Tennessee class size effort show that students who start out in smaller classes are less likely to drop out of high school, more likely to get good grades in high school, and more likely to take steps needed to go to college. These benefits remained especially noteworthy for disadvantaged and minority students. Students participating in Wisconsin's class-size reduction effort also outperformed their counterparts in larger classrooms on standardized tests, and demonstrated an increased ability to close the "achievement gap" between black and white students.

SMALLER CLASSES PROVIDE BENEFITS BEYOND ACADEMICS AS WELL

Smaller classes also improve discipline and make it easier for teachers to spend more time on instruction. In Burke County, North Carolina, the percentage of classroom time devoted to instruction increased from 80 percent to 86 percent, while the time diverted to non-instructional activities such as discipline decreased from 20 percent to 14 percent when class size was reduced. Students from the Tennessee program worked harder and caused fewer discipline problems than students from larger classes, even after they returned to large classrooms.

REDUCING CLASS SIZE AND INCREASING TEACHER QUALITY

Yesterday's bipartisan agreement also will help improve teacher quality by ensuring that all teachers hired with funds from the class size program are fully certified and that school districts can use a portion of the class size money for professional development. The President believes that reducing class size and improving teacher quality go hand in hand and are not opposing goals. The President is pleased that yesterday's bipartisan agreement furthers both these goals.

THE PRESIDENT'S PLAN TO REDUCE CLASS SIZES IN THE EARLY GRADES TO A NATIONAL AVERAGE OF 18.

Yesterday's bipartisan agreement on class size reduction is another important step toward the President's goal of hiring 100,000 teachers to reduce class size in the early grades. Reducing class size helps schools improve student learning by hiring additional, highly qualified teachers so that children in the early elementary grades can attend smaller classes. Last year school districts received a total of \$1.2 billion that enabled them to recruit, hire, and train new teachers for this school year. On Monday, the President released a Department of Education report showing the positive impact that the class size reduction program is having nationwide. Among its key findings, the report shows that in just one year 1.7 million children nationwide have benefited from the program, that 29,000 teachers have been hired under the program, and that average class size for grades 1-3 in schools receiving assistance has been reduced to 18. The report also describes how the program is complementing state and local efforts -- and that the program is targeted enough to accomplish its goals while being flexible enough to accommodate varying local needs.

Provided further that \$109,000,000 shall be allocated among the States in the same proportion as funds are allocated among the States under section 1122, for the purposes of assistance to carry out sections 1116 and 1117(c)(2) and (3). Provided further that 100 percent of these funds shall be allocated to local educational agencies for the purposes of carrying out section 1116 and that local educational agencies shall provide all students enrolled in a school identified under section 1116 with the option to transfer to any other public school within the local educational agency, including a public charter, school that has not been identified for school improvement under section 1116.

Explanation:

This requires States to send all of these funds to local educational agencies that have school in school improvement (failing schools) so that they can help those schools improve student achievement and no longer be identified schools in school improvement (failing schools). In addition, school districts may provide awards to distinguished educators and distinguished schools who do improve. Finally, school districts that have been identified as schools in school improvement (failing) must provide students with an option to transfer to another public school, including a public charter school, that is not in school improvement.

10 VICTORIES FOR AMERICA'S STUDENTS

**PHOTOCOPY
PRESERVATION**

Following weeks of intense negotiation, President Clinton reached an agreement with Republicans in Congress on a budget for federal education and training spending for fiscal year 2000. The President has been fighting to protect America's first priority -- educating our children -- from the devastating cuts initiated by House Republicans. When House Republicans passed their education appropriations bill in September, they cut education and training programs by \$1.3 billion from the President's request, rejecting critical investments in smaller classes, after-school programs, Head Start, educational technology, and programs to help young people prepare for college. The President's resolve not to sacrifice the resources our children need to succeed in the economy of the 21st century led to a budget agreement that makes these critical investments.

PRESIDENT CLINTON'S GOAL	HOUSE REPUBLICAN PROPOSAL	FINAL AGREEMENT IN EDUCATION APPROPRIATIONS BILL	PRESIDENT'S GOAL MET
Support the 29,000 teachers hired this school year under the President's Class Size Reduction initiative, and hire additional teachers next school year to stay on track to hiring 100,000 teachers to reduce class size to a national average of 18 in the early grades.	Eliminated the Class Size Reduction initiative by turning it into a block grant.	\$1.3 billion to support the 29,000 teachers hired this year and continue progress toward hiring 100,000 new, high-quality teachers.	
Expand access to after-school and summer school programs to extend learning time and increase student achievement through the 21 st Century Community Learning Centers.	Would have served 225,000 fewer students than the final agreement.	More than doubled the current investment in after-school and summer school programs to serve an additional 375,000 students.	
Increase accountability by helping states and school districts turn around failing schools and help disadvantaged students reach high academic standards through Title I.	No provision to help states and school districts turn around failing schools and no increase for Title I.	Increased Title I funding by more than \$180 million, including a \$100 million set aside to support state and local efforts to fix failing schools.	
Increase funding for the Hispanic Education Action Plan to ensure educational opportunity for all students.	Provided less than one-tenth of the increase in the President's budget for the Hispanic Education Action Plan programs.	Provided a \$400 million increase for programs in the Hispanic Education Action Plan.	
Expand the GEAR-UP initiative to help more disadvantaged students prepare for success in college.	Eliminated GEAR-UP, potentially denying 572,000 disadvantaged students help to prepare for success in college.	Expanded GEAR-UP to serve an additional 220,000 middle school students struggling to enter and succeed in college.	

PHOTOCOPY PRESERVATION

<p>Expand Head Start to more than 40,000 additional children, and increase the participation of underrepresented groups.</p>	<p>Froze Head Start for the first time in over a decade, denying even a single additional disadvantaged child the early support that would help them succeed.</p>	<p>Increased federal investment in Head Start by more than \$600 million to serve more than 40,000 additional low-income children.</p>	
<p>Increase investment in educational technology and technology-related professional development.</p>	<p>Eliminated the Teacher Training in Technology program and underfunded the Technology Literacy Challenge Fund and Community-based Technology Centers.</p>	<p>Guaranteed funding for training teachers to use technology in the classroom, and tripled federal investment in technology centers for low-income communities.</p>	
<p>Improve teacher quality through Teacher Quality Enhancement Grants.</p>	<p>No increase for Teacher Quality Enhancement Grants.</p>	<p>Increased Teacher Quality Enhancement Grants by 30 percent.</p>	
<p>Help students read independently by the end of third grade through the Reading Excellence Act.</p>	<p>Cut \$60 million from Reading Excellence Act.</p>	<p>Restores Reading Excellence Act to full funding and guaranteeing continued support to help students learn to read independently by the third grade.</p>	
<p>Expand and improve the Safe and Drug-Free Schools program, including a new initiative to respond to incidents of severe trauma and violence in schools -- Project SERV.</p>	<p>Denied funding for 400 drug and violence prevention coordinators for 2,000 schools serving 2 million kids, and rejected the President's school violence response initiative.</p>	<p>Secured funding for both the drug and violence prevention coordinators and the President's school violence response initiative.</p>	

**Local Success
Stories**

**REDUCING
CLASS
SIZE**



U.S. Department of Education

**Local Success Stories:
REDUCING CLASS SIZE**

U.S. Department of Education
November 1999

Local Success Stories

REDUCING CLASS SIZE

LESSONS FROM EARLY IMPLEMENTATION

When a record 53.2 million students returned to school this fall, students and their teachers in the early grades began to benefit from a growing national effort to lower class size. This year, five States — Iowa, Maryland, Minnesota, New York, and Wisconsin — enacted new initiatives or significantly expanded existing initiatives to lower class size. As a result, some 20 States now have class size reduction initiatives in place. And in July, every State received its share of \$1.2 billion provided by the U.S. Department of Education's new Class Size Reduction Program, an initiative to help communities hire 100,000 qualified teachers over seven years in order to reduce class size in grades one through three to a national average of 18 students.

These funds are already being put to good use. Based on preliminary data from nearly 46 percent of the nation's school districts, the Department of Education estimates that:

- More than 29,000 teachers have been hired with FY 1999 Class Size Reduction Program funds.
- Approximately 1.7 million children are expected to benefit directly in the 1999-2000 school year by being educated in smaller classes.
- School districts are concentrating this first installment of funds so that it makes a big difference for some students immediately. Average class size in the early grades has been reduced by more than five students, from approximately 23 to 18, in the schools where the vast majority of teachers hired with these funds teach.
 - 42% of the teachers are teaching in first grade. In their schools, average class size fell from approximately 23 students to approximately 17 students.
 - 23% of the teachers are teaching in second grade. In their schools, average class size fell from 23 students to less than 18 students.
 - 24% of the teachers are teaching in third grade. In their schools, average class size fell from more than 23 students to just over 18 students.
- In order to strengthen teacher quality, school districts are using approximately 8% of the funds they received to support professional development for teachers.

NEW STATE CLASS SIZE REDUCTION INITIATIVES

Some 20 States have their own initiatives to lower class size. This year, at least five States joined California, Indiana, Washington and other States to invest their own resources in bringing the benefits of smaller classes to their students. These new State initiatives are:

- *Iowa* created the Class Size/Early Intervention Program to reduce class size in kindergarten through third grade to 17 students for basic skills instruction. The State will phase in the program over four years, allocating \$10 million in the first year, \$20 million in the second, \$30 million in the third, and at least \$30 million in the fourth.
- *Maryland* established the Maryland Learning Success Program, an initiative to reduce class size in grades one and two, particularly for reading, to 20 students. The program, which will be phased in over four years, requires school systems to set specific performance targets and establishes a goal of hiring approximately 1,000 teachers, while reserving additional funds for professional development, supplies, and other implementation costs.
- *Minnesota* significantly expanded its class size reduction program in 1999, adding more than \$100 million over two years to current funding levels of \$90 million annually. The State's program, which began in 1995, strives to reduce class size to 17 students in kindergarten through sixth grade, but requires districts to first target kindergarten and first grade.
- The State of *New York* began implementing its class size reduction program, which targets funds for reducing average class size in kindergarten through third grade to 20 students. Funded at \$75 million this year, the program will be phased in over three years, with second-year funding expected at \$150 million and third-year funding at \$225 million. Funds may be used for teacher salaries and benefits, as well as for one-time start-up costs for each new classroom; however, funds may not be used for new buildings or professional development. The State targets funds to school districts according to enrollment.
- *Wisconsin* significantly expanded SAGE, its class size reduction program, from the current 78 schools to an additional 400 to 500 schools. These schools, which typically have high numbers of low-income students, participate in SAGE on a voluntary basis, signing contracts to reduce class size in kindergarten through third grade to 15 students. To support this expansion, SAGE funding rose from \$18 million for 1999 to \$58 million for 2000.

THE CLASS SIZE REDUCTION PROGRAM: HOW IT WORKS

The Department of Education's Class Size Reduction Program was enacted a year ago as part of the 1999 Department of Education Appropriations Act. In that bipartisan legislation, Congress made a \$1.2 billion down payment on President Clinton's proposal to help local communities hire 100,000 qualified teachers over seven years, in order to reduce class size in grades one through three to a national average of 18 students. This year, the President sent legislation to Congress to authorize the full seven-year effort, and his budget proposal asks Congress to provide an additional \$200 million in funding, raising the total to \$1.4 billion for the 2000-01 school year to help local communities hire an additional 8,000 teachers, for a total of 37,000 teachers.

Program funds are distributed to States by formula. All 50 States, the District of Columbia, and Puerto Rico participate in the program. Because needs are greatest in the poorest communities, and because research shows that smaller classes provide the greatest benefits to the most disadvantaged students, the program targets funds to high-poverty communities. Each State distributes 80% of the funds to school districts based on the number of poor children in each district. The remaining 20% is distributed on the basis of total enrollment.

Class Size Reduction funds go directly to our nation's classrooms. Every dollar appropriated by Congress is allocated to local school districts. No funds may be used for Federal or State administrative costs, and within school districts, no more than 3% of the funds may be used for administrative costs. Because small classes make the greatest difference when teachers are well-trained, school districts may use up to 15% of the funds for providing professional development to both newly hired and experienced teachers in the early grades. The remainder of the funds are for recruiting, hiring, and training certified regular and special education teachers and teachers of children with special needs, including teachers certified through State and local alternative routes.

Average class size varies considerably from district to district. Although the Department of Education estimates that average class size nationwide in grades one through three is just above 22 students — and often considerably higher in large districts and high-poverty schools — there are districts where class size is already at or below 18 students. The Class Size Reduction Program provides flexibility to accommodate these school districts, as well as the growing number of school districts that will reach a class size target of 18 students as a result of the program. Districts that have reduced class size in the early grades to 18 students may use program funds to make further reductions in class size in those grades, to reduce class size in other grades, or to take other steps to improve the quality of teaching.

Currently, the program requires small, typically rural school districts that do not receive enough funds under the formula to hire an additional teacher and that have not reduced class size in the early grades to 18 students to form consortia with other school districts in order to receive funds. While a consortium is often an effective and efficient way for small districts to share resources and achieve common objectives (for example, providing professional development), sharing a teacher among school districts is almost never a workable strategy for lowering class size. Consequently, the Department of Education has waived the consortium requirement for each of the 40 States that sought a waiver. School districts in these States may hire additional teachers by combining program funds with local, State or other Federal funds, or may use program funds to provide professional development for their existing teachers.

RESEARCH UPDATE: GROWING EVIDENCE THAT SMALLER CLASSES MAKE A DIFFERENCE

In March 1999, the Department of Education released *Reducing Class Size: What Do We Know?* (available on the Internet at <http://ed.gov/pubs/ReducingClass>). The report summarized substantial research showing that class size reduction in the early grades leads to higher student achievement in reading and math when class size is reduced to 15-20 students. The benefits of smaller classes are greatest for disadvantaged and minority students. Additional studies, reported recently, have confirmed and expanded on these findings:

Smaller Classes Lead to Lasting Academic Improvements. Several new analyses of the Tennessee Class Size Reduction program show that reducing class size has both immediate and long-term benefits. The benefits of participating in small classes increase from year to year, both in the early grades when classes were small, and in subsequent years when students were placed in larger classes. At the end of fifth grade, students who were in small classes in grades one through three were about half a school year (5 months) ahead of students from larger classes, in all subjects – reading, language arts, math and science. Further, follow-up studies of the same students show that high school students who were in small classes in grades one through three beginning in 1985 were less likely to be held back a year or be suspended compared with their peers from larger classes. Students from small classes were found to be making better grades in high school and taking more advanced courses.^{1, 2, 3}

Teachers Benefit Too. Research on Wisconsin's class size reduction effort (SAGE) show that both teachers and students benefit from smaller classes. Teachers spend more time on instruction and less time on discipline problems. Teachers say they know their students better, know where each child is in the learning process and can provide more individualized instruction. All of these improvements in teaching are matched by increased student achievement, making teaching more rewarding.⁴

Beyond Academics. The benefits of reduced class size in the early grades go beyond the well-documented improvements in reading, mathematics and science. Smaller classes also lead to better identification of students who need special help, increased student participation and engagement, improved behavior, and reduced retention in grade. In a recent book, Professor Charles Achilles concluded that the outcomes associated with small classes are the foundation of safe schools: improved student behavior and human relations skills; increased participation in schooling and school-sanctioned events; increased sense of community in small classes; and generally improved school climate where students, teachers and parents feel more comfortable.¹

- 1 Achilles, Charles (1999). *Let's Put Kids First, Finally: Getting Class Size Right*. Thousand Oaks, CA: Corwin Press, Inc.
- 2 Finn, Jeremy D. and Charles M. Achilles "Tennessee's Class Size Study: Findings, Implications, Misconceptions pp.97-109 in *Educational Evaluation and Policy Analysis (EEPA), SPECIAL ISSUE – Class Size: Issues and New Findings*, volume 21, No. 2 (Summer 1999). Washington, D.C.: American Educational Research Association.
- 3 Pate-Bain, Helen; B. De Wayne Fulton, Jayne Boyd-Zaharias. *Effects of Class Size Reduction in the Early Grades (K-3) on High School Performance*. Nashville: HEROS, Inc. 1999
- 4 Molnar, Alex et. Al. "Evaluating the SAGE Program: A Pilot Program in Targeted Pupil-Teacher reduction in Wisconsin." Pp. 165-177 in *Educational Evaluation and Policy Analysis (EEPA), SPECIAL ISSUE – Class Size: Issues and New Findings*, volume 21, No.2 (Summer 1999). Washington, D.C.: American Educational Research Association.

