

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, 199 ~~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.~~

new

Mike

PURPOSE

(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 +** 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.~~

(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 ~~benefiting from this section, or the local educational agency serving that school,~~ shall produce an annual **shall publicly report** 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.**

MIKE

(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.

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

do not make decision, wait for new waiver

(X)

→ Only Titles III + IV repealed



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF THE SECRETARY

FAX TRANSMITTAL

TO Bruce

PHONE \_\_\_\_\_ FAX 456-2878

FROM Mike Cohen

PHONE \_\_\_\_\_ FAX 401-0596

PAGE (S) TO FOLLOW 3 DATE \_\_\_\_\_

MESSAGE: \_\_\_\_\_

A neater version will follow shortly

**CONFIDENTIALITY NOTICE**

**THIS TRANSMISSION IS INTENDED FOR AND RESTRICTED TO THE NAMED ADDRESSEE ONLY. IT MAY CONTAIN CONFIDENTIAL AND/OR PRIVILEGED INFORMATION. IF YOU RECEIVE THIS TRANSMISSION IN ERROR, YOU ARE NOTIFIED THAT YOU ARE PROHIBITED FROM READING, COPYING, OR DISSEMINATING THE TRANSMISSION. PLEASE CALL 202-401-3000 TO ARRANGE FOR RETURN OF ANY TRANSMISSION SENT IN ERROR. THANK YOU.**

CLASS-SIZE REDUCTION

11/10/99

11:30  
9:00 AM

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—

(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 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 (e)(2)(D)).~~

[There will be an amount appropriated for class-size reduction as determined by the appropriators.]

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.

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.

(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~~ <sup>fully</sup> 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 ~~highly~~ <sup>fully</sup> qualified teachers.

(2)(A) Each such local educational agency may ~~pursue 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~~ <sup>fully</sup> 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) and ~~who demonstrate competency in the content areas in which they teach;~~

(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

→ have a baccalaureate degree, and demonstrate the general knowledge, teaching skills, and subject matter knowledge required to teach in their content areas;

~~(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~~ <sup>3</sup> 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 [name of appropriation law]; if that State or local goal is 20 or fewer children)

(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 this section in previous years.

(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.

NO. 8489 P. 4

DEPT ED/OFC OF SEC.

NOV. 10. 1999 1:01PM

**Congress of the United States**

Washington, DC 20515

November 9, 1999

President William Jefferson Clinton  
The White House  
Washington, D.C. 20500

Dear Mr. President:

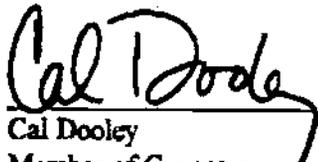
We write to you today to ensure that teachers that are hired under the Class Size Reduction program are "fully qualified," as defined in H.R. 2390, the Democratic substitute to H.R. 1995, the Teacher Empowerment Act. While the class size reduction program funded in the FY 99 Omnibus Consolidated and Emergency Supplemental Appropriations Act requires the use of "highly qualified teachers" to reduce class size, there is no further definition. However, a consensus definition of a "fully qualified teacher" was reached during House consideration of teacher training legislation, and it obtained strong support from the House Democratic Caucus.

We encourage you and the conferees to include this provision into the Class Size Reduction program. It is consistent with the Administration's efforts to improve the quality of teaching in the Title I program, and other Administration and state efforts to improve the recruitment and training of high quality new teachers.

The link between teacher quality and student achievement is well documented. Good teachers who know their subjects can help students make enormous gains. Like you, we believe that smaller classes will help students achieve at higher levels, but we also believe that smaller classes lead by fully qualified teachers would lead to even greater gains for our students. The inclusion of this provision will ensure that only high quality teachers are hired for this program and the success of this very important initiative. The success of the Class Size Reduction program, like every other education reform, ultimately rests on the quality of the teacher in the classroom.

The Clinton Administration and New Democrats have been partners in reforming public education through standards-based reforms, accountability, and competition. We applaud your leadership on this issue which is so vital to our nation's success in the New Economy, and look forward to continued work with you in strengthening public education.

Sincerely,



Cal Dooley  
Member of Congress



Ron Kind  
Member of Congress



Jim Moran  
Member of Congress



Jim Davis  
Member of Congress

## FLEXIBILITY

1. Expand list of allowable activities for recruit, hire, and train (scholarships etc.)
2. Add kindergarten
3. Lift target from 18 to 20
4. Make certifying existing elementary teachers an allowable use of 15%
5. Change cap
6. Other allowable uses for those who've met targets (eg fixing failing schools, ending social promotion, enforcing discipline, expanding public school choice) (principal training)
7. 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. Make certifying existing elementary teachers an allowable use of 15%
2. Miller language on all qualified by 2004.
3. If more than 10% of ~~an~~ LEA <sup>existing</sup> elem school teachers are not fully qualified, ~~LEAs~~ LEAs can use in addit, 5% (10%)

Goals: Set aside for assessments  
250m math/science LEAs  
~~250m math/science~~  
state set aside 30m  
Goals assessments set aside States - 50m  
Combine 2 parts. like floor, state pull off for assessments, state gets to choose for Goals or the prof. level.

## 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 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))

[NOTE: Elsewhere in the Act, there will be appropriated \$1,400,000,000 for fiscal year 2000 to carry out this section.]

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.

(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;~~

(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 or local alternative routes) and who demonstrate competency in the content areas in which they teach;

(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.

“(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.

(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.

## Q & A's

**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 they should?**

A: First of all, 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. Second, 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.

**Q: So you're saying that in this case, "Washington knows best"?**

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 those decisions are theirs. 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 money 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.

**November 9, 1999**  
**Talking Points on Education**

Overall:

- The President has proposed a comprehensive agenda to raise student achievement and increase accountability by investing in proven strategies such as increasing teacher quality, reducing class sizes in the early grades, extending learning time through summer school and afterschool programs, and turning around failing schools.
- We can't look at these proposals in isolation, only a comprehensive approach will ensure that all students receive the high quality education they need.
- That's why the President wants Congress to send him a budget that increases accountability, expands access to after school and summer school programs, increases teacher quality and reduces class size in the early grades.

Class Size:

- According to a new Department of Education report, in just one-year, the President's class size program has benefited 1.7 million students. In schools receiving assistance from the program, average class size in grades one to three has been reduced to 18. 29,000 teachers have been hired in the first year alone.
- Local school districts, teachers and parents support the initiative. The Council of Great City Schools just released a report showing the success of the program in our nation's largest school districts.
- Last year we had a bipartisan agreement on class size and Republicans even went out and campaigned on their support for this initiative. Now, when it is not an election year they are trying to undermine it. Parents, teachers, and school administrators support the program, it seems the only people who don't are Congressional Republicans.
- Republicans argue that there should be more flexibility in this program and that school districts should be able to spend it on whatever they like. Well, that sounds great in theory, but in practice, flexibility doesn't lower class size in a single class. Those 1.7 million students have benefited from a program focused on reducing class size with high quality teachers not an unfocused block grant. The federal role in education is just too small to squander it on gimmicks and fads; we must invest it in what works.
- Research shows that reducing class sizes in the early grades increases student performance and that the benefits last into high school. We should be investing in what research shows works not gimmicks.
- Teachers support smaller classes because they can spend more time with students which increases learning and decreases discipline problems.

## Fax Transmission



### COMMITTEE ON EDUCATION AND THE WORKFORCE

Office of the Staff Director  
U.S. House of Representatives  
2181 Rayburn House Office Building  
Washington, DC 20515-6100

(202) 225-4527, phone  
(202) 225-9552, fax

TO:

Bruce Reed

COMPANY:

Domestic Policy

DATE:

11/09/99

FAX NUMBER:

202.456.5542

TOTAL NO. OF PAGES INCLUDING COVER:

FOUR

PHONE NUMBER:

202.456.6515

SENDER'S REFERENCE NUMBER:

FROM:

KEVIN TALLEY, STAFF DIRECTOR

URGENT     FOR REVIEW     PLEASE COMMENT     PLEASE REPLY     PLEASE RECYCLE

NOTES/COMMENTS:

Revisions to the White House response. Please review and respond to Kevin Talley at 225-4527 / 543-2445.

IF THERE ARE DIFFICULTIES IN TRANSMISSION,  
PLEASE CALL (202) 225-4527.

Separate fiducy stream  
Cost for Goals swim

401 0596



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF THE SECRETARY

FAX TRANSMITTAL

TO Bruce Reed

PHONE \_\_\_\_\_ FAX 456-2878

FROM Mike Cohen

PHONE \_\_\_\_\_ FAX 401-0596

PAGE (S) TO FOLLOW 9 DATE 11/8

MESSAGE: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**CONFIDENTIALITY NOTICE**

**THIS TRANSMISSION IS INTENDED FOR AND RESTRICTED TO THE NAMED ADDRESSEE ONLY. IT MAY CONTAIN CONFIDENTIAL AND/OR PRIVILEGED INFORMATION. IF YOU RECEIVE THIS TRANSMISSION IN ERROR, YOU ARE NOTIFIED THAT YOU ARE PROHIBITED FROM READING, COPYING, OR DISSEMINATING THE TRANSMISSION. PLEASE CALL 202-401-3000 TO ARRANGE FOR RETURN OF ANY TRANSMISSION SENT IN ERROR. THANK YOU.**

# 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 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.
- Average class size has been reduced by more than five students in the grade levels and 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.
- Special education teachers comprise approximately 1% of the teachers hired.
- 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 legislation, Congress made a 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 \$1.4 billion in funding for the 2000-01 school year to help local communities hire an additional 8,000 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 must be used 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.

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?* The report summarized 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 5<sup>th</sup> grade, students who were in small classes in grades 1-3 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 1-3 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.<sup>1, 2, 3</sup>

**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.<sup>4</sup>

**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.<sup>1</sup>

- 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 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.

In the short run, 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.

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 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. 6902(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.

19

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.

?

11/08/98 17:58 FAX DOMESTIC POLICY COUNCIL

002

002

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.

to [improving teacher quality] and

(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;~~

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—

- 3; (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.

(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.

(ii) providing professional development to teachers, including special education teachers and teachers of special needs children, and programs promoting retention, mentoring, and merit pay.

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

0004

11/09/99 22:12 FAX

(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.

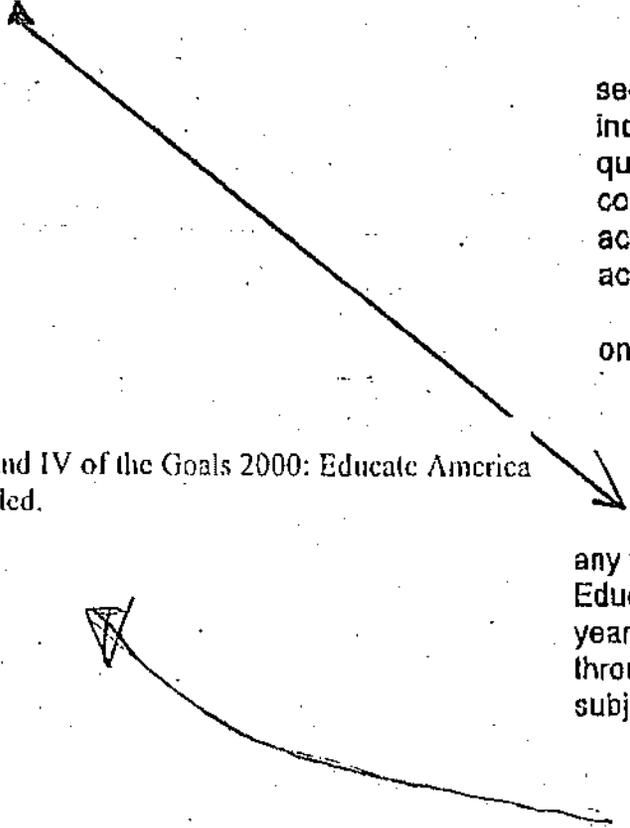
(3) Each State and local educational agency receiving funds under this section shall publicly report to parents on the progress in reducing class sizes, increasing the percentage of classes in core academic areas taught by fully qualified teachers who are certified within the State and demonstrate competency 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.

(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.



**Fax Transmission**  
**U.S. Senate Health, Education, Labor and Pensions Committee**  
**Washington, DC 20510-6300**

**Education Office**  
**Cover Sheet**  
**Fax: (202) 228-0924**

**Date:** 11/9

**To:** Sandra Cook - 401-148  
**Fax #:** Bruce Aed - 456-5542  
**From:** Brodum - 456-2604  
**Subject:** -Dance

**Pages:** 14 (including this cover sheet)

**Comments:**

*paper from person  
after*

**If there is trouble receiving this fax, please call (202) 224-5501**

**House**  
**REPUBLICAN**  
**Conference**

# News Release

---

J.C. WATTS, Jr.  
Chairman  
4<sup>th</sup> District, Oklahoma

**For Immediate Release**  
Tuesday, November 9, 1999  
Contact: Lauren Maddox/Kevin Schweers  
202-225-5107

## **LOCAL SCHOOLS NEED EDUCATION FLEXIBILITY, NOT NEW WASHINGTON MANDATES**

*White House Education Priorities High on Red Tape, Low on Accountability Standards*

**WASHINGTON, DC** -- House Republican Conference Chairman J.C. Watts, Jr. (R-OK) today issued the following statement on education funding and reform:

"Republicans believe that parents and schools concerned about class size should have the resources to hire more teachers. But federal education dollars shouldn't come wrapped in red tape. Local communities should set education priorities -- not the Washington bureaucracy.

"Republicans want local school officials to have the flexibility to use federal education money to meet the unique learning needs of their students. Some schools want to hire more teachers, others need more funds for teacher training, and still others want to put computers in the classroom. We should help them do it, not tell them they can't.

"Furthermore, kids deserve qualified teachers, well-trained in their specific subject matter. That's why the House passed the Teacher Empowerment Act to give states greater flexibility to train teachers in exchange for strict accountability standards. But as Education and Workforce Chairman Bill Goodling (R-PA) noted, President Clinton opposes the measure, and his 100,000 teachers proposal lacks these critical provisions. Under the president's proposal, unqualified teachers could be put in U.S. classrooms just to meet an arbitrary goal.

"The debate over education spending is not about money but control. Our goal should be helping students achieve, not satisfying a political promise."

-- END --

<http://hillsource.house.gov>

## Quotes from President Clinton

- This is from Putting People First - the 1992 campaign book by then presidential candidate Bill Clinton and his running mate, Al Gore.

From the chapter on Education:

***Grant expanded decision-making powers at the school level - empowering principals, teachers, and parents with increased flexibility in educating our children.***

***Support better incentives to hire and keep good teachers, including alternative certification for those who want to take up teaching as a second career and differential pay to attract and retain educators in shortage areas like math and science, in urban schools, and in isolated or rural schools.***

- Governor Clinton: Flexibility and Local Control

***"There is a consensus emerging that we ought to focus on goals that measure performance rather than input. Instead of saying we ought to have small classes in the lower grades we say 'here's what children should know when they get out of grade school.'"***

(Governor Clinton, Gannett News Service, December 8, 1989)

- Still More Proof that the White House thinks Washington knows best...

President Clinton made the following remarks at a White House news conference yesterday:

**"QUESTION:** Mr. President, on the issue of funding for teachers, sir, you resent it when Congress tells you to spend money in ways in which you do not deem appropriate. Why should a state governor who would like to spend that money differently feel any differently?

**CLINTON:** *Well, because it's not their money. If they don't want the money, they don't have to take it. If they're offended by it, they can give it to other states and other school districts."*

(Federal Document Clearinghouse, November 8, 1999)



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

**FOR IMMEDIATE RELEASE  
Nov. 9, 1999**

**CONTACT: Becky Campoverde  
or Dan Lara  
(202) 225-4527**

**Statement of Chairman Bill Goodling  
on President Clinton's Comment's on Class Size Reduction**

**WASHINGTON - House Education and the Workforce Committee Chairman Bill Goodling (R-PA) issued the following statement today in response to President Clinton's class size reduction proposal:**

"In his comments yesterday, President Clinton stated that, 'In just one year, schools across America have actually hired over 29,000 new, highly-trained teachers, thanks to our class size reduction initiative.' However, the report he cites provides no evidence to back up this assertion. In fact, those numbers seem to be based on estimates, which clearly do not take into account the report issued last week by the Great City Schools. That report found that just 3,500 teachers have been hired in the nation's 40 largest school districts. These are the very schools where these funds are targeted.

"The President is apparently eager to frame Republicans as against smaller class size. But I say we should not get into this debate over class size. As a parent and an educator, I believe that a smaller class size is preferable. For a student, there is more opportunity for attention from teachers. For a teacher, smaller class size is simply easier to manage.

"This is an issue over quality and flexibility. The President believes that if given the flexibility, schools will not use these funds to hire teachers and support his class size reduction initiative. But that is not what we are debating.

"The report which the Education Department is touting today highlights the Jackson, Mississippi, public schools, which hired an additional 20 teachers with funds from the President's class size reduction program. In fact, the superintendent of schools in Jackson, Dr. Jane Sargent, has told us that she supports reducing class size and is grateful for these funds. At the same time, given more flexibility, she said she would rather have used a large portion of these funds for technology and professional development, all with the goal of improving student achievement.

"The real goal under this program should be hiring qualified teachers and holding schools that receive these funds accountable to parents and the public for increased student academic achievement. That is why the Teacher Empowerment Act that I have proposed as a compromise to the President's program, does in fact focus on reducing class size, but not if it means compromising quality."

###



**J. Dennis Hastert**  
Fourteenth District  
Illinois

<http://www.speaker.gov>

**Speaker's Press Office**  
United States House of Representatives  
Washington, DC 20515

FOR IMMEDIATE RELEASE:  
TUESDAY, November 9, 1999

CONTACT: 202-225-2800  
Pete Jeffries or John Feehery

***Statement by House Speaker Dennis Hastert Regarding  
Flexibility & Fairness – Education Differences with the White House***

Washington D.C. -- U.S. House Speaker Dennis Hastert (R-IL) today released the following statement:

“When it comes to education, Washington needs to do what’s in the best interests of our children.