IMPLEMENTATION CHALLENGES AND OPPORTUNITIES

The benefits of smaller classes with qualified teachers are clear. Available research, including the Tennessee STAR study, the Wisconsin SAGE program, and an evaluation of California's class size reduction initiative, show that small classes with qualified teachers lead to higher student achievement, more individualized attention for students, and fewer classroom disruptions. Small classes in the early grades give students a strong foundation in basic math and reading skills. They also provide long term payoffs, including fewer students retained in their grade, higher student achievement each year even after students are placed in larger classes, and better student preparation for college.

Although it is important to lower class size, it is not easy. Many schools lack extra classrooms for smaller classes. As the nation struggles to recruit and hire nearly two million teachers over the next decade, many communities — especially high-poverty urban and rural school districts — are already experiencing difficulties in recruiting and retaining qualified teachers. And State and local policymakers face the task of ensuring that lowering class size is an integral part of comprehensive reforms aimed at helping all children learn to high academic standards.

Fortunately, the Class Size Reduction Program provides school districts with the resources and flexibility they need to address these challenges. It also allows districts to use program funds to help meet local education priorities, such as improving early reading achievement, turning around low performing schools, ending social promotion the right way, or targeting help to the neediest students and schools. Indeed, although schools are only in the first months of program implementation, school districts across the country are already demonstrating how class size reduction can be an integral part of their efforts to boost student achievement and promote quality teaching.

Recruiting qualified teachers

While disadvantaged students are most likely to benefit from small classes, high-poverty urban and rural school districts face the most severe challenges in recruiting and retaining qualified teachers. For example, the National Commission on Teaching and America's Future found that students in schools with the highest concentrations of poverty — those who often need the most help from the best teachers — are most likely to be taught by teachers who are not fully qualified.

The Class Size Reduction Program enables school districts to address their need for fully qualified teachers. According to a recent report by the Council of Great City Schools, which examined how 40 big city school districts are implementing the program, almost 90% of the 3,558 new teachers hired under the program have full certification. Only three school districts reported employing instructors with emergency credentials.

Philadelphia is using Federal class size reduction funds to address the related challenges of teacher recruitment, support for new teachers, and class size reduction. In addition to hiring 34 fully certified teachers, the city has hired 254 "Literacy Interns," college graduates who lack teacher certification. Many are mid-career adults making the transition to teaching. After intensive summer training in balanced approaches to literacy instruction, these interns now work in self-contained, reduced-size classrooms under the supervision of fully certified teachers, delivering research-based literacy instruction in kindergarten and first grade. They are also enrolled in alternative teacher education programs that lead to full certification. Once certified, the former Literacy Interns will teach in small classes on their own. Throughout their initial years in the classroom, the Literacy Interns receive an extraordinary amount of mentoring and support, and their students experience the benefits of smaller classes immediately. In sum, Philadelphia's unique strategy recruits capable people into teaching and ensures that they become fully qualified.

Using Class Size Reduction Program funds, the *Jackson Public Schools* in Mississippi hired 20 additional teachers and placed them in 20 low-performing elementary schools. Many of these teachers had previously retired or had left the district, but were recruited to return because of the opportunity to teach in smaller classes and to work closely with other teachers. These experienced teachers are also serving as mentors for less experienced teachers, and they often team up with beginning teachers to provide regular support and supervision.

Philadelphia and Jackson show how lowering class size can work hand in hand with efforts to recruit and prepare qualified teachers. However, in some circumstances, class size reduction can have unintended consequences. For example, *California* launched a major statewide class size reduction program in 1996, investing approximately \$1.5 billion annually over the last three years. The first evaluation report showed that class size reduction led to increased student achievement. But the initiative has also led many experienced teachers to leave jobs in urban school districts for teaching jobs in more attractive suburban systems. Further, it has caused the widespread use of teachers with emergency credentials, particularly in high-poverty urban and rural districts.

The Clinton Administration monitored California's experiences carefully from the outset and designed the Class Size Reduction Program to avoid such unintended consequences. For example, while California provides equal funding to all school districts regardless of need, the Federal program targets funds to high-poverty school districts, drawing teachers into these districts instead of creating opportunities for teachers in these districts to leave. Moreover, while California school districts receive class size reduction funding only if they immediately meet a strict limit of 20 students *per class*, the Federal program supports a more gradual approach, allowing school districts over time to reach the more flexible goal of reducing class size to 18 students *on average*. Furthermore, this gradual approach gives school districts more time to recruit and hire qualified teachers. Finally, unlike California's program, the Federal program invests in teacher quality by providing funds for teacher recruitment, preparation, and professional development.

The Department of Education has worked closely with California education officials to ensure that Federal class size reduction funds alleviate rather than exacerbate the difficulties faced by many school districts. The Department provided California school districts with a waiver allowing them to use funds under this program to improve teacher quality or reduce class size in other grade levels, once they have met the State class size target of 20 in the early grades. Further, the Department required school districts with uncertified teachers in the early grades to use a portion of these funds to help teachers complete certification requirements.

The *Long Beach Unified School District* is using its Federal class size reduction funds to hire 15 new teachers to reduce class size in ninth grade and to strengthen the quality of teachers they have already hired to reduce class size in the early grades. Federal funds support five internship programs to prepare and certify teachers currently holding emergency credentials. These programs provide participants with support from experienced teachers, who meet regularly with uncertified teachers and give feedback after observing them at work. Participants in the internship also take courses and provide 30 hours of instruction in support of the State's early reading initiative while under the observation of a mentor teacher.

Improving early reading achievement

Students who are proficient readers by the end of third grade are more likely to succeed academically and graduate from high school. Reducing class size in grades one through three, especially when coupled with research-based approaches to reading instruction, is an effective way to improve reading achievement. A number of school districts throughout the country are using funds from the Class Size Reduction Program to support this strategy.

In Maryland, for example, *Montgomery County* is combining Federal class size reduction funds with State and local funds to support its Early Reading Initiative in every first and second grade class in the county. This initiative cuts class size to 15 students for a 90-minute period each day devoted to intensive reading and writing instruction. During this time, teachers use a variety of techniques and activities that create a comprehensive literacy program to help students become proficient in all aspects of reading and writing. Teachers receive two weeks of intensive instruction during the summer and participate in ongoing professional development throughout the school year.

In the State of Washington, *Tacoma* has targeted its \$1 million in Federal class size reduction funds to support its "Great Start" program, aimed at improving reading instruction and achievement in the early grades. Combining Federal funds with State and local funds, Tacoma has reduced first grade class size to 15 or 16 students in one-third of its elementary schools. As a result, 850 students in 57 first-grade classrooms are being taught in smaller classes. Their teachers receive training on how to teach reading, and they continue to improve their effectiveness by meeting regularly to discuss which teaching practices work best for their students.

Strengthening accountability and turning around low-performing schools

A growing number of States and school districts have strengthened accountability by demanding educational progress from their schools. Title I requires every State and school district to identify low-performing Title I schools and to help them develop and implement improvement plans. Several school districts, including Atlanta, Birmingham, and New Orleans, are incorporating class size reduction into their approaches to turning around low performing schools. In Ohio, the *Columbus Public Schools* have hired 58 fully certified teachers with its Federal class size reduction funds, placing them in 13 high-poverty, low-performing schools. In these schools, the program has reduced class size in grades one through three from 25 students to approximately 15 students. These schools, as well as others in Columbus, are implementing proven models of reading instruction, such as Success for All, and they receive the professional development and support needed for effective implementation of these models.

Addressing space limitations

In many schools and school districts, space for additional teachers and smaller classes is already available. In others, space is being "created" by using libraries, computer labs, or other facilities. Ultimately, school districts will need additional classrooms for the teachers hired to reduce class size. To help address this long-term need, President Clinton has proposed a \$25 billion initiative to help State and local governments repair or replace 6,000 overcrowded and unsafe schools by providing tax credits to subsidize the cost of school construction bonds.

Until schools can expand their facilities, the Class Size Reduction Program allows school districts lacking space to explore other ways of effectively providing the benefits of small classes to students. Schools have tried a number of approaches, including:

- having two certified teachers team teach in a single classroom either for part of the school day or for the entire school day,
- hiring an additional certified teacher for a grade level (e.g., providing three teachers for two third grade classes) and dividing the students among the larger number of teachers for sustained instruction each day in priority subjects such as reading or math,
- hiring an additional certified teacher who works with half the students in a class for reading and math instruction, while the other half remains with the regular classroom teacher, or
- converting to a year-round schedule.

Each of these approaches enables schools to take advantage of space that may be unused for part of the school day or school year. Each can provide smaller groups of students with instruction from a highly qualified teacher for a significant block of time on a daily or regular basis. Each can ensure that students stay with the same teacher on a sustained basis. And none requires students to be tracked by ability on a permanent or long-term basis.

CONCLUSION

A growing body of research involving large-scale, carefully controlled experiments shows that lowering class size in the early grades will produce significant and lasting benefits for students. The early implementation experience shows that the Class Size Reduction Program is well on the way to helping schools throughout the country realize these benefits. The more than 29,000 teachers already hired under this program have helped bring about significant reduction in class size in the early grades. Early experience also demonstrates that the program contains both the flexibility and the funds needed to help school districts tailor implementation to local needs and priorities, and to recruit, train, and hire qualified teachers.

The Education Department's Class Size Reduction Program is part of the Administration's comprehensive approach to improving student achievement by raising standards, increasing accountability, improving teacher quality, and targeting help to schools and students with the greatest need. Smaller classes will make the greatest difference if they are staffed with well-prepared, qualified teachers, if their schools are held accountable for helping students reach challenging academic standards, and if students receive extra help outside the classroom, through reading tutors, mentors, and after-school programs.

To ensure that each of these approaches receive adequate support, the President's FY 2000 budget pays particular attention to improving the quality of teaching in our classrooms. In addition to the funds set aside for teacher professional development in the Class Size Reduction Program, the President's budget requests significant increases for programs that help recruit and prepare qualified new teachers, and equip them to use technology in the classroom. The budget also proposes significant investments in programs that train current teachers in effective approaches to teaching reading in the early grades and meeting the needs of students with limited English proficiency and other special needs. Taken together, these investments will help ensure that as we continue to reduce class size, there is a talented teacher in every classroom.



Language from fiscal year 1999 appropriations

Modifications for fiscal year 2000

SEC. 307. (a) From the amount appropriated for title VI of the Elementary and Secondary Education Act of 1965 in accordance with this section, the Secretary of Education—

[There will be \$1.4 billion appropriated for class-size reduction.]

(1) shall make available a total of \$6,000,000 to the Secretary of the Interior (on behalf of the Bureau of Indian Affairs) and the outlying areas for activities under this section; and

(2) shall allocate the remainder by providing each State the greater of the amount the State would receive if a total of \$1,124,020,000 were allocated under section 1122 of the

the same percentage of that remainder as it received of the funds allocated to States under section 307(a)(2) of the Department of Education Appropriations Act, 1999.

~~Elementary and Secondary Education Act of 1965 or under section 2202(b) of the Act for fiscal year 1998, except that such allocations shall be ratably increased or decreased as may be necessary.~~

(b)(1) Each State that receives funds under this section shall distribute 100 percent of such funds to local educational agencies, of which—

(A) 80 percent of such amount shall be allocated to such local educational agencies in proportion to the number of children, aged 5 to 17, who reside in the school district served by such local educational agency from families with incomes below the poverty line (as defined by the Office of Management and Budget and revised annually in accordance with section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2))) applicable to a family of the size involved for the most recent fiscal year for which satisfactory data is available compared to the number of such individuals who reside in the school districts served by all the local educational agencies in the State for that fiscal year; and

(B) 20 percent of such amount shall be allocated to such local educational agencies in accordance with the relative enrollments of children, aged 5 to 17, in public and private nonprofit elementary and secondary schools within the boundaries of such agencies;

(2) Notwithstanding paragraph (1), if the award to a local educational agency under this section is less than the starting salary for a new teacher in that agency, ~~the State shall not make the award unless the local educational agency agrees to form a consortium with not less than 1 other local educational agency for the purpose of reducing class size (except as provided in subsection (c)(2)(D)).~~

that agency may enter into a consortium with one or more other local educational agencies for the purpose of reducing class size in accordance with this section, or use the funds under this section to—

(A) help pay the salary of a full or part-time teacher hired to reduce class size; or

(B) pay for training for current teachers that is related to teaching in smaller classes, if the amount of the award is less than \$10,000.

NO. 8490

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(c)(1) Each local educational agency that receives funds under this section shall use such funds to carry out effective approaches to reducing class size with ~~highly~~ qualified teachers to improve educational achievement for both regular and special-needs children, with particular consideration given to reducing class size in the early elementary grades for which some research has shown class size reduction is most effective.

The basic purpose and intent of this section is to reduce class size with fully qualified teachers.

fully

(2)(A) Each such local educational agency may pursue the goal of ~~reducing class size through~~

use funds provided under this section to--

(i) reduce class size by recruiting (which may include the use of signing bonuses or other financial incentives); hiring; and training fully qualified regular and special education teachers (and teachers of special needs children) who are certified within the State (which may include certification through State or local alternative routes), have a baccalaureate degree, and demonstrate the general knowledge, teaching skills, and subject matter knowledge required to teach in their content areas;

(iii) provide professional development (which may include such activities as promoting retention and mentoring) to teachers, including special education teachers and teachers of special-needs children, in order to meet the goal of ensuring that all instructional staff have the subject matter knowledge, teaching knowledge, and teaching skills necessary to teach effectively in the content area or areas in which they provide instruction.

(i) recruiting, hiring, and training certified regular and special education teachers and teachers of special-needs children, including teachers certified through State and local alternative routes;

(ii) testing new teachers for academic content knowledge, and to meet State certification requirements that are consistent with title II of the Higher Education Act of 1965; and

~~(iii) providing professional development to teachers, including special education teachers and teachers of special-needs children, consistent with title II of the Higher Education Act of 1965.~~

(B) A local educational agency may use not more than a total of 16 percent of the award received under this section for activities described in clauses (ii) and (iii) of subparagraph (A).

(C) A local educational agency that has already reduced class size in the early grades to 18 or less children may use funds received under this section--

(i) to make further class-size reductions in ~~grades 1 through~~

~~8;~~ (ii) to reduce class size in ~~(kindergarten or)~~ other grades;

or (iii) to carry out activities to improve teacher quality, including professional development.

(D) If a local educational agency has already reduced class size in the early grades to 18 or fewer children and intends to use funds provided under this section to carry out professional development activities, including activities to improve teacher quality, then the State shall make the award under subsection (b) to the local educational agency without requiring the formation of a consortium."

(or to a State or local class-size-reduction goal that was in effect on the day before enactment of the Department of Education Appropriations Act, 2000, if that State or local goal is 20 or fewer children)

kindergarten through grade three;

(3) Each such agency shall use funds under this section only to supplement, and not to supplant, State and local funds that, in the absence of such funds, would otherwise be spent for activities under this section.

(4) No funds made available under this section may be used to increase the salaries or provide benefits, other than participation in professional development and enrichment programs, to teachers who are ~~or have been, employed by the local educational agency~~

not hired under this section. Funds under this section may be used to pay the salary of teachers hired under section 307 of the Department of Education Appropriations Act, 1999.

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(d)(1) Each State receiving funds under this section shall report on activities in the State under this section, consistent with section 6202(a)(2) of the Elementary and Secondary Education Act of 1965.

(2) Each school benefiting from this section, or the local educational agency serving that school, shall produce an annual report to parents, the general public, and the State educational agency, in easily understandable language, on student achievement that is a result of hiring additional highly qualified teachers and reducing class size.

(e) If a local educational agency uses funds made available under this section for professional development activities, the agency shall ensure for the equitable participation of private non-profit elementary and secondary schools in such activities. Section 6402 of the Elementary and Secondary Education Act of 1965 shall not apply to other activities under this section.

(f) ADMINISTRATIVE EXPENSES.—A local educational agency that receives funds under this section may use not more than 3 percent of such funds for local administrative costs.

(g) REQUEST FOR FUNDS.—Each local educational agency that desires to receive funds under this section shall include in the application required under section 6303 of the Elementary and Secondary Education Act of 1965 a description of the agency's program to reduce class size by hiring additional highly qualified teachers.

(3) Each State and local educational agency receiving funds under this section shall publicly report to parents on the progress in reducing class sizes, increasing the percentage of classes in core academic areas taught by fully qualified teachers who are certified within the State and demonstrate competency in the content areas in which they teach, closing academic achievement gaps between students, and improving student academic achievement as defined by the State.

(4) Each school receiving funds under this section shall provide to parents, on request, the professional qualifications of their child's teacher.

(h) No funds received under this section may be used to pay the salary of any teacher hired with funds received under section 307 of the Department of Education Appropriations Act, 1999, unless, by the start of the 2000-2001 school year, the teacher is certified within the State (which may include certification through State or local alternative routes) and demonstrates competency in the subject areas he or she teaches.

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NO. 8496

DEPT ED/OFC OF SEC.

NOV. 10. 1999 1:36PM

CLASS-SIZE REDUCTION

11/10/99 Noon

Language from fiscal year 1999 appropriations

Modifications for fiscal year 2000

SEC. 307. (a) From the amount appropriated for title VI of the Elementary and Secondary Education Act of 1965 in accordance with this section, the Secretary of Education—

[There will be \$1.4 billion appropriated for class-size reduction.]

(1) shall make available a total of \$6,000,000 to the Secretary of the Interior (on behalf of the Bureau of Indian Affairs) and the outlying areas for activities under this section; and

(2) shall allocate the remainder by providing each State ~~the greater of the amount the State would receive if a total of \$1,124,000,000 were allocated under section 1122 of the~~

the same percentage of that remainder as it received of the funds allocated to States under section 307(a)(2) of the Department of Education Appropriations Act, 1999.

~~Elementary and Secondary Education Act of 1966 or under section 2202(b) of the Act for fiscal year 1998, except that such allocations shall be ratably increased or decreased as may be necessary.~~

(b)(1) Each State that receives funds under this section shall distribute 100 percent of such funds to local educational agencies, of which—

(A) 80 percent of such amount shall be allocated to such local educational agencies in proportion to the number of children, aged 5 to 17, who reside in the school district served by such local educational agency from families with incomes below the poverty line (as defined by the Office of Management and Budget and revised annually in accordance with section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2))) applicable to a family of the size involved for the most recent fiscal year for which satisfactory data is available compared to the number of such individuals who reside in the school districts served by all the local educational agencies in the State for that fiscal year; and

(B) 20 percent of such amount shall be allocated to such local educational agencies in accordance with the relative enrollments of children, aged 5 to 17, in public and private nonprofit elementary and secondary schools within the boundaries of such agencies;

(2) Notwithstanding paragraph (1), if the award to a local educational agency under this section is less than the starting salary for a new teacher in that agency, ~~the State shall not make the award unless the local educational agency agrees to form a consortium with not less than 1 other local educational agency for the purpose of reducing class size (except as provided in subsection (c)(2)(D)).~~

that agency may enter into a consortium with one or more other local educational agencies for the purpose of reducing class size in accordance with this section, or use the funds under this section to—

(A) help pay the salary of a full or part-time teacher hired to reduce class size; or

(B) pay for training for current teachers that is related to teaching in smaller classes, if the amount of the award is less than \$10,000.

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(c)(1) Each local educational agency that receives funds under this section shall use such funds to carry out effective approaches to reducing class size with ~~highly qualified teachers to improve educational achievement for both regular and special-needs children, with particular consideration given to reducing class size in the early elementary grades for which some research has shown class size reduction is most effective.~~

The basic purpose and intent of this section is to reduce class size with fully qualified teachers.

fully

(2)(A) Each such local educational agency may ~~use the goal of reducing class size through~~

use funds provided under this section to--

(i) ~~recruiting, hiring, and training certified regular and special education teachers and teachers of special-needs children, including teachers certified through State and local alternative routes;~~

(i) reduce class size by recruiting (which may include the use of signing bonuses or other financial incentives), hiring, and training fully qualified regular and special education teachers (and teachers of special needs children) who are certified within the State (which may include certification through State or local alternative routes), have a baccalaureate degree, and demonstrate the general knowledge, teaching skills, and subject matter knowledge required to teach in their content areas;

(ii) ~~testing~~ new teachers for academic content knowledge, and to meet State certification requirements that are consistent with title II of the Higher Education Act of 1965; and

~~(iii) providing professional development to teachers, including special education teachers and teachers of special-needs children, consistent with title II of the Higher Education Act of 1965.~~

(iii) provide professional development (which may include such activities as promoting retention and mentoring) to teachers, including special education teachers and teachers of special-needs children, in order to meet the goal of ensuring that all instructional staff have the subject matter knowledge, teaching knowledge, and teaching skills necessary to teach effectively in the content area or areas in which they provide instruction.

(B) A local educational agency may use not more than a total of 16 percent of the award received under this section for activities described in clauses (ii) and (iii) of subparagraph (A).

(C) A local educational agency that has already reduced class size in the early grades to 18 or less children may use funds received under this section--

- (i) to make further class-size reductions in ~~grades 1 through 3;~~
- (ii) to reduce class size in ~~(kindergarten or)~~ other grades; or
- (iii) to carry out activities to improve teacher quality, including professional development.

(or to a State or local class-size-reduction goal that was in effect on the day before enactment of the Department of Education Appropriations Act, 2000, if that State or local goal is 20 or fewer children)

kindergarten through grade three;

(D) If a local educational agency has already reduced class size in the early grades to 18 or fewer children and intends to use funds provided under this section to carry out professional development activities, including activities to improve teacher quality, then the State shall make the award under subsection (b) to the local educational agency without requiring the formation of a consortium."

(3) Each such agency shall use funds under this section only to supplement, and not to supplant, State and local funds that, in the absence of such funds, would otherwise be spent for activities under this section.

(4) No funds made available under this section may be used to increase the salaries or provide benefits, other than participation in professional development and enrichment programs, to teachers who are ~~or have been employed by the local educational agency~~

not hired under this section. Funds under this section may be used to pay the salary of teachers hired under section 307 of the Department of Education Appropriations Act, 1999.

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(d)(1) Each State receiving funds under this section shall report on activities in the State under this section, consistent with section 6202(a)(2) of the Elementary and Secondary Education Act of 1965.

(2) Each school benefiting from this section, or the local educational agency serving that school, shall produce an annual report to parents, the general public, and the State educational agency, in easily understandable language, on student achievement that is a result of hiring additional highly qualified teachers and reducing class size.

(e) If a local educational agency uses funds made available under this section for professional development activities, the agency shall ensure for the equitable participation of private non-profit elementary and secondary schools in such activities. Section 6402 of the Elementary and Secondary Education Act of 1965 shall not apply to other activities under this section.

(f) ADMINISTRATIVE EXPENSES.—A local educational agency that receives funds under this section may use not more than 3 percent of such funds for local administrative costs.

(g) REQUEST FOR FUNDS.—Each local educational agency that desires to receive funds under this section shall include in the application required under section 6303 of the Elementary and Secondary Education Act of 1965 a description of the agency's program to reduce class size by hiring additional highly qualified teachers.

(3) Each State and local educational agency receiving funds under this section shall publicly report to parents on the progress in reducing class sizes, increasing the percentage of classes in core academic areas taught by fully qualified teachers who are certified within the State and demonstrate competency in the content areas in which they teach, closing academic achievement gaps between students, and improving student academic achievement as defined by the State.

(4) Each school receiving funds under this section shall provide to parents, on request, the professional qualifications of their child's teacher.

(h) No funds received under this section may be used to pay the salary of any teacher hired with funds received under section 307 of the Department of Education Appropriations Act, 1999, unless, by the start of the 2000-2001 school year, the teacher is certified within the State (which may include certification through State or local alternative routes) and demonstrates competency in the subject areas he or she teaches.

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Questions and Answers on Class Size Reduction

Q: I'm having a hard time understanding the Administration's argument here, why should this money only be spent on class size, why shouldn't local districts have the option of spending it on whatever they think is most important?

A: This money is not for just class size, school districts have the option of spending a portion of it on professional development and increasing teacher quality. The only people who are concerned about what local school districts spend this money on are Congressional Republicans; local school districts want the money to continue reducing class size as they already have during the first year of the program. Local school districts receive other revenue sources to address varying needs, this is not the only funding source from Washington. Republicans are trying to create a phony issue of "flexibility" because fundamentally they are against this successful program.

Q: It still seems like you're saying that in this case, "Washington knows best" when it comes to how to spend money?

A: The federal government spends a limited amount of money on education, about 7 of all spending on schools. Because we spend so little we must spend it wisely and we know that reducing class size is wise way to spend our money—research tells us that. And, we do provide resources to schools for other needs including technology, after school and summer school, and keeping schools safe and drug free. This fight isn't about what local school districts spend their money on, it's about Republicans trying to score political points.

Q: I guess I still don't see why you don't leave the choice of what to do with the money up to the local school districts?

A: Local school districts can use this money to reduce class size through a variety of strategies and decisions regarding those strategies are appropriately made at the local level. But, fundamentally this is an issue of national leadership, school districts have state, local, and federal funds that can be used for a variety of purposes; however, this particular funding source is for class size because research and common sense tell us that reducing class size in the early grades is the right thing to do. And again it is worth noting that parents, teachers, and local school districts support this program and want to see it continue. The people raising these issues aren't local educators, parents and teachers; it is Congressional Republicans here in Washington who are trying to find excuses to justify their inexplicable opposition to this program.

Q: Why do Republicans hate this program so much?

A: That is a good question. Last year the program passed with bipartisan support and Republican leaders including then-Speaker Gingrich, Majority Leader Dick Armey,

House Education and the Workforce Chairman Bill Goodling, and other Republicans praised the program and in fact went home and campaigned on it. Of course, there was an election going on then and so perhaps that explains their zeal because this year when they think no one is looking they are trying to eliminate this successful program.

Q: Is there research to justify the Democratic support of this initiative or is this just politics from Democrats too?

A: Substantial research from Wisconsin, Tennessee, and elsewhere shows that reducing class size in the early grades increases student performance. And, research shows that the benefits of reducing class size in the early years last in to high school and are social as well as academic. Teachers support reducing class size as well because research shows that it allows for more effective teaching strategies and more individualized instruction. The research on the benefits of reducing class size is clear and so it will be unfortunate if a successful strategy like this falls prey to petty partisan politics.

Q: But doesn't research also show that teacher quality is important too?

A: Yes it does, and that is why we support making sure that teachers hired with this money are fully certified. In addition, that is why school districts have the option of using some of the class size funding to improve teacher quality through professional development. But again, the issue here isn't teacher quality, Democrats strongly support improving teacher quality, Republicans are simply trying to use that issue to distract from their opposition to this successful program. The way to improve teacher quality is not to eviscerate the class size program, that is ridiculous.

Q: Some people say that class size reduction like this aggravates the teacher quality problem because it encourages teachers to leave impoverished areas and take jobs in the suburbs. Why would you support a program that does that?

A: Because class size funding is so targeted toward impoverished areas it does exactly the opposite—it helps the neediest school districts hire teachers to reduce class size in the early grades and increase student performance. It is worth noting that several Republican plans to block grant the class size money this year did not include this sort of targeting.

Blue

of the Elementary and Secondary Education Act of 1965 ("ESEA"); the Stewart B. McKinney Homeless Assistance Act; and the Civil Rights Act of 1964 and part B of title VIII of the Higher Education Act; \$2,926,134,000, of which \$1,396,134,000 shall become available on July 1, 2000, and remain available through September 30, 2001, and of which \$1,530,000,000 shall become available on October 1, 2000 and shall remain available through September 30, 2001 for academic year 2000-2001: *Provided*, That of the amount appropriated, \$335,000,000 shall be for Eisenhower professional development State grants under title II-B and \$380,000,000 shall be for title VI and up to \$750,000 shall be for an evaluation of comprehensive regional assistance centers under title XIII of ESEA: *Provided further*, That \$1,200,000,000 is for a class size/teacher assistance initiative to be distributed as described in section 307(b)(1) (A) and (B) of the Department of Education Appropriation Act of 1999. School districts may use the funds first for class size reduction activities as described in section 307(c)(2)(A)(i)-(iii) of the Department of Education Appropriation Act of 1999: *Provided*, That, if the local educational agency determines that they wish to use the funds for purposes other than class size reduction as part of a local strategy for improving academic achievement, funds may be used for profes-

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sional development activities, teacher training or any other local need that is designed to improve student performance: *Provided further*, That each such agency shall use funds under this section only to supplement, and not to supplant, State and local funds, that in absence of such funds, would otherwise be spent for activities under this section.