“As a former high school teacher, I believe we should provide greater funding flexibility and more local control over our federal education dollars. I’ve seen how parents, teachers and local school boards can work together, community-by-community, to decide what’s best for our kids, rather than a one-size-fits-all dictate from Washington that gets between students and learning.

“Unfortunately, the President disagrees. He wants more teachers and only more teachers.

“Republicans say that with more funding flexibility we can hire more teachers to reduce class size and also use some money for teacher training programs, merit-based pay, or more computers in the classroom – all initiatives that ultimately benefit our children’s future.

“I think the President greatly clarified the differences yesterday by saying education dollars aren’t the property of local school districts. We disagree. It is the American people’s money and we believe folks back home should have the freedom and flexibility to decide how to spend it in the best interests of our children.”

###



# **NEWS** from Subcommittee Chairman **Michael N. Castle (R-DE)**

Committee on Education and the Workforce  
Subcommittee on Early Childhood, Youth and Families

FOR IMMEDIATE RELEASE  
November 9, 1999

Contact: Ron Bonjean  
(202) 225-4165

## **CASTLE STATEMENT IN RESPONSE TO THE PRESIDENT'S COMMENTS ON CLASS SIZE REDUCTION**

As a former governor and now the Chairman of the Early Childhood, Youth and Families Subcommittee, I agree with the President's goal to place more teachers in our schools. With student enrollment increasing at the same time as a record number of teachers are preparing for retirement, there is no doubt that we will need new, highly qualified teachers.

Unfortunately, the President's plan requires all schools to use this federal money only to hire new teachers. This means that the number of teachers in our classrooms takes priority over the quality of teachers in our classrooms.

This year, in the Teacher Empowerment Act and the Student Results Act, Republicans and Democrats worked hard to establish new standards of educational excellence, and, for the first time, we hold schools and schools districts accountable for the academic performance of our children.

The President's demand in this appropriations bill ignores the progress we have made and simply wants to say that schools must hire more teachers, without adequate concern for the skill and ability of the teacher in the classroom. We cannot expect our students to master chemistry, calculus, and other advanced courses if we allow them to be taught by those who lack even a basic understanding of these subjects.

Many school districts across my State of Delaware have already reduced class sizes through state or local initiatives. These schools have other needs and they cannot afford -- as President Clinton has suggested -- to pass up federal aid if they have needs other than just more teachers. These schools need the flexibility to provide professional development or to offer hiring incentives to ensure that Delaware students receive a high quality education.

Lower class size and high academic standards are certainly related, but smaller classes are not the only answer. We need to give our local schools the ability to use this money to find the correct balance for their students and teachers. A large portion of this funding should go to class size reduction and professional development, but we must have the courage to empower our school districts to make the best decisions for their community schools.

We are very close to an agreement, and I would encourage the President to recognize the real need for flexibility in his program and for both sides to make sure that we achieve a compromise for our children and schools. Such an agreement would be a victory for all Americans.

###

# NEWS from Congressman Pete Hoekstra

Michigan's Second Congressional District



FOR IMMEDIATE RELEASE  
Tuesday, November 9, 1999

FOR MORE INFORMATION, contact:  
Jon Brandt, press secretary  
(202) 225-4928 or (202) 225-4401 work  
(703) 998-0846 home  
E-mail: jon.brandt@mail.house.gov

## Education Oversight Subcommittee members seek information about Education Department's audit failure

Congressmen seek information about audit, 'slush fund' from Secretary Riley, Inspector General

WASHINGTON – Citing the failure of the U.S. Department of Education to produce Fiscal Year 1998 financial records to be audited, as required by law, members of a House Subcommittee with oversight responsibilities over the department are seeking information as to why this situation has occurred.

Congressmen Pete Hoekstra, R-Mich., Charlie Norwood, R-Ga., and Bob Schaffer, R-Colo., have sent letters to Education Secretary Richard Riley and the Department's inspector general, Lorraine Lewis, asking for more information about this situation and related matters. Hoekstra is chairman of the Oversight and Investigation Subcommittee for the House Education and the Workforce Committee, Norwood is the subcommittee's vice chairman and Schaffer is a subcommittee member.

"We have a duty to ensure that the taxpayer funds we allocate to the Department of Education are spent wisely, efficiently and accountably," Hoekstra said. "We will continue to provide strong oversight of federal education funds, especially as long as the department's financial records remain unauditable.

Hoekstra said that he was disappointed with remarks made by President Clinton Tuesday morning regarding education spending, claiming that not enough money was being spent by the federal government on education. Clinton said:

"We don't have enough money to spend, in my judgment, to risk wasting any of it. And when the educators and local school leaders and all the educational research agree that something needs to be done, we allocate the money for it, I don't think we should turn around and break the commitment and just say we'll give you a blank check, we don't really care what happens to the money. We can't afford to waste a penny of the money we spend on education."

"Considering that the Department of Education's financial records for FY 1998 aren't even auditable, I wish the president would be more concerned with rooting out waste within the department rather than accusing state and local officials – who are better equipped to make decisions for their children – of 'wasting' those resources," Hoekstra said. "Washington does not know best. Even Mr. Clinton, when he was governor of Arkansas, knew that. Unfortunately, he seems to have forgotten his own words from his own 1992 campaign:

"Grant expanded decision-making powers at the school level – empowering principals, teachers, and parents with increased flexibility in educating our children." – *Putting People First, Clinton/Gore 1992 campaign document.*

– 30 –

Copies of the letters to Secretary Riley and Inspector General Lewis follow this release.

1124 Longworth House Office Building • Washington, DC 20515 • (202) 225-4401  
31 E. Eighth St., Suite 320 • Holland, MI 49423 • (616) 395-0030  
900 Third St., Suite 203 • Muskegon, MI 49440 • (231) 722-8386  
210-1/2 N. Mitchell St. • Cadillac, MI 49601 • (231) 775-0050  
E-mail: [tellhoek@mail.house.gov](mailto:tellhoek@mail.house.gov) • Internet Web Page: <http://www.house.gov/hoekstra/>

## MAJORITY MEMBERS:

PETER HOEKSTRA, MICHIGAN, Chairman  
 CHARLIE NORWOOD, GEORGIA, Vice Chairman  
 VAN HILLBARY, TENNESSEE  
 BOB SCHAPPER, COLORADO  
 THOMAS S. TANIGUCHI, COLORADO  
 ERNIE FLETCHER, KENTUCKY



TIM ROEMER, INDIANA, Ranking Member  
 ROBERT C. BOHRER, SCOTLAND, VIRGINIA  
 RON KIND, WISCONSIN  
 HAROLD B. FORD, JR., TENNESSEE

MAJORITY (202) 225-4377  
 (TTY) (202) 226-6372  
 MINORITY (202) 226-6725  
 (TTY) (202) 226-3118

**SUBCOMMITTEE ON OVERSIGHT AND INVESTIGATIONS**  
**COMMITTEE ON EDUCATION AND THE WORKFORCE**  
**U.S. HOUSE OF REPRESENTATIVES**  
 2161 RAYBURN HOUSE OFFICE BUILDING  
 WASHINGTON, DC 20515-6100

November 4, 1999

**VIA FACSIMILE: 202-401-0596**

The Honorable Richard Riley  
 Secretary  
 U.S. Department of Education  
 400 Maryland Avenue, SW  
 Washington, DC 20202

Dear Secretary Riley:

We are writing to follow-up on some of the concerns we discussed with Department officials when we visited your offices last Friday morning.

On Friday, Acting Deputy Secretary Mike Smith and other Department officials with whom we met informed us that the Department's Fiscal Year (FY) 1998 financial statements are soon to be pronounced inauditable by Ernst and Young auditors. We believe the Department, with a budget of \$39 billion dollars, and a loan portfolio of about \$85 billion, should be able to balance its books. We are anxious to see the current situation remedied. Therefore, please respond to the following inquiries:

1. Explain in your own words why the Department's books are inauditable.
2. Explain within what time frame you expect that this situation will be remedied. For instance, do you believe that the books will be auditable for FY 1999? If so, do you expect a clean audit, or a qualified one?
3. Describe in detail the steps the Department is taking to remedy its financial management problems and move toward a clean audit opinion.

We also learned on Friday that the Department contracted for a new financial management support system (general ledger) with Computer Data Systems, Inc. (CDSI). The general ledger was implemented during 1996 and 1997. It was in use during FY 1998, and did not produce auditable books. The Department is now in the process of replacing the general ledger, since CDSI will not be performing future upgrades to the software. In other words, the new general ledger is already being scrapped, at considerable cost to the Department. Therefore, please respond to the following inquiries:

1. What is the total cost incurred by the Department as a result of the CDSI general ledger contract?
2. Describe any attempts by the Department to recoup these costs, and the current status of those efforts.
3. Describe all other existing contracts that the Department has with CDSI. Report the cost/ value incurred by each of these contracts in the past three years, and the expected cost of these contracts to the Department in the next three years. (Also, the cost of the new general ledger contract)
4. Explain why the Department entered into a contract in which it did not protect its investment against the possibility of the contractor deciding not to continue its support of the software provided.