READING EXCELLENCE

For necessary expenses to carry out the Reading Excellence Act, \$65,000,000, which shall become available on July 1, 2000 and shall remain available through September 30, 2001 and \$195,000,000 which shall become available on October 1, 2000 and remain available through September 30, 2001.

INDIAN EDUCATION

For expenses necessary to carry out, to the extent not otherwise provided, title IX, part A of the Elementary and Secondary Education Act of 1965, as amended, \$77,000,000.

BILINGUAL AND IMMIGRANT EDUCATION

For carrying out, to the extent not otherwise provided, bilingual, foreign language and immigrant education activities authorized by parts A and C and section 7203 of title VII of the Elementary and Secondary Education Act of 1965, without regard to section 7103(b), \$387,000,000: *Provided*, That State educational agencies

CONF. REPORT

\$1,200,000,000 for teacher assistance activities subject to authorization. The agreement provides \$300,000,000 in fiscal year 2000 and \$900,000,000 in fiscal year 2001 funding for this account.

X
The conference agreement modifies language contained in the Senate bill regarding a class size / teacher assistance initiative.

The modified provision distributes funds according to the formula developed for the class size reduction initiative in the fiscal year 1999 Department of Labor, Health and Human Services and Education and Related Agencies Act (P.L. 105-227). The provision allows school districts to use funds first for class size reduction activities; however, if the local educational agency determines that they wish to use the funds for purposes other than class size reduction as part of a local strategy for improving academic achievement, funds may be used for professional development activities, teacher training or any other local need that is designed to improve student performance. Funds must be used to supplement and not supplant state and local funds that would otherwise be spent for activities under this section.

The Senate bill provided funds for the initiative if authorized by July 1, 2000. If the initiative was not authorized by July 1, 2000, funds could be used for any activity authorized by Title VI of the Elementary and Secondary Education Act of 1965 that would improve the academic achievement of all students.

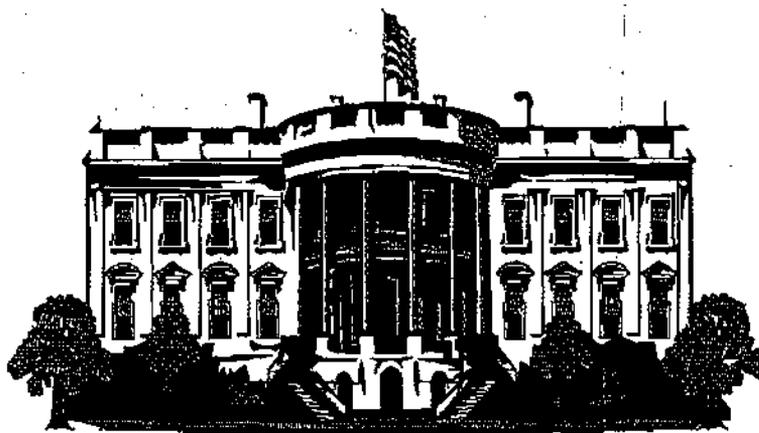
Safe and Drug Free Schools

The conference agreement includes \$605,000,000 for the Safe and Drug Free Schools and Communities Act instead of the \$566,000,000 proposed by the House and \$636,000,000 proposed by the Senate. The agreement provides \$115,000,000 in fiscal year 2000 and \$345,000,000 in fiscal year 2001 funding for this account.

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FAX COVER SHEET

ERIC LIU
DEPUTY ASSISTANT FOR DOMESTIC POLICY
THE WHITE HOUSE
WASHINGTON, DC 20502
PHONE: 202/456-5565 • FAX: 202/456-2878

DATE: 11/11/99 NUMBER OF PAGES (INCL. COVER): 2

FROM: Anna Richter (Bruce Reed's office)

TO: Mike Cohen

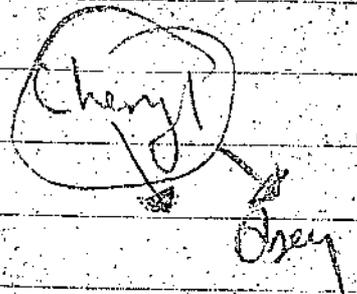
FAX: (301) 622-4044

COMMENTS: Can you please review so that we can get to our press office? Thank you -
Anna Richter

- Flexibility

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- Teacher Quality - 15% + new



- Space -
Local Control

BACKGROUND MATERIALS FOR CLASS SIZE REDUCTION

**Compiled by:
Democratic Staff
Committee on Education and the Workforce
November 5, 1999**

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CURRENT LAW CLASS SIZE REDUCTION - 1999 APPROPRIATIONS

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(B) a description of the achievement levels and reporting methods to be used in grading any national test.

The report shall be submitted to the White House, the Committees on Education and the Workforce of the House of Representatives, the Committee on Labor and Human Resources of the Senate, and the Committees on Appropriations of the House of Representatives and the Senate not later than September 30, 1999.

(2) RESPONSE TO REPORT.—The National Assessment Governing Board shall develop and submit to the entities identified in paragraph (1) a report, not later than September 30, 1999, that addresses and responds to the findings reported by the National Academy of Sciences in the report entitled "Grading the Nation's Report Card: Evaluating NAEP and transforming the Assessment of Educational Progress" that assert that the achievement levels of the National Assessment of Educational Progress (NAEP) are fundamentally flawed.

(3) TECHNICAL FEASIBILITY.—The National Academy of Sciences shall conduct a study regarding the technical feasibility, validity, and reliability of including test items from the National Assessment of Educational Progress (NAEP) for 4th grade reading and 8th grade mathematics or from other tests in State and district assessments for the purpose of providing a common measure of individual student performance. The National Academy of Sciences shall submit, to the entities identified under paragraph (1), an interim progress report not later than June 30, 1999 and a final report not later than September 30, 1999.

SEC. 306. Notwithstanding any other provision of law, any institution of higher education which receives funds under title III of the Higher Education Act, except for grants made under section 326, may use up to 20 percent of its award under part A or part B of the Act for endowment building purposes authorized under section 331. Any institution seeking to use part A or part B funds for endowment building purposes shall indicate such intention in its application to the Secretary and shall abide by departmental regulations governing the endowment challenge grant program.

SEC. 307. (a) From the amount appropriated for title VI of the Elementary and Secondary Education Act of 1965 in accordance with this section, the Secretary of Education—

(1) shall make available a total of \$6,000,000 to the Secretary of the Interior (on behalf of the Bureau of Indian Affairs) and the outlying areas for activities under this section; and

(2) shall allocate the remainder by providing each State the greater of the amount the State would receive if a total of \$1,124,620,000 were allocated under section 1122 of the Elementary and Secondary Education Act of 1965 or under section 2202(b) of the Act for fiscal year 1998, except that such allocations shall be ratably increased or decreased as may be necessary.

(b)(1) Each State that receives funds under this section shall distribute 100 percent of such funds to local educational agencies, of which—

(A) 80 percent of such amount shall be allocated to such local educational agencies in proportion to the number of children, aged 5 to 17, who reside in the school district served by such local educational agency from families with incomes below the poverty line (as defined by the Office of Management and Budget and revised annually in accordance with section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2))) applicable to a family of the size involved for the most recent fiscal year for which satisfactory data is available compared to the number of such individuals who reside in the school districts served by all the local educational agencies in the State for that fiscal year; and

(B) 20 percent of such amount shall be allocated to such local educational agencies in accordance with the relative enrollments of children, aged 5 to 17, in public and private non-profit elementary and secondary schools within the boundaries of such agencies;

(2) Notwithstanding paragraph (1), if the award to a local educational agency under this section is less than the starting salary for a new teacher in that agency, the State shall not make the award unless the local educational agency agrees to form a consortium with not less than 1 other local educational agency for the purpose of reducing class size.

(c)(1) Each local educational agency that receives funds under this section shall use such funds to carry out effective approaches to reducing class size with highly qualified teachers to improve educational achievement for both regular and special-needs children, with particular consideration given to reducing class size in the early elementary grades for which some research has shown class size reduction is most effective.

(2)(A) Each such local educational agency may pursue the goal of reducing class size through—

(i) recruiting, hiring, and training certified regular and special education teachers and teachers of special-needs children, including teachers certified through State and local alternative routes;

(ii) testing new teachers for academic content knowledge, and to meet State certification requirements that are consistent with title II of the Higher Education Act of 1965; and

(iii) providing professional development to teachers, including special education teachers and teachers of special-needs children, consistent with title II of the Higher Education Act of 1965.

(B) A local educational agency may use not more than a total of 15 percent of the award received under this section for activities described in clauses (ii) and (iii) of subparagraph (A).

(C) A local educational agency that has already reduced class size in the early grades to 18 or less children may use funds received under this section—

(i) to make further class-size reductions in grades 1 through 3;

(ii) to reduce class size in kindergarten or other grades; or

(iii) to carry out activities to improve teacher quality, including professional development.

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(3) Each such agency shall use funds under this section only to supplement, and not to supplant, State and local funds that, in the absence of such funds, would otherwise be spent for activities under this section.

(4) No funds made available under this section may be used to increase the salaries or provide benefits, other than participation in professional development and enrichment programs, to teachers who are, or have been, employed by the local educational agency.

(d)(1) Each State receiving funds under this section shall report on activities in the State under this section, consistent with section 6202(a)(2) of the Elementary and Secondary Education Act of 1965.

(2) Each school benefiting from this section, or the local educational agency serving that school, shall produce an annual report to parents, the general public, and the State educational agency, in easily understandable language, on student achievement that is a result of hiring additional highly qualified teachers and reducing class size.

(e) If a local educational agency uses funds made available under this section for professional development activities, the agency shall ensure for the equitable participation of private nonprofit elementary and secondary schools in such activities. Section 6402 of the Elementary and Secondary Education Act of 1965 shall not apply to other activities under this section.

(f) ADMINISTRATIVE EXPENSES.—A local educational agency that receives funds under this section may use not more than 3 percent of such funds for local administrative costs.

(g) REQUEST FOR FUNDS.—Each local educational agency that desires to receive funds under this section shall include in the application required under section 6303 of the Elementary and Secondary Education Act of 1965 a description of the agency's program to reduce class size by hiring additional highly qualified teachers.

This title may be cited as the "Department of Education Appropriations Act, 1999".

TITLE IV—RELATED AGENCIES

ARMED FORCES RETIREMENT HOME

For expenses necessary for the Armed Forces Retirement Home to operate and maintain the United States Soldiers' and Airmen's Home and the United States Naval Home, to be paid from funds available in the Armed Forces Retirement Home Trust Fund, \$70,745,000, of which \$15,717,000 shall remain available until expended for construction and renovation of the physical plants at the United States Soldiers' and Airmen's Home and the United States Naval Home: Provided, That, notwithstanding any other provision of law, a single contract or related contracts for the development and construction at the United States Soldiers' and Airmen's Home, to include construction of a long-term care facility at the United States Naval Home and conversion of space in the Scott building at the United States Soldiers' and Airmen's Home, may be employed which collectively include the full scope of the project: Provided further, That the solicitation and contract shall contain the clause "availability of funds" found at 48 CFR 52.232-18 and 252.232-7007, Limitation of Government Obligations.

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE DOMESTIC VOLUNTEER SERVICE PROGRAMS, OPERATING EXPENSES

For expenses necessary for the Corporation for National and Community Service to carry out the provisions of the Domestic Volunteer Service Act of 1973, as amended, \$276,039,000.

CORPORATION FOR PUBLIC BROADCASTING

For payment to the Corporation for Public Broadcasting, as authorized by the Communications Act of 1934, an amount which shall be available within limitations specified by that Act, for the fiscal year 2001, \$340,000,000: Provided, That no funds made available to the Corporation for Public Broadcasting by this Act shall be used to pay for receptions, parties, or similar forms of entertainment for Government officials or employees: Provided further, That none of the funds contained in this paragraph shall be available or used to aid or support any program or activity from which any person is excluded, or is denied benefits, or is discriminated against, on the basis of race, color, national origin, religion, or sex: Provided further, That in addition to the amounts provided above, \$15,000,000 shall be for digitalization, only if specifically authorized by subsequent legislation enacted by September 30, 1999.

FEDERAL MEDIATION AND CONCILIATION SERVICE

SALARIES AND EXPENSES

For expenses necessary for the Federal Mediation and Conciliation Service to carry out the functions vested in it by the Labor Management Relations Act, 1947 (29 U.S.C. 171-180, 182-183), including hire of passenger motor vehicles; for expenses necessary for the Labor-Management Cooperation Act of 1978 (29 U.S.C. 175a); and for expenses necessary for the Service to carry out the functions vested in it by the Civil Service Reform Act, Public Law 95-454 (5 U.S.C. ch. 71), \$34,620,000, including \$1,500,000, to remain available through September 30, 2000, for activities authorized by the Labor-Management Cooperation Act of 1978 (29 U.S.C. 175a): Provided, That notwithstanding 31 U.S.C. 3302, fees charged, up to full-cost recovery, for special training activities and for arbitration services shall be credited to and merged with this account, and shall remain available until expended: Provided further, That fees for arbitration services shall be available only for education, training, and professional development of the agency workforce: Provided further, That the Director of the Service is authorized to accept and use on behalf of the United States gifts of services and real, personal, or other property in the aid of any projects or functions within the Director's jurisdiction.

FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

SALARIES AND EXPENSES

For expenses necessary for the Federal Mine Safety and Health Review Commission (30 U.S.C. 801 et seq.), \$6,060,000.

Guidance for Class-Size Reduction Program: March 1999

Class-Size Reduction Guidance for State and Local Educational Agencies

Section G. LEA Uses of Funds

Within the primary goal of reducing class size by hiring additional teachers for the early grades, LEAs have flexibility in determining how to use these funds to best meet their local needs.

G-1 What is the primary goal for an LEA receiving Class-Size Reduction funds?

For most LEAs, the first order of business will be to develop an approach to improving educational achievement for both regular and special-needs children that includes hiring highly qualified teachers and reducing the size of regular classrooms in the early grades to 18.

G-2 What activities are LEAs authorized to carry out?

First, the LEA may reserve *no more than 3 percent* of the funds for administrative costs.

Then:

If schools in an LEA have a class size in grades one through three (or in other grades or subjects for LEAs that do not serve grades one through three) that is higher than 18 children:

- The LEA must use a *minimum of 82 percent* of the funds it receives to recruit, hire (including payment of salaries and benefits), and train certified classroom teachers in order to reduce the class size for those grades.
- The LEA may use a *maximum of 15 percent* of the funds for:
 - The costs of testing new teachers for academic content knowledge and to meet State certification requirements that are consistent with Title II of the Higher Education Act of 1965 (See G-3 below for further information on Title II); and
 - Providing professional development to teachers, consistent with Title II of the Higher Education Act of 1965 (See G-3 below for further information on Title II).

If the LEA has already reduced class size in grades one through three (or in other grades or subjects for LEAs that do not serve grades one through three) to 18 or fewer children with highly qualified teachers, it may use the funds to:

- Make further class-size reductions in grades one through three (or in other grades or subjects for LEAs that do not serve grades one through three);
- Reduce class size in kindergarten or other grades; or
- Carry out activities to improve teacher quality, including professional development.