While at the Department last Friday, we also discussed the Department's "grantback" account. According to the letter we received from you later that day, you believe that we misunderstand the Department's use of this account. We are anxious to learn from you how this account has actually been used.

Your letter reports that an account called the "Returned Grant Deposit Account" contained \$594 million in 1998. This account was reduced by 68% within a year, bringing it down to a current balance of \$189 million. Thus \$405 million left the account during a time period for which the Department was inauditable. It is our understanding that this account contained about \$725 million in September, 1996. That means a total of over half a billion dollars has been removed from the account in three years. At least 80% of that money was removed during a time period for which audit results remain unreleased. Therefore, please respond to the following inquiry:

Provide all documentation in your possession concerning the removal of funds from this account, and any other "clearing accounts" maintained by the Department. Include the following with your response:

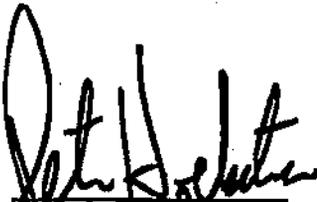
- a. Records of all fund transfers;
- b. A list of grantees who received fund, indicating how much was received by each;
- c. An account of any and all funds returned to the Treasury Department;
- d. Any and all written requests from grantees concerning transfers of funds into their accounts.

While at the Department, we also discussed with officials a series of duplicate payments made to grantees during 1998. Most of these duplicate payments apparently occurred between May and August, soon after the Department's new accounting system became operational. The officials present on Friday lacked comprehensive information concerning these duplicate payments. Therefore, please respond to the following inquiries:

1. Report the total number and dollar amount of duplicate payments made during 1998;
2. For each duplicate payment made, provide documentation proving that the payment was recovered by the Department;
3. Explain if and how the Department was able to ascertain whether all duplicate payments made were eventually recovered.

Thank you for your cooperation in submitting your written response to the above inquiries by November 18, 1999. If you have any questions, please contact Peter Warren at 202-225-7101.

Sincerely,



**PETE HOEKSTRA**  
Chairman



**CHARLIE NORWOOD**  
Vice Chairman



**BOB SCHAEFFER**  
Member of Congress

Cc:

Representative Bill Goodling, Chairman, House Committee on Education and the Workforce  
Senator James Jeffords, Chairman, Senate Committee on Health, Education, Welfare and Pensions

Representative John Porter, Chairman, House Appropriations Subcommittee on Labor, Health and Human Services, and Education

Senator Arlen Specter, Chairman, Senate Appropriations Subcommittee on Labor, Health and Human Services, and Education

The Honorable David M. Walker, Comptroller General

The Honorable Lorraine Lewis, Inspector General, Department of Education

Mr. Tom Skelly, Acting Chief Financial Officer, Department of Education

## MAJORITY MEMBERS:

PETER HOEENSTRA, MICHIGAN, Chairman  
 CHARLIE NORWOOD, GEORGIA, Vice Chairman  
 VAN HILLARY, TENNESSEE  
 BOB SCHAFER, COLORADO  
 THOMAS O. TANCREDO, COLORADO  
 KIM R. FLETCHER, KENTUCKY



## MINORITY MEMBERS:

TIM ROEMER, INDIANA, Ranking Member  
 ROBERT C. JOHNSON SCOTT, VIRGINIA  
 RON KING, WISCONSIN  
 HAROLD E. FORD, JR., TENNESSEE

MAJORITY (203) 225-4137  
 (TTY) (202) 226-3373  
 MINORITY (203) 225-3722  
 (TTY) (202) 226-3116

**SUBCOMMITTEE ON OVERSIGHT AND INVESTIGATIONS**  
**COMMITTEE ON EDUCATION AND THE WORKFORCE**  
**U.S. HOUSE OF REPRESENTATIVES**  
 2181 RAYBURN HOUSE OFFICE BUILDING  
 WASHINGTON, DC 20515-6100

November 4, 1999

**VIA FACSIMILE: 202-805-8238**  
 The Honorable Lorraine Lewis  
 Inspector General  
 U.S. Department of Education  
 330 C Street SW, Room 4006  
 Washington, DC 20202

Dear Ms. Lewis:

The Subcommittee on Oversight and Investigations (Subcommittee) is responsible for overseeing the effective and efficient operation of the Department of Education (Department). The Subcommittee is also charged with ensuring that the Department complies with all applicable Federal laws. We view the Office of the Inspector General (OIG) as a partner in this oversight process. Unfortunately, this has not always been possible. Most recently -- within the past few weeks -- we received documents from a Department whistleblower indicating the OIG is reluctant to present evidence of Departmental problems to Congress. It is our intent to rectify this lack of communication.

We first want to make it clear that we are aware of your relatively recent appointment to the post of Inspector General. Our concerns generally arise from events that precede your tenure. Nevertheless, we think you need to be aware of the concerns we cite below. We are also requesting that you respond to our inquiries regarding these matters.

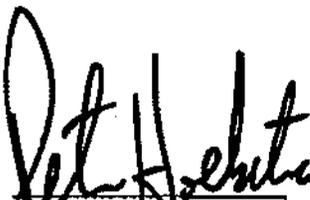
1. The Department's OIG is the only Chief Financial Officers (CFO) Act agency that has not officially announced the results of its agency audit for Fiscal Year 1998. Through telephone inquiries from Subcommittee staff to the OIG and to the General Accounting Office, we learned that Ernst and Young will soon issue a disclaimer on the audit opinion, essentially deeming the books inauditable. The audit opinion was due in March, and we fail to understand why the OIG still has not released the results of the audit, although these results are apparently known. Please explain why the release of the audit results has been delayed so long, and report when you expect the audit results to be officially released. Also explain why the books are inauditable, and whether you believe that Federal funds may have been lost, misallocated or stolen. Finally, describe in detail what recommendations your office has made to the Department in an attempt to ensure its future auditability.

2. Under the CFO Act, agencies have been required to prepare financial statements for audit since FY 1991. Please provide us with a summary of the audit results for the Department for each fiscal year since 1991. For each audit, clearly indicate the whether or not the Department was able to reconcile its fund balance with that of the Treasury Department, and if not, what the discrepancy was at the end of each audit period. Separately, list the name of the company that conducted each fiscal year audit, and the name of the company who will conduct the audit for FY 1999.
3. Please provide a copy of any and all correspondence that took place between the OIG and the Department, and between the OIG and Ernst and Young, concerning the Department's FY 1998 audit. This includes correspondence regarding the release of the audit results. Please include a record of all such communications, including letters, memoranda, e-mail messages, etc.
4. A January 28, 1999 memorandum (FIN-99-01) from OIG Area Manager Chelton T. Givens to then-CFO Donald Rappaport raises grave concerns about an accounting reconciliation process apparently involving several hundred million dollars. The memo cites Education community concerns of a Departmental "slush fund." It mentions that the reconciliation process relies almost exclusively on undocumented requests from grantees. It also describes how adjustments made by Department officials in many instances failed to match up with the written requests submitted by grantees. As far as we know, no attempt was made to communicate these findings to Congress. Please explain why these findings were not brought to the attention of Congress.
5. When we were at the Department last Friday morning, the Assistant Inspector General for Audit made misleading statements regarding the Department's issuing of duplicate payments to grantees last year. This OIG official described the problem as being more limited in scope than internal Department documents clearly demonstrate it to have been. What disturbs us is this official's evident haste to downplay the extent of the problem in discussing it with members of Congress. This strikes us as an inappropriate posture for a representative of your office, which exists in order to root out waste, fraud and abuse in the Department. What assurance can you provide us that your office is sufficiently committed to its mission? Do you believe officials are sufficiently autonomous from the rest of the Department to maintain objectivity?
6. Regarding the duplicate payments -- which are discussed in an internal document of the CFO Office -- does your office have documentation regarding each of these payments? If so, please provide this documentation to the Subcommittee. Also report the total number of duplicate payments mailed out, and the total dollar amount of these payments. Provide any and all evidence in your possession documenting the recovery of each one of the duplicate payments that were sent out. If there is a disparity between the amount of duplicate payments sent out and the amount of duplicate payments recovered, please report the dollar amount, and an explanation for the disparity.

7. The January 28 memorandum cited and a September 30, 1998 memorandum from OIG Area Manager Jim Cornell to Mr. Rappaport raise serious concerns about the security of the GAPS system. Yet it appears that the OIG has not only failed to report this matter to Congress, it has also failed to initiate a fraud investigation. Mr. Cornell did seem to indicate to us last Friday that the OIG was doing some preliminary work in this direction. It was unclear, however, if an official investigation is yet underway. Is such an official fraud investigation actually underway, as of today? If not, please explain why, and report the names of the officials responsible for making these decisions.
8. On October 29, we received a letter from Secretary Riley. The letter responds to our inquiries concerning the Department's grantback account. It asserts that, "As agreed by the Department's Inspector General (IG), these allegations reflect a misunderstanding of the use of the clearing accounts at the Department of Education." Any misunderstanding on our part concerning this account would appear to be largely due to the lack of insight we have received from the OIG in the recent past. More to the point, the aforementioned reports from the OIG seem to indicate that it does not have a clear understanding of how the Department uses these accounts -- record-keeping is inadequate and a high vulnerability to fraud exists. Therefore, please explain on what basis the OIG can claim to understand how the Department uses the accounts. Please provide the Subcommittee with all documentation in your possession concerning the dispersal of funds from the grant back account since September, 1996, whether through the EDCAPS reconciliation process or any other means.
9. Please confirm or deny the existence of any current OIG fraud investigations that involve check cashing by employees of the Department. Please provide any details of these investigations that are available at this time.

The answers to these inquiries will help enable us to determine the necessity of conducting oversight hearings into the conduct of the OIG. Therefore, please submit your written responses by November 18, 1999. If you have any questions, please contact Peter Warren at 202-225-7101.

Sincerely,

  
 PETE HOEKSTRA  
 Chairman

  
 CHARLIE NORWOOD  
 Vice Chairman

  
 BOB SCHAFFER  
 Member of Congress

Cc:

**Representative Bill Goodling, Chairman, House Committee on Education and the Workforce**  
**Senator James Jeffords, Chairman, Senate Committee on Health, Education, Welfare and Pensions**

**Representative John Porter, Chairman, House Appropriations Subcommittee on Labor, Health and Human Services, and Education**

**Senator Arlen Specter, Chairman, Senate Appropriations Subcommittee on Labor, Health and Human Services, and Education**

**The Honorable Lawrence H. Summers, Secretary, Department of the Treasury**

**The Honorable David M. Walker, Comptroller General, General Accounting Office**

**Ms. Sally Katzen, Chairperson, President's Council on Integrity and Efficiency**

## 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 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))

[NOTE: Elsewhere in the Act, there will be appropriated \$1,400,000,000 for fiscal year 2000 to carry out this section.]

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.

(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.

“(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.

→ (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 or local alternative routes) and who demonstrate competency in the content areas in which they teach;

(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.

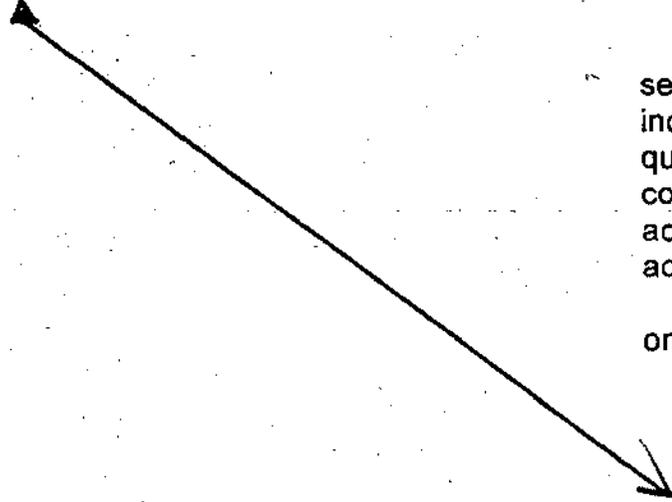
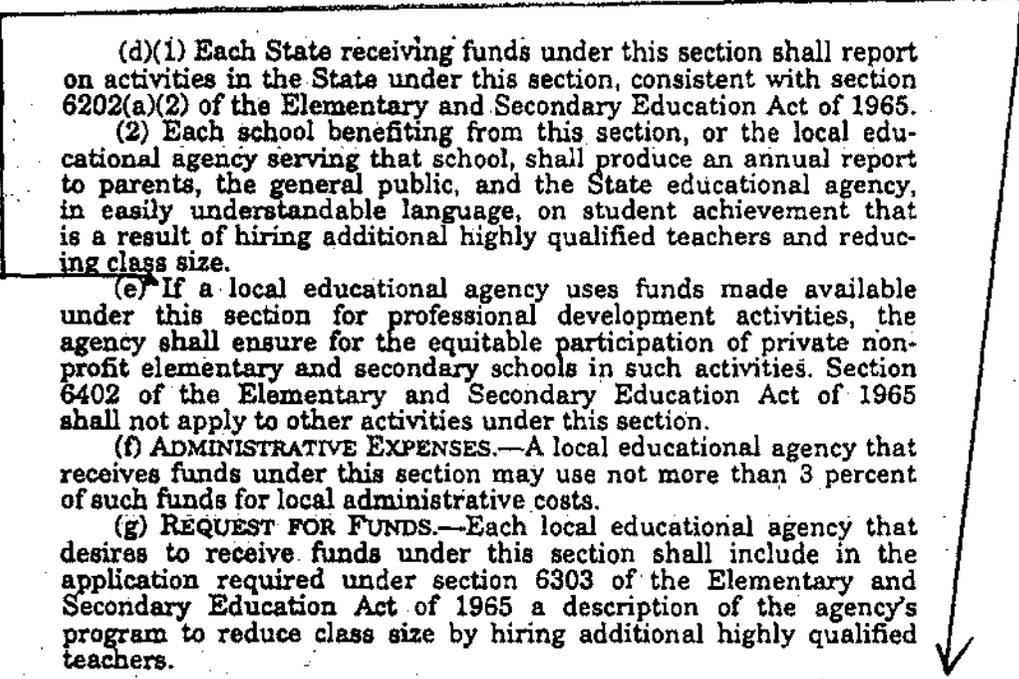
(f) ADMINISTRATIVE EXPENSES.—A local educational agency that receives funds under this section may use not more than 3 percent of such funds for local administrative costs.

(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.





COMMITTEE ON APPROPRIATIONS  
 MINORITY STAFF  
 1016 LONGWORTH HOB  
 WASHINGTON, DC 20515

Telephone: (202)225-3481

Facsimile: (202)225-9476

---

FAX COVER SHEET

TO: *Barbara Chaw*

FAX #: *395 - 5730*

FROM: *Cheryl Smith*

DATE:

PAGES (including cover): *10*

Comments:

*Tony's class size language*

*Chaw*  


---

*holq*

TONY'S Draft

## 112 STAT. 2681-975 PUBLIC LAW 105-277—OCT. 21, 1998

Board established under section 412 of the National Education Statistics Act of 1994 (20 U.S.C. 9011).

## (c) STUDIES.—

(1) PURPOSE, DEFINITION, AND ACHIEVEMENT LEVELS.—The National Assessment Governing Board shall determine and clearly articulate in a report the purpose and intended use of any proposed federally sponsored national test. Such report shall also include—

(A) a definition of the meaning of the term "voluntary" in regards to the administration of any national test; and

(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 381. 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 \$5,000,000 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

## PUBLIC LAW 105-277—OCT. 21, 1998 112 STAT. 2681-376

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 678(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.

(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 <sup>fully qualified,</sup> 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—

"X"  
(Something  
above  
15%)

112 STAT. 2681-377 PUBLIC LAW 105-277-OCT. 21, 1998

- (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.

(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 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.

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

Insert  
1

Insert  
2

Insert  
3

INSERT

31

1           “(4) A description of how the local educational  
2 agency will integrate funds under this subpart with  
3 funds received under title III that are used for pro-  
4 fessional development to train teachers in how to use  
5 technology to improve learning and teaching.

6           “(5) A description of how the local educational  
7 agency has collaborated with teachers, principals,  
8 parents, and administrators in the preparation of  
9 the application.

(K) 10    ~~“(4) PARENTS’ RIGHT-TO-KNOW.—~~A local edu-  
11 cational agency that receives funds under this ~~subpart~~ Section  
12 shall provide, upon request and in an understandable and  
13 uniform format, to any parent of a student attending any  
14 school receiving funds under this ~~subpart~~ <sup>Section</sup>, information re-  
15 garding the professional qualifications of the student’s  
16 classroom teachers, including, at a minimum, the fol-  
17 lowing:

18           “(1) Whether the teacher has met State quali-  
19 fication and licensing criteria for the grade levels  
20 and subject areas in which the teacher provides in-  
21 struction.

22           “(2) Whether the teacher is teaching under  
23 emergency or other provisional status through which  
24 State qualification or licensing criteria have been  
25 waived.

1           “(3) The baccalaureate degree major of the  
2 teacher and any other graduate certification or de-  
3 gree held by the teacher, and the field or discipline  
4 of the certification or degree.