If the LEA has already reduced class size in grades one through three (or in other grades or subjects for LEAs that do not serve grades one through three) to 18 or fewer children, but some of its teachers for those grades are not certified to teach in the classrooms to which they are assigned, the LEA must first

develop and implement a plan with specific activities or programs that will ensure that all teachers in those grades will become fully certified within the shortest possible time period. After determining the amount of Class-Size Reduction funds it will need to support these efforts, the LEA may use any remaining funds to:

- Make further class-size reductions in grades one through three (or in other grades or subjects for LEAs that do not serve grades one through three);
- Reduce class size in kindergarten or other grades; or
- Carry out activities to improve teacher quality, including professional development.

G-3 How does an LEA determine if its certification requirements and professional development offerings are consistent with Title II of the Higher Education Act (HEA)?

Title II of the HEA will provide, to States that win competitive grants, funding for such activities as reforming teacher certification or licensure requirements and providing professional development for teachers. LEAs can coordinate with these Title II activities in numerous ways — by, for example, combining funds or conducting joint activities under the Class-Size Reduction program and HEA Title II to:

- Help teachers learn new skills that will help them take advantage of new options for instructional techniques that become available when class size is reduced.
- Prepare teachers to work with diverse student populations, including students with disabilities and limited English proficiency.
- Prepare teachers to work with parents in determining how best to help their children learn to high standards.
- Develop programs that can be used as recruitment incentives to attract highly qualified teachers to high-poverty schools.
- In a coordinated effort with the Reading Excellence Act (REA) program, help teachers acquire the knowledge and skills necessary for effective reading instruction in the early grades.
- Provide high-quality preservice clinical experience for student teachers who agree to teach in the LEA's schools after they earn their teaching credentials.
- Provide a mentoring program involving new and veteran teachers that involves interaction with faculty at nearby institutions of higher education.

G-4 What other guidelines should LEAs follow in designing professional development programs?

The mission of a good professional development program is to prepare and support educators to help all students achieve to high standards of learning and development. The Department of Education has developed a series of principles for high-quality professional development, which it encourages all LEAs to adopt. (See www.ed.gov/G2K/bridge.htm) The Department also encourages LEAs to learn about the schools and districts that have earned recognition for their exemplary professional development through the Department's National Awards Program for Model Professional Development. Information about these award recipients may be found at www.ed.gov/inits/teachers/teach.html.

G-5 In determining whether an LEA has "already reduced class size in the early grades to 18", is 18 students the absolute limit for each class or the average for

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schools in the LEA?

Generally, each State or LEA may make this determination, consistent with its definition or interpretation of "class size." (See, however, definition of "class size" under **Section C – Definitions** in this document.) Class size may be determined for each school in the LEA by the average number of students per regular class for each grade level in the school or by the maximum number of children per regular class in each grade. It should *not* be determined by the average for the LEA as a whole.

G-6 The legislation says that newly hired teachers must be certified "including teachers certified through State and local alternative routes." Who will determine which of these "alternative routes" are acceptable?

The legislation specifies that LEAs are to reduce class sizes with "highly qualified teachers to improve educational achievement...." The Department interprets this to mean that, at a minimum, teachers who are hired under this program must be certified to teach in the classroom to which she or he will be assigned. Requirements for teacher certification are set by each State, for the teachers in that State. Many States have adopted alternative certification programs that allow individuals to take nontraditional paths to full certification. Some States have alternative routes that provide temporary certification together with a structured program leading to full certification. Teachers in such a State-approved program can be hired with Class-Size Reduction funds so long as they are progressing toward full State certification.

G-7 Which teachers can be tested with Class-Size Reduction funds?

The statute permits LEAs to use Class-Size Reduction funds for the costs of "testing new teachers for academic content knowledge and to meet State certification requirements." Tests should be administered consistent with State or local requirements. Depending on these requirements, the testing could involve prospective teachers who have just finished their academic work or those who have just moved into the State and, under State law, must pass a test before teaching in the State.

G-8 Should an LEA spread its Class-Size Reduction funds to as many schools as possible?

No, an LEA is not required to spread these funds to all its schools. Instead, LEAs might find that the best results come from targeting the funds to the poorest schools, the lowest performing schools, or to the schools with the largest classes.

G-9 May an LEA use Class-Size Reduction funds to reduce the size of classes for special education or special needs children?

If the size of special education classes in the early elementary grades is higher than the target level of 18, the LEA may, of course, use these funds to reduce the size of those classes. If the LEA wishes to reduce special education classes to *fewer* than 18 children, it may do so once its regular classes in grades one through three have reached that goal.

Many children with special needs now receive their schooling primarily in mainstream classrooms. LEAs may also use these funds to pay professional development costs for regular classroom teachers to help them better serve children with disabilities and other special needs. LEAs may also use these funds to hire special education teachers to team teach with regular teachers in classrooms that contain both special education and regular students.

G-10 May LEAs use funds for administrative expenses?

Yes, LEAs may use not more than 3 percent of their funds for local administrative costs. These costs may include expenses associated with the annual "report card" that LEAs must issue under this program. (See **Section J – Accountability**.)

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G-11 May LEAs use funds to pay any part of the salaries or benefits for teachers who are already employed?

These funds are intended to bring additional teachers into a school district. No funds may be used to increase the salaries or provide benefits (other than participation in professional development and enrichment) for teachers who are, or have been, employed by the LEA. However, in the second or subsequent years of the program, after the LEA hires a teacher with Class-Size Reduction funds, it may continue to use funds under this program each year to pay that teacher, so long as funds are appropriated by the Congress.

G-12 May funds be used to train teachers who are already employed?

Class-size reduction can help improve student learning the most when teachers are well prepared with techniques for teaching in smaller classes. That is why the legislation allows school districts to use as much as 15 percent of the funds they receive to promote high-quality teaching — including training for current teachers. In addition, LEAs that have already reduced class size to 18 for grades one through three (or in other grades or subjects for LEAs that do not serve grades one through three) with highly qualified teachers may choose to use all their program funds to train both new and experienced teachers. However, for most LEAs, the bulk of the funds (at least 82 percent) must be used for recruiting, hiring, and training new teachers.

G-13 What kinds of recruiting activities are allowable?

LEAs will incur a variety of costs depending on their approach to recruiting and hiring, and the Department encourages them to be creative in designing recruitment activities in order to attract the highest qualified teachers — particularly for high-poverty schools. Among the recruiting costs that would be allowable are:

- Advertising.
- Travel to schools of education to interview prospective teachers.
- Payment of hiring bonuses.
- Designing packages that will help attract teachers to high-poverty schools and providing the services included in the packages — including, for example:
 - Payment of college tuition for a prospective teacher who contracts to teach in the LEA's schools.
 - Paying moving expenses for a new teacher and his or her family to come to the school district.
 - Paying for new teachers to go through the certification process of the National Board for Professional Teaching Standards, after they have taught for the required period of time.
 - Paying for a mentoring program for new teachers that involves veteran teachers and faculty from nearby colleges and universities.
 - Assisting new teachers to obtain a higher-level degree.

G-14 What private school participation requirements apply to this program?

LEAs must ensure equitable participation of teachers from private, nonprofit elementary and secondary schools in any professional development activities paid for with Class-Size Reduction funds. In carrying

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out professional development activities, the LEA should follow section 6402 of the ESEA, which contains private school participation requirements applying to Title VI. However, the equitable participation requirement does not apply to the activities of recruiting, hiring, and training teachers or testing new teachers and the funds may, therefore, not be used for these activities for private schools.

G-15 Are there requirements pertaining to "supplanting"?

Yes, LEAs must use these Federal funds only to supplement, and not to supplant, State and local funds that, in the absence of the Federal funds, would otherwise be spent for activities authorized by the Class-Size Reduction program. Thus, if the State or LEA has already instituted and is funding a class-size reduction initiative, these Federal funds must be used to supplement and not replace those State or local funds. More specifically, if State or local funds are made available for the purpose of recruiting, hiring, and training teachers in order to reduce class size, testing new teachers, or providing professional development to teachers, the Federal Class-Size Reduction program funds may not be used to replace those State or local funds.

G-16 Are there requirements pertaining to "maintenance of effort"?

Yes, the maintenance of effort provisions in Title VI of the ESEA also apply to this program.

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[Section F. Applying for Funds]



[Section H. Consortia for Small LEAS]

Guidance for Class-Size Reduction Program: March 1999

Class-Size Reduction Guidance for State and Local Educational Agencies

Section I. Flexibility to Meet Local Needs

No Federal program can be designed to meet the need of every LEA in every respect. An LEA that wants to adapt components of the Class-Size Reduction program to its unique circumstances may avail itself of a number of options, including applying for waivers of statutory requirements.

I-1 May States or LEAs apply to the Secretary of Education for a waiver if a requirement of the Class-Size Reduction program would impede school reform efforts in the LEA?

Yes, since this program is part of Title VI of the ESEA, States and LEAs may apply for waivers in accordance with Title XIV of the ESEA. The Secretary may grant a waiver to an LEA only if the LEA is using the Class-Size Reduction funds to meet the basic purpose of the program - i.e., reducing class size, particularly in the early grades, using highly qualified teachers to increase achievement for regular and special needs children. While the Secretary's Waiver Review Board must review each request before it can be approved, following are examples of the kinds of waivers for which States or LEAs may wish to apply:

- A waiver of the definition of "early elementary grades" to include, for example, kindergarten.
- A waiver of the target class size of 18 to conform, for example, to a State's class-size reduction initiative.
- A waiver of the requirement to limit professional development and testing of new teachers to 15 percent of an LEA's grant, to help the district address a shortage of highly qualified teachers.
- A waiver of the requirement that no funds be used to provide salaries or benefits for teachers who are already employed in order, for example, to provide extra pay for veteran teachers who serve as mentors to newly recruited teachers.

For further information on waivers, call the waiver assistance line at (202) 401-7801 or visit the Department's web site on waivers at www.ed.gov/flexibility.

I-2 May an LEA include Class-Size Reduction funds in a Title I schoolwide program?

Yes, these funds may be used as part of a schoolwide program. Schools are not required to track separately the Federal program funds that they use in schoolwide programs and, therefore, will not be required to track any Class-Size Reduction funds used in a schoolwide program. Schools with schoolwide programs are, however, obligated to carry out the basic intent and purposes of all Federal programs whose funds are included. Therefore, schoolwide programs that use Class-Size Reduction funds must strive to reduce the size of their classes, particularly in the early grades, using highly qualified teachers to increase achievement for regular and special needs children. In addition, they may, of course, carry out any of the other activities authorized by the Class-Size Reduction program.

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I-3 Mayan Ed-Flex State waive requirements for LEAs under this program?

Yes, States that have been granted "Ed-Flex" status by the Secretary have the authority to waive certain requirements - including those of Title VI of the ESEA - without applying to the Department of Education. Because the Class-Size Reduction program is part of Title VI, it is included under the Ed-Flex authority. LEAs and States should note, however, that no requirements that go to the intent and purposes of a program may be waived. Therefore, the basic purpose - reducing class size, particularly in the early grades, using highly qualified teachers to increase achievement for regular and special needs children - may not be waived. Also, Ed-Flex States may not waive formula provisions for distributing Class-Size Reduction funds to LEAs.

I-4 If it is not feasible to add additional classroom space, are there other, acceptable routes to reducing class size?

Schools in some communities will not have additional classroom space immediately available to accommodate additional teachers and smaller classes. Schools in this situation are encouraged to explore other ways of effectively providing the benefits of small class size to students, e.g., by creating smaller instructional groups, with certified teachers, for sustained blocks of time on a daily basis. Schools have tried a number of approaches to accomplishing this, including:

- Having two certified teachers team teach in a single classroom for either part of the school day or the entire day.
- Hiring an additional certified teacher for a grade level (e.g., providing three teachers for two 3rd grade classes) and dividing the students among the larger number of teachers for sustained periods of instruction each day in priority subjects such as reading and math.
- Hiring an additional certified teacher who works with half the students in a class for reading or math instruction, while the other half remains with the regular classroom teacher.
- Converting to a year-round schedule.

Each of these approaches can take advantage of space that may be unused for part of the school day or year. Each can provide smaller groups of students with instruction from a highly qualified teacher for a significant block of time on a daily or regular basis. Each can ensure that students stay with the same teacher on a sustained basis. Each allows students to be grouped according to their achievement levels or instructional needs. And none requires that students be tracked by ability on a permanent or long-term basis.

I-5 Many school districts are having a difficult time attracting highly qualified teachers. "at can they to do confront this problem?"

The Class-Size Reduction program offers LEAs resources to explore a number of options for attracting highly qualified teachers. One of the most potent may be the fund provided for recruiting purposes. LEA recruiters can offer attractive incentives for new teachers to come to their districts. Another approach is to consider hiring part-time certified teachers who can be responsible for teaching small classes of students in core academic subjects. Many former teachers who have left the field in order, for example, to raise a family, would be interested in returning if they could do so on a part-time basis.

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THE SECRETARY OF EDUCATION
WASHINGTON, D.C. 20202

October 29, 1999

INFORMATION

MEMORANDUM FOR THE PRESIDENT

FROM: Richard W. Riley

SUBJECT: Department of Education's FY2000 Appropriations Act

This is in response to a question concerning whether the \$1.2 billion that the conference report for the Department of Education's FY 2000 appropriation act would appropriate to the Department for a "class size/teacher assistance initiative" could be used by local educational agencies (LEAs) to support vouchers, or similar arrangements. I have consulted with our Office of General Counsel and they have concluded that the bill language can be read to support the use of vouchers or similar arrangements.

The conference report would appropriate \$1.2 billion to support the class size/teacher initiative and provides for the allocation of the funds to States and then to LEAs within the State. The conference report then goes on to permit, but not require, those LEAs to use those funds to carry out "class size reduction activities" as described in the relevant provisions of the Department of Education's appropriation act for 1999. However, the conference report then contains the following proviso: "Provided, That if the [LEA] determines that they wish to use the funds for purposes other than class size reduction as part of a local strategy for improving academic achievement, funds may be used for professional development activities, teacher training or any other local need that is designed to improve student performance." (Emphasis supplied.) The language of this proviso is an extraordinarily broad authority for the use of Department of Education funds, and on its face would appear to authorize the use of the appropriated funds for vouchers or similar arrangements, so long as the LEA determined that such a use would help improve student academic achievement and performance. No other program of the Department, including Titles I and VI of the Elementary and Secondary Education Act of 1965, contains such a broad authority.

I hope this information is helpful. Please let me know if you have any questions.

the fiscal year 1995 application not later than December 1, 1999."