5 ~~“SEC. 2033. PROFESSIONAL DEVELOPMENT FOR TEACHERS.~~

6 ~~“(a) LIMITATION RELATING TO CURRICULUM AND~~  
7 ~~CONTENT AREAS.—~~

8 ~~“(1) IN GENERAL.—Except as provided in para-~~  
9 ~~graph (2), professional development funds under this~~  
10 ~~subpart may not be provided for a teacher and an~~  
11 ~~activity if the activity is not—~~

12 ~~“(A) directly related to the curriculum and~~  
13 ~~content areas in which the teacher provides in-~~  
14 ~~struction; or~~

15 ~~“(B) designed to enhance the ability of the~~  
16 ~~teacher to understand and use the State’s~~  
17 ~~standards for the subject area in which the~~  
18 ~~teacher provides instruction.~~

19 ~~“(2) EXCEPTION.—Paragraph (1) does not~~  
20 ~~apply to funds for professional development activities~~  
21 ~~that instruct in methods of disciplining children.~~

22 ~~“(b) OTHER REQUIREMENTS.—Professional develop-~~  
23 ~~ment activities funded under this subpart—~~

## INSERT 2

~~15~~

1 the direct daily supervision of an expert, veteran  
2 teacher; and

3 "(3) provide that, before entry into teaching,  
4 candidates must be fully qualified.

5 "(f) COORDINATION.—States receiving grants under  
6 section 202 of the Higher Education Act of 1965 shall  
7 coordinate the use of such funds with activities carried out  
8 under this section.

9 ~~(e)~~ PUBLIC ACCOUNTABILITY.—

(L) 10 "(1) IN GENERAL.—A State that receives a  
11 grant under this ~~subpart~~ <sup>Section</sup>

12 "(A) in the event the State provides public  
13 State report cards on education, shall include in  
14 such report cards information on the State's  
15 progress with respect to—

16 "(i) subject to paragraph (2), improv-  
17 ing student academic achievement, as de-  
18 fined by the State;

19 "(ii) closing academic achievement  
20 gaps, as defined by the State, between the  
21 groups described in paragraph (2)(A)(i);

22 "(iii) increasing the percentage of  
23 classes in core academic areas taught by  
24 fully qualified teachers; and

25 "(iv) reducing class size; or

46

1 (B) in the event the State provides no  
 2 such report card, shall publicly report the infor-  
 3 mation described in subparagraph (A) through  
 4 other means.

5 (2) ~~DISAGGREGATED DATA.~~—The information  
 6 described in paragraph (1)(A)(i) and ~~section~~  
 7 ~~2013(b)(3)(A)~~ shall be—

8 (A) ~~disaggregated—~~

9 (i) by minority and non-minority sta-  
 10 tus and by low-income and non-low-income  
 11 status; and

12 (ii) using assessments consistent  
 13 with section 1111(b)(3); and

14 (B) publicly reported in the form of  
 15 disaggregated data only when such data are  
 16 statistically sound.

17 ~~SEC. 2013. APPLICATIONS BY STATES.~~

18 ~~“(a) IN GENERAL.—To be eligible to receive a grant~~  
 19 ~~under this subpart, a State shall submit an application~~  
 20 ~~to the Secretary at such time, in such manner, and con-~~  
 21 ~~taining such information as the Secretary may reasonably~~  
 22 ~~require.~~

23 ~~“(b) CONTENTS.—Each application under this sec-~~  
 24 ~~tion shall include the following:~~

INSERT 3

1 "Subpart 6—General Provisions

2 "SEC. 2061. DEFINITIONS.

3 "For purposes of this part—

4 "(1) ARTS AND SCIENCES.—The term 'arts and  
5 sciences' means—

6 "(A) when referring to an organizational  
7 unit of an institution of higher education, any  
8 academic unit that offers one or more academic  
9 majors in disciplines or content areas cor-  
10 responding to the academic subject matter  
11 areas in which teachers provide instruction; and

12 "(B) when referring to a specific academic  
13 subject matter area, the disciplines or content  
14 areas in which academic majors are offered by  
15 the arts and sciences organizational unit.

(j) DEFINITION

16 ~~"(2) FULLY QUALIFIED.—~~The term 'fully  
17 qualified'—

18 "(A) when used with respect to a public el-  
19 ementary or secondary school teacher (other  
20 than a teacher teaching in a public charter  
21 school), means that the teacher has obtained  
22 State certification as a teacher (including cer-  
23 tification obtained through alternative routes to  
24 certification) or passed the State teacher licens-  
25 ing exam and holds a license to teach in such  
26 State; and

~~529~~

1                   “(B) when used with respect to —

2                   “(i) an elementary school teacher,  
3 means that the teacher holds a bachelor's  
4 degree and demonstrates knowledge and  
5 teaching skills in reading, writing, mathe-  
6 matics, science, and other areas of the ele-  
7 mentary school curriculum; or

8                   “(ii) a middle or secondary school  
9 teacher, means that the teacher holds a  
10 bachelor's degree and demonstrates a high  
11 level of competency in all subject areas in  
12 which he or she teaches through—

13                   “(I) a high level of performance  
14 on a rigorous State or local academic  
15 subject areas test; or

16                   “(II) completion of an academic  
17 major in each of the subject areas in  
18 which he or she provides instruction.

19                   ~~“(3) BEGINNING TEACHER.—The term ‘begin-~~  
20 ~~ning teacher’ means an educator in a public school~~  
21 ~~who has not yet been teaching 3 full school years.~~

22                   ~~“(4) HIGH-NEED LOCAL EDUCATIONAL AGEN-~~  
23 ~~CY.—The term ‘high-need local educational agency’~~  
24 ~~means a local educational agency that serves an ele-~~

# Fax Transmission



## COMMITTEE ON EDUCATION AND THE WORKFORCE

Office of the Staff Director  
U.S. House of Representatives  
2181 Rayburn House Office Building  
Washington, DC 20515-6100

(202) 225-4527, phone  
(202) 225-9552, fax

TO:

Bruce Reed

COMPANY:

Domestic Policy

DATE:

11/09/99

FAX NUMBER:

202.456.5542

TOTAL NO. OF PAGES INCLUDING COVER:

THREE

PHONE NUMBER:

202.456.6515

SENDER'S REFERENCE NUMBER:

FROM:

KEVIN TALLEY, STAFF DIRECTOR

URGENT     FOR REVIEW     PLEASE COMMENT     PLEASE REPLY     PLEASE RECYCLE

NOTES/COMMENTS:

Please review and respond to Kevin Talley at 225-4527

IF THERE ARE DIFFICULTIES IN TRANSMISSION,  
PLEASE CALL (202) 225-4527

**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.

**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.

**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.

**Fax Transmission**  
**U.S. Senate Health, Education, Labor and Pensions Committee**  
**Washington, DC 20510-6300**

**Education Office**  
**Cover Sheet**

**Fax: (202) 228-0924**

**Date:** 11/9/99

**To:** Bruce Reed -456-5542  
Broderick Johnson -456-2604

**Fax #:** \_\_\_\_\_

**From:** Darius Petroski

**Subject:** FYI

**Pages:** 3 (including this cover sheet)

**Comments:**

**If there is trouble receiving this fax, please call (202) 224-5501**

House  
REPUBLICAN  
Conference

# News Release

J.C. WATTS, Jr.  
Chairman  
4<sup>th</sup> District, Oklahoma

For Immediate Release  
Tuesday, November 9, 1999  
Contact: Lauren Maddox/Kevin Schweers  
202-225-5107

## LOCAL SCHOOLS NEED EDUCATION FLEXIBILITY, NOT NEW WASHINGTON MANDATES

*White House Education Priorities High on Red Tape, Low on Accountability Standards*

WASHINGTON, DC – House Republican Conference Chairman J.C. Watts, Jr. (R-OK) today issued the following statement on education funding and reform:

“Republicans believe that parents and schools concerned about class size should have the resources to hire more teachers. But federal education dollars shouldn’t come wrapped in red tape. Local communities should set education priorities – not the Washington bureaucracy.

“Republicans want local school officials to have the flexibility to use federal education money to meet the unique learning needs of their students. Some schools want to hire more teachers, others need more funds for teacher training, and still others want to put computers in the classroom. We should help them do it, not tell them they can’t.

“Furthermore, kids deserve qualified teachers, well-trained in their specific subject matter. That’s why the House passed the Teacher Empowerment Act to give states greater flexibility to train teachers in exchange for strict accountability standards. But as Education and Workforce Chairman Bill Goodling (R-PA) noted, President Clinton opposes the measure, and his 100,000 teachers proposal lacks these critical provisions. Under the president’s proposal, unqualified teachers could be put in U.S. classrooms just to meet an arbitrary goal.

“The debate over education spending is not about money but control. Our goal should be helping students achieve, not satisfying a political promise.”

-- END --

<http://hillsource.house.gov>



**J. Dennis Hastert**  
**Fourteenth District**  
**Illinois**

<http://www.speaker.gov>

## **Speaker's Press Office**

United States House of Representatives  
Washington, DC 20515

FOR IMMEDIATE RELEASE:  
TUESDAY, November 9, 1999

CONTACT: 202-225-2800  
Pete Jeffries or John Feehery

### ***Statement by House Speaker Dennis Hastert Regarding Flexibility & Fairness -- Education Differences with the White House***

Washington D.C. -- U.S. House Speaker Dennis Hastert (R-IL) today released the following statement:

"When it comes to education, Washington needs to do what's in the best interests of our children.

"As a former high school teacher, I believe we should provide greater funding flexibility and more local control over our federal education dollars. I've seen how parents, teachers and local school boards can work together, community-by-community, to decide what's best for our kids, rather than a one-size-fits-all dictate from Washington that gets between students and learning.

"Unfortunately, the President disagrees. He wants more teachers and only more teachers.

"Republicans say that with more funding flexibility we can hire more teachers to reduce class size and also use some money for teacher training programs, merit-based pay, or more computers in the classroom -- all initiatives that ultimately benefit our children's future.

"I think the President greatly clarified the differences yesterday by saying education dollars aren't the property of local school districts. We disagree. It is the American people's money and we believe folks back home should have the freedom and flexibility to decide how to spend it in the best interests of our children."

###



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF THE SECRETARY

FAX TRANSMITTAL

TO Bruce

PHONE \_\_\_\_\_ FAX 456-2878

FROM Mike Cohen

PHONE \_\_\_\_\_ FAX 401-0596

PAGE (S) TO FOLLOW 7 DATE 11/9

MESSAGE:

Attached: -CSR info for All Spring Grove elementary schools  
-CSR info for Pennsylvania

**CONFIDENTIALITY NOTICE**

**THIS TRANSMISSION IS INTENDED FOR AND RESTRICTED TO THE NAMED ADDRESSEE ONLY. IT MAY CONTAIN CONFIDENTIAL AND/OR PRIVILEGED INFORMATION. IF YOU RECEIVE THIS TRANSMISSION IN ERROR, YOU ARE NOTIFIED THAT YOU ARE PROHIBITED FROM READING, COPYING, OR DISSEMINATING THE TRANSMISSION. PLEASE CALL 202-401-3000 TO ARRANGE FOR RETURN OF ANY TRANSMISSION SENT IN ERROR. THANK YOU.**

Spring Grove School District, York, PA

- 1999-2000 Federal Class Size Reduction funding (estimated): \$53,417.00  
Pennsylvania total CSR funding: \$50,982,529.00
- Spring Grove student achievement data (from the Pennsylvania System of School Assessment – PSSA):
  - \*PA administers the PSSA in 5<sup>th</sup>, 8<sup>th</sup> and 11<sup>th</sup> grades.
  - \*Scores range from a low of 1000 to a high of 1600

1997-1998	Spring Grove	Pennsylvania average
5 <sup>th</sup> grade	1290 Math, 1320 Reading	1300 Math, 1310 Reading

1996-1997	Spring Grove	Pennsylvania average
5 <sup>th</sup> grade	1310 Math, 1320 Reading	1300 Math, 1300 Reading

Source: the Pennsylvania Department of Education web site ([www.pde.psu.edu](http://www.pde.psu.edu))

**PENNSYLVANIA SYSTEM OF SCHOOL ASSESSMENT**  
**SCHOOL PROFILES**  
**INTERACTIVE REPORTING SYSTEM**

*This page was last changed on May 29, 1998*

**Indicators by Schools Report**

**Level: Primary School**  
**Year: 1997-1998**

INDICATORS	PARADISE EL CTR	SEVEN VALLEYS EL CTR	SPRING GROVE EL CTR/KDG CTRS	THOMASVILLE EL CTR
School district name	SPRING GROVE AREA SD	SPRING GROVE AREA SD	SPRING GROVE AREA SD	SPRING GROVE AREA SD
School name	PARADISE EL CTR	SEVEN VALLEYS EL CTR	SPRING GROVE EL CTR/KDG CTRS	THOMASVILLE EL CTR
School street address	RD 1 Box 170B	Box 7, Maple Street	149 East College	RD 2 Box 899
School city	THOMASVILLE	SEVEN VALLEYS	SPRING GROVE	THOMASVILLE
School phone	(717) 225-1650	(717) 428-1681	(717) 225-1038	(717) 792-1480
School contact	PRINCIPAL: PEGGY M. BANGE	PRINCIPAL: TRACI SMITH	PRINCIPAL: CAROL S. GLADFELTER	PRINCIPAL: PEGGY M. BANGE
Grade 1 enrollment	41	40	79	41
Grade 2 enrollment	45	46	79	46
Grade 3 enrollment	50	50	90	43
Total enrollment	180	176	443	183
Percent Low Income	22	23	21	17
Class Size -- 1 to 20 students	0.0%	12.5%	0.0%	12.5%
Class Size -- 21 to 23 students	75.0%	62.5%	4.2%	50.0%
Class Size -- 24 to 26 students	25.0%	25.0%	70.8%	12.5%
Class Size -- 27 to 29 students	0.0%	0.0%	25.0%	25.0%

<b>Class Size -- 30 or more students</b>	0.0%	0.0%	0.0%	0.0%
<b># of FT Prof. Staff -- Administrative/Supervisory</b>	1	0	1	0
<b># of FT Prof. Staff -- Classroom Teachers</b>	9	8	25	9
<b># of FT Prof. Staff -- Counselors</b>	0	0	0	0
<b># of FT Prof. Staff -- Librarians</b>	0	0	1	0
<b># of FT Prof. Staff -- Other Service Coord.</b>	1	1	1	0
<b># of PT Prof. Staff -- Administrative/ Supervisory</b>	0	0	0	0
<b># of PT Prof. Staff -- Classroom Teachers</b>	0	0	0	0
<b># of PT Prof. Staff -- Counselors</b>	0	0	0	0
<b># of PT Prof. Staff -- Librarians</b>	0	0	0	0
<b># of PT Prof. Staff -- Other Service Coord.</b>	0	0	0	0

<a href="#">Home</a>	<a href="#">Introduction</a>	<a href="#">Indicator Descriptions</a>	<a href="#">State Profile</a>	<a href="#">Sources</a>
----------------------	------------------------------	--	-------------------------------	-------------------------

**PENNSYLVANIA SYSTEM OF SCHOOL ASSESSMENT**  
**SCHOOL PROFILES**  
**INTERACTIVE REPORTING SYSTEM**

*This page was last changed on May 29, 1998*

**Indicators by Schools Report**

**Level: Primary School**  
**Year: 1997-1998**

INDICATORS	HEIDELBERG EL CTR	NEW SALEM EL CTR
School district name	SPRING GROVE AREA SD	SPRING GROVE AREA SD
School name	HEIDELBERG EL CTR	NEW SALEM EL CTR
School street address	RD 3	RD 28, Box 140N
School city	SPRING GROVE	YORK
School phone	(717) 225-3486	(717) 792-1084
School contact	PRINCIPAL: STEVE COTTON	PRINCIPAL: TRACI SMITH
Grade 1 enrollment	49	48
Grade 2 enrollment	49	68
Grade 3 enrollment	50	73
Total enrollment	202	267
Percent Low Income	9	14
Class Size -- 1 to 20 students	0.0%	0.0%
Class Size -- 21 to 23 students	12.5%	36.4%
Class Size -- 24 to 26 students	75.0%	63.6%
Class Size -- 27 to 29 students	12.5%	0.0%
Class Size -- 30 or more students	0.0%	0.0%
# of FT Prof. Staff -- Administrative/Supervisory	0	1
# of FT Prof. Staff -- Classroom Teachers	8	15
# of FT Prof. Staff -- Counselors	0	1
# of FT Prof. Staff -- Librarians	0	1
# of FT Prof. Staff -- Other Service Coord.	1	0
# of PT Prof. Staff -- Administrative/Supervisory	0	0
# of PT Prof. Staff -- Classroom Teachers	0	0
# of PT Prof. Staff -- Counselors	0	0
# of PT Prof. Staff -- Librarians	0	0

# of PT Prof. Staff -- Librarians	0	0
# of PT Prof. Staff -- Other Service Coord.	0	0

<a href="#">Home</a>	<a href="#">Introduction</a>	<a href="#">Indicator Descriptions</a>	<a href="#">State Profile</a>	<a href="#">Sources</a>
----------------------	------------------------------	--	-------------------------------	-------------------------

**PENNSYLVANIA SYSTEM OF SCHOOL ASSESSMENT**  
**SCHOOL PROFILES**  
**INTERACTIVE REPORTING SYSTEM**

*This page was last changed on April 19, 1999*

## 1997-98 Statewide Numbers

See Below for 1996-97 Numbers

See Below for 1995-96 Numbers

### Enrollment and Attendance

**Student Attendance Rates (School Year 1997-98): 93.1%**

**Percent Low Income (School Year 1997-98): 32.0%**

### Graduates

<b>Intended Pursuits for School Year 1996-97 Graduates:</b>		<b>Percent of Students:</b>
Graduate Intentions:		
Postsecondary degree-granting institution		68.1%
Postsecondary non-degree-granting institution		3.7%
Obtain a job		14.7%
Join the military		4.0%
Homemaking		0.7%

### Dropouts

<b>Dropouts (School Year 1996-97):</b>	Grade	Grade	Grade	Grade	Ungraded
	9	10	11	12	Secondary
Dropout Rates	2.8%	4.0%	4.7%	4.2%	2.7%