Provided further, That the Secretary of Education shall treat as timely filed, and shall process for payment, an application for a fiscal year 1998 payment from the local educational agency for Hyaburg, Alaska, under section 8003 of the Elementary and Secondary Education Act of 1965 if the Secretary has received that application not later than 30 days after the enactment of this Act: Provided further, That the Secretary of Education shall treat as timely, and process for payment, an application for fiscal years 1996 and 1997 payment from the local education agency for Fallbrook Unified High School District, California, under section 8002 of the Elementary and Secondary Education Act of 1965, if the Secretary has received that application not later than 30 days after the enactment of this Act: Provided further, That for the purpose of computing the amount of a payment for a local educational agency for children identified under section 8003 of the Elementary and Secondary Education Act of 1965, children residing in housing initially acquired or constructed under section 801 of the Military Construction Authorization Act of 1984 (Public Law 98-115) ("Build to Lease" program) shall be considered as children described under section 8003(a)(1)(B) if the property described is within the fenced security perimeter of the military facility upon which such housing is situated: Provided further, That if such property is not owned by the Federal Government, is subject to taxation by a State or political subdivision of a State, and thereby generates revenues for a local educational agency which received a payment from the Secretary under section 8003, the Secretary shall: (1) require such local educational agency to provide certification from an appropriate official of the Department of Defense that such property is being used to provide military housing; and (2) reduce the amount of such payment by an amount equal to the amount of revenue from such taxation received in the second preceding fiscal year by such local educational agency, unless the amount of such revenue was taken into account by the State for such second preceding fiscal year and already resulted in a reduction in the amount of State aid paid to such local educational agency.

SCHOOL IMPROVEMENT PROGRAMS

For carrying out school improvement activities authorized by titles II, IV, V-A and B, VI, IX, X, and XIII of the Elementary and Secondary Education Act of 1965 ("ESEA"); the Stewart B. McKinney Homeless Assistance Act; and the Civil Rights Act of 1964 and part B of title VIII of the Higher Education Act of 1965; \$2,926,134,000, of which \$875,300,000 shall become available on July 1, 2000, and remain available through September 30, 2001, and of which \$1,530,000,000 shall become available on October 1, 2000 and shall remain available through September 30, 2001 for academic year 2000-2001: Provided, That of the amount appropriated, \$335,000,000 shall be for Eisenhower professional development State grants under title II-B and \$380,000,000 shall be for title VI and up to \$750,000 shall be for an evaluation of comprehensive regional assistance centers under title XIII of ESEA: Provided further, That \$1,200,000,000 is for a class size/teacher assistance initiative to be distributed as described in subparagraphs (A) and (B) of section 307(b)(1) of the Department of Education Appropriations Act, 1999. School districts may use the funds for class size reduction activities as described in section 307(c)(2)(A)(i)-(iii) of the Department of Education Appropriations Act, 1999: Provided further, That, if the local educational agency determines that it wishes to use the funds for purposes other than class size reduction as part of a local strategy for improving academic achievement, funds may be used for professional development activities, teacher training or any other local need that is designed to improve stu-

dent performance: Provided further, That each such agency shall use funds under this section only to supplement, and not to supplant, State and local funds, that in absence of such funds, would otherwise be spent for activities under this section.

READING EXCELLENCE

For necessary expenses to carry out the Reading Excellence Act, \$65,000,000, which shall become available on July 1, 2000 and shall remain available through September 30, 2001 and \$195,000,000 which shall become available on October 1, 2000 and remain available through September 30, 2001.

INDIAN EDUCATION

For expenses necessary to carry out, to the extent not otherwise provided, title IX, part A of the Elementary and Secondary Education Act of 1965, as amended, \$77,000,000.

BILINGUAL AND IMMIGRANT EDUCATION

For carrying out, to the extent not otherwise provided, bilingual, foreign language and immigrant education activities authorized by parts A and C and section 7203 of title VII of the Elementary and Secondary Education Act of 1965, without regard to section 7103(b), \$387,000,000: Provided, That State educational agencies may use all, or any part of, their part C allocation for competitive grants to local educational agencies.

SPECIAL EDUCATION

For carrying out the Individuals with Disabilities Education Act, \$6,036,646,000, of which \$2,047,885,000 shall become available for obligation on July 1, 2000, and shall remain available through September 30, 2001, and of which \$3,742,000,000 shall become available on October 1, 2000 and shall remain available through September 30, 2001, for academic year 2000-2001: Provided, That \$1,500,000 shall be for the recipient of funds provided by Public Law 105-78 under section 687(b)(2)(G) of the Act to provide information on diagnosis, intervention, and teaching strategies for children with disabilities: Provided further, That \$1,500,000 shall be awarded to the Organizing Committee for the 2001 Special Olympics World Winter Games in Alaska and \$1,000,000 shall be awarded to the Salt Lake City Organizing Committee for the VIII Paralympic Winter Games: Provided further, That \$1,000,000 shall be for the Early Childhood Development Project of the National Easter Seal Society for the Mississippi Delta Region, which funds shall be used to provide training, technical support, services and equipment to address personnel and other needs: Provided further, That \$1,000,000 shall be awarded to the Center for Literacy and Assessment at the University of Southern Mississippi for research dissemination and teacher and parent training.

REHABILITATION SERVICES AND DISABILITY RESEARCH

For carrying out, to the extent not otherwise provided, the Rehabilitation Act of 1973, the Assistive Technology Act of 1998, and the Helen Keller National Center Act, \$2,701,772,000: Provided, That notwithstanding section 105(b)(1) of the Assistive Technology Act of 1998 ("the AT Act"), each State shall be provided \$50,000 for activities under section 102 of the AT Act: Provided further, That of the funds available for section 303 of the Rehabilitation Act of 1973 and notwithstanding any other provision of law, \$750,000 shall be awarded to the Krasnow Institute at George Mason University for a Receptive Language Disorders research center, \$1,000,000 shall be awarded to the University of Central Florida for a virtual reality-based education and training program for the deaf, \$2,000,000 shall be awarded to the Seattle Lighthouse for the Blind for interpreter, orientation, mobility, and education services for deaf, blind and other visually impaired adults, \$1,000,000 shall be awarded to the Professional Development and Research Institute on Blindness in Louisiana for the training of professionals in the field of

education and rehabilitation of blind adults and children, and \$600,000 shall be awarded to the Alaska Center for Independent Living in Anchorage, Alaska to develop capacity to implement a self-directed model for personal assistance services, including training of self-employed personal assistants and their clients: Provided further, That of the funds available for section 305 of the Rehabilitation Act of 1973 and notwithstanding any other provision of law, \$1,000,000 shall be awarded to the California State University at Northridge for a Western Center for Adaptive Therapy.

SPECIAL INSTITUTIONS FOR PERSONS WITH DISABILITIES

AMERICAN PRINTING HOUSE FOR THE BLIND

For carrying out the Act of March 3, 1879, as amended (20 U.S.C. 101 et seq.), \$10,100,000.

NATIONAL TECHNICAL INSTITUTE FOR THE DEAF

For the National Technical Institute for the Deaf under titles I and II of the Education of the Deaf Act of 1986 (20 U.S.C. 4301 et seq.), \$48,151,000, of which \$2,651,000 shall be for construction and shall remain available until expended: Provided, That from the total amount available, the Institute may at its discretion use funds for the endowment program as authorized under section 207.

GALLAUDET UNIVERSITY

For the Kendall Demonstration Elementary School, the Model Secondary School for the Deaf, and the partial support of Gallaudet University under titles I and II of the Education of the Deaf Act of 1986 (20 U.S.C. 4301 et seq.), \$85,980,000, of which \$2,500,000 shall be for construction and shall remain available until expended: Provided, That from the total amount available, the University may at its discretion use funds for the endowment program as authorized under section 207.

VOCATIONAL AND ADULT EDUCATION

For carrying out, to the extent not otherwise provided, the Carl D. Perkins Vocational and Technical Education Act, the Adult Education and Family Literacy Act, and title VIII-D of the Higher Education Act of 1965, as amended, and Public Law 102-73, \$1,656,750,000, of which \$3,500,000 shall remain available until expended, and of which \$833,150,000 shall become available on July 1, 2000 and shall remain available through September 30, 2001 and of which \$791,000,000 shall become available on October 1, 2000 and shall remain available through September 30, 2001: Provided, That of the amounts made available for the Carl D. Perkins Vocational and Technical Education Act, \$4,600,000 shall be for tribally controlled vocational institutions under section 117: Provided further, That \$9,000,000 shall be for carrying out section 118 of such act for all activities conducted by and through the National Occupational Information Coordinating Committee: Provided further, That of the amounts made available for the Adult Education and Family Literacy Act, \$14,000,000 shall be for national leadership activities under section 243 and \$6,000,000 shall be for the National Institute for Literacy under section 242: Provided further, That \$19,000,000 shall be for Youth Offender Grants, of which \$5,000,000, which shall become available on July 1, 2000, and remain available through September 30, 2001, shall be used in accordance with section 601 of Public Law 102-73 as that section was in effect prior to the enactment of Public Law 105-220.

STUDENT FINANCIAL ASSISTANCE

For carrying out subparts 1, 3 and 4 of part A, part C and part E of title IV of the Higher Education Act of 1965, as amended, \$9,435,000,000, which shall remain available through September 30, 2001.

The maximum Pell Grant for which a student shall be eligible during award year 2000-2001 shall be \$3,300: Provided, That notwithstanding section 401(g) of the Act, if the Secretary determines, prior to publication of the payment

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PROPOSAL

1 in the jurisdictions within the boundaries of
2 such agencies.

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

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

12 "(B) the local educational agency agrees to
13 supplement the award with non-Federal funds
14 sufficient to pay the cost of hiring a teacher; or

15 "(C) the local educational agency agrees to
16 use the funds for professional development re-
17 lated to teaching smaller classes.

18 * **SEC. 2204. USE OF FUNDS.**

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

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

3 “(b) CLASS REDUCTION.—

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

7 “(A) recruiting, hiring, and training fully
8 qualified regular and special education teachers
9 and teachers of special-needs children;

10 “(B) testing new teachers for academic
11 content knowledge, and to meet the State quali-
12 fications and licensing criteria in the areas in
13 which they teach; and

14 “(C) providing professional development to
15 teachers, including special education teachers
16 and teachers of special-needs children.

17 “(2) RESTRICTION(S).—A local educational
18 agency may use not more than a total of 15 percent
19 of the funds received under this part for each of the
20 fiscal years 2000 through 2005, to carry out activi-
21 ties described in subparagraphs (B) and (C) of sec-
22 tion 2204(b)(1).

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

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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 providing—

9 “(i) professional development;

10 “(ii) financial incentives to new or vet-
11 eran fully qualified teachers to join the in-
12 structional staff of schools in which at
13 least 50 percent of the students are from
14 low-income families; and

15 “(iii) financial incentives to fully
16 qualified teachers who are currently teach-
17 ing in schools in which at least 50 percent
18 of the students are from low-income fami-
19 lies.

20 “(4) RECRUITMENT.—In order to ensure that it
21 hires only fully qualified teachers, a local educational
22 agency that is having difficulty recruiting such
23 teachers to teach in its schools may use funds under
24 this part to recruit such teachers through the use of

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1 incentives such as training stipends and scholar-
2 ships, signing bonuses, and other inducements.

3 “(5) EXISTING PROGRAMS.—A local educational
4 agency that, prior to enactment of this part, is im-
5 plementing a program to reduce average class size in
6 the early grades to not more than 20 children may
7 use funds under this part, in accordance with its
8 terms, as if that local educational agency's preexist-
9 ing average class size goal were the goal of 18 or
10 fewer children.

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

16 “(d) PROFESSIONAL DEVELOPMENT.—If a local edu-
17 cational agency uses funds made available under this part
18 for professional development activities, the agency shall
19 ensure the equitable participation of private nonprofit ele-
20 mentary and secondary schools in such activities. Sections
21 14503 through 14506 shall not apply to other activities
22 under this section.

23 “(e) ADMINISTRATIVE EXPENSES.—A local edu-
24 cational agency that receives funds under this part may

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1 use not more than 3 percent of such funds for local admin-
2 istrative expenses.

3 “(f) CONSORTIA REQUIREMENT.—Notwithstanding
4 subsection (b)(3), if a local educational agency has already
5 reduced class size in the early grades to 18 or fewer chil-
6 dren and intends to use funds provided under this section
7 to carry out professional development activities, including
8 activities to improve teacher quality, then the State shall
9 make the award under subsection (b) to the local edu-
10 cational agency without requiring the formation of a con-
11 sortium.

12 **“SEC. 2205. COST-SHARING REQUIREMENT.**

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

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

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

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

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1 1114, it may use those funds for the non-Federal share
2 of activities under this program that benefit those
3 schoolwide programs, to the extent consistent with section
4 1120A(c) and notwithstanding section 1114(a)(3)(B).

5 **"SEC. 2206. REQUEST FOR FUNDS.**

6 "In order for a local educational agency to receive
7 funds under this part, the local educational agency shall
8 include in the application submitted under section 2017
9 a request for such funds and a description of the agency's
10 program under this part to reduce class size by hiring ad-
11 ditional fully qualified teachers.

12 **"SEC. 2207. REPORTS.**

13 "Each State educational agency receiving funds
14 under this part shall report on activities in the State under
15 this section as a part of its report under section 2014."

16 (b) NATIONAL WRITING PROJECT; SABBATICAL
17 LEAVE FOR PROFESSIONAL DEVELOPMENT; GENERAL
18 PROVISIONS.—Title II of such Act is amended by striking
19 part E and inserting the following:

20 **"PART E--NATIONAL WRITING PROJECT**

21 **"SEC. 2301. FINDINGS AND PURPOSES.**

22 "(a) FINDINGS.—Congress finds that—

23 "(1) the United States faces a continuing crisis
24 in writing in schools and in the workplace;

(15)

1 this subpart for a fiscal year, the agency shall
2 use not less than the amount expended by the
3 agency under section 2206(b) of this Act (as in
4 effect on the day before the date of the enact-
5 ment of the Teacher Empowerment Act) for the
6 fiscal year preceding such enactment for profes-
7 sional development activities in mathematics
8 and science in accordance with section 2033.

9 “(B) WAIVER.—

10 “(i) APPLICATION.—A local edu-
11 cational agency, in consultation with teach-
12 ers and principals, may seek a waiver of
13 the requirement in subparagraph (A) from
14 a State in order to allow the local edu-
15 cational agency to use such funds for pro-
16 fessional development in academic subjects
17 other than mathematics and science.

18 “(ii) STANDARD FOR GRANTING.—A
19 State may not approve such a waiver un-
20 less the local educational agency is able to
21 demonstrate that—

22 “(I) the professional development
23 needs of mathematics and science
24 teachers, including elementary teach-
25 ers responsible for teaching mathe-

1 matics and science, have been ade-
2 quately served and will continue to be
3 adequately served if the waiver is ap-
4 proved;

5 “(II) State assessments in math-
6 ematics and science demonstrate that
7 each school within the local edu-
8 cational agency has made and will
9 continue to make progress toward
10 meeting the challenging State or local
11 content standards and student per-
12 formance standards in these areas;
13 and

14 “(III) State assessments in other
15 academic subjects demonstrate a need
16 to focus on subjects other than mathe-
17 matics and science.

18 “(iii) GRANDFATHER OF OLD WAIV-
19 ERS.—A waiver provided to a local edu-
20 cational agency under part D of title XIV
21 prior to the date of the enactment of the
22 Teacher Empowerment Act shall be
23 deemed effective until such time as it oth-
24 erwise would have ceased to be effective.

1 “(3) PROFESSIONAL DEVELOPMENT ACTIVI-
 2 TIES.—Each local educational agency that receives a
 3 subgrant under this subpart shall use a portion of
 4 such funds for professional development activities
 5 that give teachers, principals, and administrators the
 6 knowledge and skills to provide students with the op-
 7 portunity to meet challenging State or local content
 8 standards and student performance standards. Such
 9 activities shall be consistent with sections 2033 and
 10 2034.

11 “(4) HIRING AND RETAINING WELL-QUALIFIED
 12 AND EFFECTIVE TEACHERS.—

13 “(A) IN GENERAL.—Each local educational
 14 agency that receives a subgrant under this sub-
 15 part shall use a portion of such funds for re-
 16 cruiting, hiring, and training fully qualified
 17 teachers, including teachers fully qualified
 18 through State and local alternative routes, in
 19 order to reduce class size.

20 “(B) SPECIAL RULE FOR SPECIAL EDU-
 21 CATION TEACHERS.—Notwithstanding subpara-
 22 graph (A), a local educational agency may use
 23 some or all of the funds described in such sub-
 24 paragraph to hire special education teachers re-

1 gardless of whether such action reduces class
2 size.

3 “(C) WAIVER.—

4 “(i) APPLICATION.—A local edu-
5 cational agency may seek a waiver of the
6 requirement in subparagraph (A) from a
7 State in order to allow the local edu-
8 cational agency to use such funds for pur-
9 poses other than hiring teachers in order
10 to reduce class size.

11 “(ii) STANDARD FOR GRANTING.—A
12 State may not approve such a waiver un-
13 less the local educational agency is able to
14 demonstrate that—

15 “(I) such funds will be used to
16 ensure that all instructional staff have
17 the subject matter knowledge, teach-
18 ing knowledge, and teaching skills
19 necessary to teach effectively in the
20 content area or areas in which they
21 provide instruction; or

22 “(II) an initiative to reduce class
23 size would result in having to rely on
24 underqualified teachers, inadequate
25 classroom space, or would have any

1 other negative consequence affecting
2 the efforts of the local educational
3 agency to improve student academic
4 achievement.

5 “(b) ALLOWABLE ACTIVITIES.—Each local edu-
6 cational agency that receives a subgrant under this sub-
7 part may use the subgrant to carry out the following ac-
8 tivities:

9 “(1) Initiatives to assist recruitment of fully
10 qualified teachers who will be assigned teaching posi-
11 tions within their field, including—

12 “(A) providing signing bonuses or other fi-
13 nancial incentives, such as differential pay, for
14 teachers to teach in academic subject areas in
15 which there exists a shortage of such fully
16 qualified teachers within a school or the local
17 educational agency;

18 “(B) establishing programs that—

19 “(i) recruit professionals from other
20 fields and provide such professionals with
21 alternative routes to teacher certification,
22 especially in the areas of mathematics and
23 science; and

24 “(ii) provide increased opportunities
25 for minorities, individuals with disabilities,

1 and other individuals underrepresented in
2 the teaching profession; and

3 “(C) implementing hiring policies that en-
4 sure comprehensive recruitment efforts as a
5 way to expand the applicant pool, such as
6 through identifying teachers certified through
7 alternative routes, coupled with a system of in-
8 tensive screening designed to hire the most
9 qualified applicant.

10 “(2) Initiatives to promote retention of highly
11 qualified teachers and principals including—

12 “(A) programs that provide mentoring to
13 newly hired teachers, such as from master
14 teachers, and to newly hired principals; or

15 “(B) programs that provide other incen-
16 tives, including financial incentives, to retain
17 teachers who have a record of success in help-
18 ing low-achieving students improve their aca-
19 demic success.

20 “(3) Programs and activities that are designed
21 to improve the quality of the teacher force, such
22 as—

23 “(A) innovative professional development
24 programs (which may be through partnerships
25 including institutions of higher education), in-

1 including programs that train teachers to utilize
2 technology to improve teaching and learning,
3 that are consistent with the requirements of
4 section 2033;

5 “(B) development and utilization of prov-
6 en, cost-effective strategies for the implementa-
7 tion of professional development activities, such
8 as through the utilization of technology and dis-
9 tance learning;

10 “(C) tenure reform;

11 “(D) merit pay;

12 “(E) testing of elementary and secondary
13 school teachers in the subject areas taught by
14 such teachers;

15 “(F) professional development programs
16 that provide instruction in how to teach chil-
17 dren with different learning styles, particularly
18 children with disabilities and children with spe-
19 cial learning needs (including those who are
20 gifted and talented);

21 “(G) professional development programs
22 that provide instruction in how best to dis-
23 cipline children in the classroom and identify
24 early and appropriate interventions to help chil-
25 dren described in subparagraph (F) learn; and

1 “(H) professional development programs
2 that provide instruction in how to teach char-
3 acter education in a manner that—

4 “(i) reflects the values of parents,
5 teachers, and local communities; and

6 “(ii) incorporates elements of good
7 character, including honesty, citizenship,
8 courage, justice, respect, personal responsi-
9 bility, and trustworthiness.

10 “(4) Teacher opportunity payments, consistent
11 with section 2034.

12 “(5) Professional activities designed to improve
13 the quality of principals.

14 **“SEC. 2032. LOCAL APPLICATIONS.**

15 “(a) **IN GENERAL.**—A local educational agency seek-
16 ing to receive a subgrant from a State under this subpart
17 shall submit an application to the State—

18 “(1) at such time as the State shall require;
19 and

20 “(2) which is coordinated with other programs
21 under this Act, or other Acts, as appropriate.

22 “(b) **LOCAL APPLICATION CONTENTS.**—The local ap-
23 plication described in subsection (a), shall include, at a
24 minimum, the following:

**PRESIDENT CLINTON'S CLASS SIZE REDUCTION INITIATIVE
A VICTORY FOR AMERICA'S STUDENTS**

ISSUE	PRESIDENT CLINTON'S GOAL	CONGRESSIONAL REPUBLICAN PROPOSAL	FINAL AGREEMENT IN EDUCATION APPROPRIATIONS BILL	PRESIDENT'S GOAL MET
CLEAR PURPOSE FOR THE PROGRAM	Reduce class size in the early grades to an average of 18.	Unfocused block grant that could be used for any purpose including vouchers for private and religious schools.	Funding will be used to reduce class size in the early grades to an average of 18.	
DEDICATED REVENUE SOURCE FOR REDUCING CLASS SIZE	Funding to support the 29,000 teachers last year and to stay on track to hiring 100,000 new teachers.	No funding dedicated to reducing class size in the early grades.	\$1.325 billion to support the 29,000 teachers hired last year and continue toward hiring 100,000 new high quality teachers.	
STAY ON TRACK TO HIRE 100,000 NEW TEACHERS	Continue toward hiring 100,000 teachers to reduce class size in the early grades to a national average of 18.	No funding to continue to reduce class size in the early grades.	Stays on track toward the President's goal of hiring 100,000 new teachers to reduce class size in the early grades.	
ENSURING TEACHER QUALITY	New teachers must be certified and school districts should be able to use a portion of the funds for professional development.	No funding dedicated to professional development.	School districts can use up to 25 percent of the funding for professional development. If more than 10 percent of a school district's teachers are uncertified the district can use additional funding to get them fully certified.	
VOUCHERS	No vouchers for private and religious school tuition	Funding could be diverted from the public schools for vouchers at private and religious schools.	No funding can be used for vouchers for private and religious schools.	
ACCOUNTABILITY FOR RESULTS	Public reporting of how class size reduction is impacting student achievement.	No accountability for any use of the funds including vouchers for private and religious school tuition.	School districts must publicly report how class size is impacting achievement.	

CLASS-SIZE REDUCTION

11/10/99 7:30 PM

Language from fiscal year 1999 appropriations

Modifications for fiscal year 2000

SEC. 307. (a) From the amount appropriated for title VI of the Elementary and Secondary Education Act of 1965 in accordance with this section, the Secretary of Education—

[There will be \$1.4 billion appropriated for class-size reduction.]

(1) shall make available a total of \$6,000,000 to the Secretary of the Interior (on behalf of the Bureau of Indian Affairs) and the outlying areas for activities under this section; and

(2) shall allocate the remainder by providing each State the greater of the amount the State would receive if a total of \$1,124,000,000 were allocated under section 1122 of the

the same percentage of that remainder as it received of the funds allocated to States under section 307(a)(2) of the Department of Education Appropriations Act, 1999.

Elementary and Secondary Education Act of 1965 or under section 2202(b) of the Act for fiscal year 1998, except that such allocations shall be ratably increased or decreased as may be necessary.

(b)(1) Each State that receives funds under this section shall distribute 100 percent of such funds to local educational agencies, of which—

(A) 80 percent of such amount shall be allocated to such local educational agencies in proportion to the number of children, aged 5 to 17, who reside in the school district served by such local educational agency from families with incomes below the poverty line (as defined by the Office of Management and Budget and revised annually in accordance with section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2))) applicable to a family of the size involved for the most recent fiscal year for which satisfactory data is available compared to the number of such individuals who reside in the school districts served by all the local educational agencies in the State for that fiscal year; and

(B) 20 percent of such amount shall be allocated to such local educational agencies in accordance with the relative enrollments of children, aged 5 to 17, in public and private nonprofit elementary and secondary schools within the boundaries of such agencies;

(2) Notwithstanding paragraph (1), if the award to a local educational agency under this section is less than the starting salary for a new teacher in that agency, the State shall not make the award unless the local educational agency agrees to form a consortium with not less than 1 other local educational agency for the purpose of reducing class size (except as provided

that agency may use the funds under this section to—
(A) help pay the salary of a full or part-time teacher hired to reduce class size; or

(B) pay for training for current teachers that is related to teaching in smaller classes, if the amount of the award is less than \$10,000.

~~in subsection (c)(3)(D))~~

(c) (1) Each local educational agency that receives funds under this section shall use such funds to carry out effective approaches to reducing class size with ~~(highly)~~ qualified teachers to improve educational achievement for both regular and special-needs children, with particular consideration given to reducing class size in the early elementary grades for which some research has shown class size reduction is most effective.

The basic purpose and intent of this section is to reduce class size with fully qualified teachers.

fully

(2)(A) Each such local educational agency may ~~use the goal of reducing class size through~~

use funds provided under this section to—

(i) ~~recruiting, hiring, and training certified regular and special education teachers and teachers of special-needs children, including teachers certified through State and local alternative routes;~~

(i) reduce class size by recruiting (which may include the use of signing bonuses or other financial incentives), hiring, and training fully qualified regular and special education teachers (which may include hiring special education teachers to team-teach with regular teachers in classrooms that contain both children with disabilities and nondisabled children) and teachers of special needs children who are certified within the State (which may include certification through State or local alternative routes), have a baccalaureate degree, and demonstrate the general knowledge, teaching skills, and subject matter knowledge required to teach in their content areas;

(ii) ~~testing~~ new teachers for academic content knowledge, and to meet State certification requirements that are consistent with title II of the Higher Education Act of 1965; and

(ii) provide professional development (which may include such activities as promoting retention and mentoring) to teachers, including special education teachers and teachers of special-needs children, in order to meet the goal of ensuring that all instructional staff have the subject matter knowledge, teaching knowledge, and teaching skills necessary to teach effectively in the content area or areas in which they provide instruction.

25

~~(iii) providing professional development to teachers, including special education teachers and teachers of special-needs children, consistent with title II of the Higher Education Act of 1965.~~

(B) ~~A local educational agency may use not more than a total of 10 percent of the award received under this section for activities described in clauses (ii) and (iii) of subparagraph (A).~~

(C) A local educational agency that has already reduced class size in the early grades to 18 or less children may use funds received under this section—

(i) Except as described in clause (ii), a

(i) to make further class-size reductions in ~~grades 1 through~~

(ii) to reduce class size in ~~kindergarten~~ or other grades;

(or has already reduced class size to a State or local class-size-reduction goal that was in effect on the day before enactment of the Department of Education Appropriations Act, 2000, if that State or local goal is 20 or fewer children)

or (iii) to carry out activities to improve teacher quality, including professional development.

kindergarten through grade three;

~~(D) If a local educational agency has already reduced class size in the early grades to 18 or fewer children and intends to use funds provided under this section to carry out professional development activities, including activities to improve teacher quality, then the State shall make the award under subsection (b) to the local educational agency without requiring the formation of a consortium.~~

(3) Each such agency shall use funds under this section only to supplement, and not to supplant, State and local funds that, in the absence of such funds, would otherwise be spent for activities under this section.

(4) No funds made available under this section may be used to increase the salaries or provide benefits, other than participation in professional development and enrichment programs, to teachers who are ~~or have been, employed by the local educational agency~~

not hired under this section. Funds under this section may be used to pay the salary of teachers hired under section 307 of the Department of Education Appropriations Act, 1998.

see p. 2-A

2-A

(ii)(I) A local educational agency in an Ed-Flex Partnership State under the Education Flexibility Partnership Act, and in which more than 10 percent of the teachers in its elementary schools are not certified within the State, may apply to the State educational agency for a waiver that would permit it to use more than 25 percent of the funds it receives under this section for activities described in subparagraph (A)(iii). In its application for a waiver, the local educational agency shall include a plan that shows how it will continue to make progress in reducing class size in its elementary schools and ensuring that the teachers in those schools are certified within the State and demonstrate the general knowledge, teaching skills, and subject matter knowledge required to teach in their content areas.

(ii) If the State educational agency approves the local educational agency's application for a waiver under subclause (I), the local educational agency may use the funds subject to the waiver for activities described in subparagraph (A)(iii) that are needed to ensure that 90 percent of the teachers in its elementary schools are certified within the State.

(d)(1) Each State receiving funds under this section shall report on activities in the State under this section, consistent with section 6202(a)(2) of the Elementary and Secondary Education Act of 1965.

(2) Each school benefiting from this section, or the local educational agency serving that school, shall produce an annual report to parents, the general public, and the State educational agency, in easily understandable language, on student achievement that is a result of hiring additional ~~highly~~ qualified teachers and reducing class size.

(e) If a local educational agency uses funds made available under this section for professional development activities, the agency shall ensure for the equitable participation of private non-profit elementary and secondary schools in such activities. Section 6402 of the Elementary and Secondary Education Act of 1965 shall not apply to other activities under this section.

(f) ADMINISTRATIVE EXPENSES.—A local educational agency that receives funds under this section may use not more than 3 percent of such funds for local administrative costs.

(g) REQUEST FOR FUNDS.—Each local educational agency that desires to receive funds under this section shall include in the application required under section 6303 of the Elementary and Secondary Education Act of 1965 a description of the agency's program to reduce class size by hiring additional ~~highly~~ qualified teachers.

fully

(3) Each State and local educational agency receiving funds under this section shall publicly report to parents on the progress in reducing class sizes, increasing the percentage of classes in core academic areas taught by fully qualified teachers who are certified within the State and demonstrate competency in the content areas in which they teach.

(4) Each school receiving funds under this section shall provide to parents, on request, the professional qualifications of their child's teacher.

fully

(h) No funds received under this section may be used to pay the salary of any teacher hired with funds received under section 307 of the Department of Education Appropriations Act, 1999, unless, by the start of the 2000-2001 school year, the teacher is certified within the State (which may include certification through State or local alternative routes) and demonstrates competency in the subject areas he or she teaches.

McKinney Homeless Assistance Act; and the Civil Rights Act of 1964 and part B of VIII of the Higher Education Act; \$2,811,134,000, of which \$2,381,300,000 shall become available on July 1, 1999, and remain available through September 30, 2000: Provided, That of the amount appropriated, \$335,000,000 shall be for Eisenhower professional development State grants under title II-B of the Elementary and Secondary Education Act of 1965, and \$1,575,000,000 shall be for title VI, of which \$1,200,000,000 shall be available, notwithstanding any other provision of law, to carry out title VI of the Elementary and Secondary Education Act of 1965 in accordance with section 307 of this Act, in order to reduce class size, particularly in the early grades, using highly qualified teachers to improve educational achievement for regular and special needs children.

Sec. 307. (a) From the amount appropriated for title VI of the Elementary and Secondary Education Act of 1965 in accordance with this section, the Secretary of Education-- (1) shall make available a total of \$6,000,000 to the Secretary of the Interior (on behalf of the Bureau of Indian Affairs) and the outlying areas for activities under this section; and (2) **shall allocate the remainder by providing each State the same percentage of that remainder as it received of the funds allocated to States under section 307(a)(2) of the Department of Education Appropriations Act, 1999** ~~the greater of the amount the State would receive if a total of \$1,124,620,000 were allocated under section 1122 of the Elementary and Secondary Education Act of 1965 or under section 2202(b) of the Act for fiscal year 1998, except that such allocations shall be ratably increased or decreased as may be necessary.~~

(b)(1) Each State that receives funds under this section shall distribute 100 percent of such funds to local educational agencies, of which-- (A) 80 percent of such amount shall be allocated to such local educational agencies in proportion to the number of children, aged 5 to 17, who reside in the school district served by such local educational agency from families with incomes below the poverty line (as defined by the Office of Management and Budget and revised annually in accordance with section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2))) applicable to a family of the size involved for the most recent fiscal year for which satisfactory data is available compared to the number of such individuals who reside in the school districts served by all the local educational agencies in the State for that fiscal year; and (B) 20 percent of such amount shall be allocated to such local educational agencies in accordance with the relative enrollments of children, aged 5 to 17, in public and private nonprofit elementary and secondary schools within the boundaries of such agencies;

(2) Notwithstanding paragraph (1), if the award to a local educational agency under this section is less than the starting salary for a new **fully qualified teacher in that agency who is certified within the State (which may include certification through State or local alternative routes) have a baccalaureate degree and demonstrate the general knowledge, teaching skills, and subject matter knowledge required to teach in their content areas, that agency may use funds under this section to (A) help pay the salary of a full or part-time teacher hired to reduce class size; or (B) pay for training for current teachers** ~~the State shall not make the award unless the local educational agency agrees to form a consortium with not less than 1 other local educational agency for the purpose of reducing class size.~~

Mike

(c)(1) Each local educational agency that receives funds under this section shall use such funds to carry out effective approaches to reducing class size with **fully highly** qualified teachers **who are certified within the State, including teachers certified through State or local alternative routes, and who demonstrate competency in the areas in which they teach**, to improve educational achievement for both regular and special-needs children, with particular consideration given to reducing class size in the early elementary grades for which some research has shown class size reduction is most effective.

(2)(A) Each such local educational agency may **use funds under this section to reduce class size** ~~may pursue the goal of reducing class size through~~ (i) recruiting **(including through the use of signing bonuses and other financial incentives)**, hiring, and training **fully qualified certified** regular and special education teachers and teachers of special-needs children, **who are certified within the State, including teachers certified through State or local alternative routes, have a baccalaureate degree and demonstrate competency the general knowledge, teaching skills, and subject matter knowledge required to teach in their content areas;** (ii) testing new teachers for academic content knowledge, and to meet State certification requirements that are consistent with title II of the Higher Education Act of 1965; and (iii) providing professional development **(which may include such activities as promoting retention and mentoring)** to teachers, **including special education teachers and teachers of special-needs children, in order to meet the goal of ensuring that all instructional staff have the subject matter knowledge, teaching knowledge, and teaching skills necessary to teach effectively in the content area or areas in which they provide instruction.** ~~consistent with title II of the Higher Education Act of 1965.~~ (B) A local educational agency may use not more than a total of **25 15** percent of the award received under this section for activities described in clauses (ii) and (iii) of subparagraph (A). (C) A local educational agency that has already reduced class size in the early grades to 18 or less children **(or to a State or local who has a goal of reducing class size that was in effect on the day before enactment of the Department of Education Appropriations Act, 2000, if that State or local has met the goal of 20 or fewer children)** class size may use funds received under this section--(i) to make further class-size reductions in grades **kindergarten 4** through 3; (ii) to reduce class size in **kindergarten** or other grades; or (iii) to carry out activities to improve teacher quality, including professional development. (D) If a local educational agency has already reduced class size in the early grades to 18 or fewer children and intends to use funds provided under this section to carry out professional development activities, including activities to improve teacher quality, then the State shall make the award under section (b) to the local educational agency. ~~without requiring the formation of a consortium.~~

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(3) Each such agency shall use funds under this section only to supplement, and not to supplant, State and local funds that, in the absence of such funds, would otherwise be spent for activities under this section.

(4) No funds made available under this section may be used to increase the salaries or provide benefits, other than participation in professional development and enrichment programs, to teachers **who are not hired under this section.** ~~or have been, employed by the local educational agency.~~ **Funds under this section may be used to pay the salary of teachers hired under section 307 of the Department of Education Appropriations Act, 1999.**

(d)(1) Each State **and local educational agency** receiving funds under this section shall report on activities in the State under this section, consistent with section 6202(a)(2) of the Elementary and Secondary Education Act of 1965.

(2) Each school ~~receiving funds under this section benefiting from this section, or the local educational agency serving that school, shall produce an annual~~ **shall publicly report annually** to parents, the general public, and the State educational agency, in easily understandable language, **on the impact of hiring additional highly qualified teachers and reducing class size, has had, if any, on increasing student academic achievement.** ~~on student achievement that is a result of hiring additional highly qualified teachers and reducing class size.~~

(3) Each State and local educational agency receiving funds under this section shall **publicly report to parents on the progress in reducing class size, increasing the percentage of classes in core academic areas taught by fully qualified teachers who are certified within the State and demonstrate competency in the content areas in which they teach.**

(4) Each school receiving funds under this section shall **provide to parents upon request, the professional qualifications of their child's teacher**

(e) If a local educational agency uses funds made available under this section for professional development activities, the agency shall ensure for the equitable participation of private nonprofit elementary and secondary schools in such activities. Section 6402 of the Elementary and Secondary Education Act of 1965 shall not apply to other activities under this section.

(f) Administrative expenses.--A local educational agency that receives funds under this section may use not more than 3 percent of such funds for local administrative costs.

(g) Request for funds.--Each local educational agency that desires to receive funds under this section shall include in the application required under section 6303 of the Elementary and Secondary Education Act of 1965 a description of the agency's program to reduce class size by hiring additional highly qualified teachers.

(h) No funds under this section may be used to pay the salary of any teacher hired with funds under section 307 of the Department of Education Appropriations Act, 1999, unless by the start of the 2000-2001 school year, the teacher is certified within the State (which may include certification through State or local alternative routes) and demonstrates competency in the subject areas in which they teach.

(i) If 10 percent or more of elementary teachers as defined by section 14101(14) of the Elementary and Secondary Education Act in the local educational agency have not met applicable State and local certification requirements (including certification through State or local alternative routes), or if such requirements have been waived, then the local educational agency may apply for a waiver to the State under Public Law 106-25 allowing such local educational to use funds under this section to decrease the percentage of teachers in the local educational agency not meeting such certification requirements. *has to determine*

(j) Titles III and IV of the Goals 2000: Educate America Act are repealed on September 30, 2000.

Mike

This title may be cited as the "Department of Education Appropriations Act, 1999".

CLASS-SIZE REDUCTION

11/10/99 Noon

Language from fiscal year 1999 appropriations

Modifications for fiscal year 2000

SEC. 307. (a) From the amount appropriated for title VI of the Elementary and Secondary Education Act of 1965 in accordance with this section, the Secretary of Education—

[There will be \$1.4 billion appropriated for class-size reduction.]

(1) shall make available a total of \$6,000,000 to the Secretary of the Interior (on behalf of the Bureau of Indian Affairs) and the outlying areas for activities under this section; and

(2) shall allocate the remainder by providing each State the greater of the amount the State would receive if a total of \$1,124,929,000 were allocated under section 1122 of the

the same percentage of that remainder as it received of the funds allocated to States under section 307(a)(2) of the Department of Education Appropriations Act, 1999.

Elementary and Secondary Education Act of 1966 or under section 2202(b) of the Act for fiscal year 1998, except that such allocations shall be ratably increased or decreased as may be necessary.

(b)(1) Each State that receives funds under this section shall distribute 100 percent of such funds to local educational agencies, of which—

(A) 80 percent of such amount shall be allocated to such local educational agencies in proportion to the number of children, aged 5 to 17, who reside in the school district served by such local educational agency from families with incomes below the poverty line (as defined by the Office of Management and Budget and revised annually in accordance with section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2))) applicable to a family of the size involved for the most recent fiscal year for which satisfactory data is available compared to the number of such individuals who reside in the school districts served by all the local educational agencies in the State for that fiscal year; and

(B) 20 percent of such amount shall be allocated to such local educational agencies in accordance with the relative enrollments of children, aged 5 to 17, in public and private nonprofit elementary and secondary schools within the boundaries of such agencies;

(2) Notwithstanding paragraph (1), if the award to a local educational agency under this section is less than the starting salary for a new teacher in that agency, the State shall not make the award unless the local educational agency agrees to form a consortium with not less than 1 other local educational agency for the purpose of reducing class size (except as provided in subsection (c)(3)(D)).

that agency may enter into a consortium with one or more other local educational agencies for the purpose of reducing class size in accordance with this section, or use the funds under this section to—

(A) help pay the salary of a full or part-time teacher hired to reduce class size; or

(B) pay for training for current teachers that is related to teaching in smaller classes, if the amount of the award is less than \$10,000.

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(c)(1) Each local educational agency that receives funds under this section shall use such funds to carry out effective approaches to reducing class size with ~~(highly) qualified teachers to improve educational achievement for both regular and special-needs children, with particular consideration given to reducing class size in the early elementary grades for which some research has shown class size reduction is most effective.~~

The basic purpose and intent of this section is to reduce class size with fully qualified teachers.

fully

(2)(A) Each such local educational agency may ~~use funds provided under this section to—~~

use funds provided under this section to—

(i) reduce class size by recruiting (which may include the use of signing bonuses or other financial incentives), hiring, and training fully qualified regular and special education teachers (and teachers of special needs children) who are certified within the State (which may include certification through State or local alternative routes), have a baccalaureate degree, and demonstrate the general knowledge, teaching skills, and subject matter knowledge required to teach in their content areas;

~~(i) recruiting, hiring, and training certified regular and special education teachers and teachers of special-needs children, including teachers certified through State and local alternative routes;~~

~~(ii) testing new teachers for academic content knowledge, and to meet State certification requirements that are consistent with title II of the Higher Education Act of 1965; and~~

~~(iii) providing professional development to teachers, including special education teachers and teachers of special-needs children, consistent with title II of the Higher Education Act of 1965.~~

(iii) provide professional development (which may include such activities as promoting retention and mentoring) to teachers, including special education teachers and teachers of special-needs children, in order to meet the goal of ensuring that all instructional staff have the subject matter knowledge, teaching knowledge, and teaching skills necessary to teach effectively in the content area or areas in which they provide instruction.

(B) A local educational agency may use not more than a total of 15 percent of the award received under this section for activities described in clauses (ii) and (iii) of subparagraph (A).

(C) A local educational agency that has already reduced class size in the early grades to 18 or less children may use funds received under this section—

- (i) to make further class-size reductions in ~~grades 1 through 3;~~
- (ii) to reduce class size in ~~(kindergarten or)~~ other grades;
- or
- (iii) to carry out activities to improve teacher quality, including professional development.

(or to a State or local class-size-reduction goal that was in effect on the day before enactment of the Department of Education Appropriations Act, 2000, if that State or local goal is 20 or fewer children)

kindergarten through grade three;

(D) If a local educational agency has already reduced class size in the early grades to 18 or fewer children and intends to use funds provided under this section to carry out professional development activities, including activities to improve teacher quality, then the State shall make the award under subsection (b) to the local educational agency without requiring the formation of a consortium."

(3) Each such agency shall use funds under this section only to supplement, and not to supplant, State and local funds that, in the absence of such funds, would otherwise be spent for activities under this section.

(4) No funds made available under this section may be used to increase the salaries or provide benefits, other than participation in professional development and enrichment programs, to teachers who are ~~or have been, employed by the local educational agency~~

not hired under this section. Funds under this section may be used to pay the salary of teachers hired under section 307 of the Department of Education Appropriations Act, 1999.

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(d)(1) Each State receiving funds under this section shall report on activities in the State under this section, consistent with section 6202(a)(2) of the Elementary and Secondary Education Act of 1965.

(2) Each school benefiting from this section, or the local educational agency serving that school, shall produce an annual report to parents, the general public, and the State educational agency, in easily understandable language, on student achievement that is a result of hiring additional highly qualified teachers and reducing class size.

(e) If a local educational agency uses funds made available under this section for professional development activities, the agency shall ensure for the equitable participation of private non-profit elementary and secondary schools in such activities. Section 6402 of the Elementary and Secondary Education Act of 1965 shall not apply to other activities under this section.

(f) ADMINISTRATIVE EXPENSES.—A local educational agency that receives funds under this section may use not more than 3 percent of such funds for local administrative costs.

(g) REQUEST FOR FUNDS.—Each local educational agency that desires to receive funds under this section shall include in the application required under section 6303 of the Elementary and Secondary Education Act of 1965 a description of the agency's program to reduce class size by hiring additional highly qualified teachers.

(3) Each State and local educational agency receiving funds under this section shall publicly report to parents on the progress in reducing class sizes, increasing the percentage of classes in core academic areas taught by fully qualified teachers who are certified within the State and demonstrate competency in the content areas in which they teach, closing academic achievement gaps between students, and improving student academic achievement as defined by the State.

(4) Each school receiving funds under this section shall provide to parents, on request, the professional qualifications of their child's teacher.

(h) No funds received under this section may be used to pay the salary of any teacher hired with funds received under section 307 of the Department of Education Appropriations Act, 1999, unless, by the start of the 2000-2001 school year, the teacher is certified within the State (which may include certification through State or local alternative routes) and demonstrates competency in the subject areas he or she teaches.

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