### Class Size

Class Size (School Year 1997-98):			
Percent of Classes			
Number of Students	State-wide Sample Comparisons for Public Schools Serving:		
	Elementary Grades Only	Secondary Grades Only	Elementary and Secondary
1 to 20	23.0%	30.9%	13.8%
21 to 23	30.9%	19.8%	17.3%
24 to 26	29.5%	22.2%	25.7%
27 to 29	12.0%	17.1%	25.6%
30 or more	4.4%	10.0%	17.3%

### Staffing

Teacher Absenteeism and Professional Development (School Year 1997-98):	
Percent of Contractual Days	
Teachers absent for personal reasons	4.7%
Teachers pursued professional development activities	2.9%

### College Entrance Examination Board Advanced Placement Participation

Percent of 11th and 12th graders taking CEEB advanced placement exam (1997-98):	Percent of 11th and 12th graders tested scoring 3 or above on exam (1997-98):
English	71.0%
Math/Computer Science	68.0%
Science	61.4%
Social Science/History	61.6%
Art & Music	72.0%
Languages	64.4%

### Pennsylvania System of School Assessment

# Fax Transmission



## COMMITTEE ON EDUCATION AND THE WORKFORCE

### Office of the Staff Director

U.S. House of Representatives  
2181 Rayburn House Office Building  
Washington, DC 20515-6100

(202) 225-4527, phone  
(202) 225-9552, fax

TO:

Bruce Reed

COMPANY:

DATE:

11/8/99

FAX NUMBER:

TOTAL NO. OF PAGES INCLUDING COVER:

3

PHONE NUMBER:

SENDER'S REFERENCE NUMBER:

FROM:

KEVIN TALLEY, STAFF  
DIRECTOR

KELLY DUQUIN, ASSISTANT TO  
THE STAFF DIRECTOR

URGENT     FOR REVIEW     PLEASE COMMENT     PLEASE REPLY

NOTES/COMMENTS:

IF THERE ARE DIFFICULTIES IN TRANSMISSION,  
PLEASE CALL (202) 225-4527

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

## 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
<b>CLEAR PURPOSE</b>	<ul style="list-style-type: none"> <li>• Reduce class size to 18 in the early grades</li> </ul>	<ul style="list-style-type: none"> <li>• Reduce class size to 18 in the early grades</li> </ul>	✓
<b>FIRST STEP TOWARD HIRING 100,000 TEACHERS</b>	<ul style="list-style-type: none"> <li>• \$1.1 billion in first year</li> <li>• Help school districts hire more than 30,000 teachers in the first year of a seven year-initiative to hire 100,000 teachers</li> </ul>	<ul style="list-style-type: none"> <li>• \$1.2 billion in first year</li> <li>• Help school districts hire more than 30,000 teachers in the first year.</li> </ul>	✓
<b>TARGETING NEEDIEST STUDENTS</b>	<ul style="list-style-type: none"> <li>• Targeted to high poverty students using Title 1 formula</li> </ul>	<ul style="list-style-type: none"> <li>• Targeted to high poverty communities, with 80% of funds allocated by poverty and 20% by population count</li> </ul>	✓
<b>GETTING DOLLARS TO LOCAL SCHOOL DISTRICTS</b>	<ul style="list-style-type: none"> <li>• 99.4% of funds to local school districts;</li> <li>• 0.0% for federal administration; 0.5% for costs to state of program administration and testing of new teachers; 0.1% for evaluation</li> </ul>	<ul style="list-style-type: none"> <li>• 100% to local school districts</li> <li>• 0.0% for federal administration; 0.0% for costs to state of program administration and testing of new teachers ; 0.0% for evaluation</li> </ul>	✓
<b>ENSURING TEACHER QUALITY</b>	<ul style="list-style-type: none"> <li>• Requires that local school districts spend at least 10% of funds on improving teacher quality</li> <li>• New teachers must meet state certification requirements</li> <li>• New teachers must pass state-selected competency test</li> </ul>	<ul style="list-style-type: none"> <li>• Establishes 15% cap for local school district expenditures on improving teacher quality</li> <li>• New teachers must meet state certification requirements</li> <li>• School districts may use funds for teacher competency tests</li> </ul>	✓
<b>ACCOUNTABILITY FOR RESULTS</b>	<ul style="list-style-type: none"> <li>• Must produce annual school report card to parents and the public on student achievement and class size</li> </ul>	<ul style="list-style-type: none"> <li>• Must produce annual school report card to parents and the public on student achievement and class size</li> </ul>	✓



Partner Sites:  
 • [Newsweek.com](http://Newsweek.com)  
 • [Britannica Internet Guide](http://Britannica.com)



## Clinton Optimistic on Budget Deal

By Alan Fram  
 Associated Press Writer  
 Monday, Nov. 8, 1999; 6:00 p.m. EST

WASHINGTON — President Clinton predicted Monday that a federal spending deal could be struck by midweek, but said Republicans should support his proposal to help school districts hire thousands of new teachers.

Turning up the pressure on his highest visibility budget demand, Clinton said that after Congress financed his plan for \$1.2 billion last year for hiring teachers, some GOP candidates claimed that as an accomplishment during their re-election campaigns.

"Congress agreed with that last year," he told reporters at the White House. "I'd like to see them answer instead why they're so willing to abandon something they campaigned on and asked people to vote for them for doing just a year ago."

Clinton wants \$1.4 billion this year to hire thousands of additional elementary school teachers, while Republicans prefer \$1.2 billion that could be used by states for teacher hiring or other education purposes.

Senate Majority Leader Trent Lott, R-Miss., said he believed the fight over teachers could be worked out by Wednesday, when GOP leaders would like to adjourn Congress for the year.

But Lott and other Republicans continued to insist that states and school districts be given more flexibility.

"The superficiality of the president's proposal is really only exceeded by its brazenness," said Sen. Judd Gregg, R-N.H.

The two sides seemed to be inching closer on several disputes, with people from both sides saying a roughly \$15 billion measure financing the Interior Department seemed practically done.

But that still left three bills covering six Cabinet agencies, many smaller agencies and foreign aid stalled by various problems. The measures are for fiscal 2000, which began Oct. 1.

By late afternoon, there were no hints of other breakthroughs.

In a letter to rank-and-file Republicans, House Speaker Dennis Hastert, R-Ill., and other House GOP leaders said budget bargaining would end "when we have a balanced budget that doesn't raid Social Security, doesn't raise taxes and pays down the debt for the third year

in a row."

Clinton showed little sign of backing down.

"We can finish our work by Wednesday if we put partisanship aside and focused instead on achieving goals that the vast majority of the American people want us to achieve," he said, listing education, environment, public safety and economic security.

In remaining disputes, White House bargainers had lowered their demand for \$1.3 billion for hiring new police officers to \$570 million in new spending, closer to the \$325 million Congress has approved.

Republicans offered to give Clinton \$228 million of the additional \$2.3 billion he wants for education, labor and health programs, said Sen. Arlen Specter, R-Pa., chairman of the Senate Appropriations Committee that oversees school spending.

Republicans were still looking for compromise regarding the unpaid U.S. dues to the United Nations and an effort by conservatives to link that money to abortion restrictions overseas.

The administration was trying to add language to a \$15.3 billion foreign aid bill, approved Friday by the House, that would let the International Monetary Fund help multilateral banks forgive debt to poor countries. Sen. Robert Byrd, D-W.Va., abandoned his effort to block that bill as he tried to win unrelated concessions for his state's mining companies.

Meanwhile, the Senate debated a measure that would make it harder for bankruptcy filers to duck their debts. It also prepared for votes Tuesday on competing Republican and Democratic plans to raise the \$5.15 minimum wage by \$1, coupled with tax breaks for small business.

Twelve minor bills were on the House agenda, including one that would tighten federal oversight of professional boxing. Another asked Major League baseball to honor "Shoeless Joe" Jackson, the Chicago White Sox star who was banned from the game after being accused – many say wrongfully – of throwing the 1919 World Series.

The ongoing budget impasse was beginning to fray some tempers.

Still bristling over White House comments on Sunday that money for teachers was nonnegotiable, Specter said the budget talks were an unconstitutional invasion of Congress' power of the purse by the White House.

"It really reduces the Congress to the state of being a eunuch," said Specter, who said he was nevertheless participating in the process, "the only one in town."

© Copyright 1999 The Associated Press

[Back to the top](#)

**Class Size Reduction Program  
FY 1999-2005 State Allocation Estimates<sup>1</sup>**

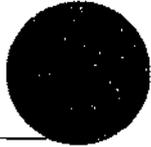
	FY 1999 Teachers	FY 2000 Teachers	FY 2001 Teachers	FY 2002 Teachers	FY 2003 Teachers	FY 2004 Teachers	FY 2005 Teachers
ALABAMA	489	589	642	756	776	1,220	1,537
ALASKA	145	178	184	228	234	367	462
ARIZONA	450	582	633	744	783	1,193	1,500
ARKANSAS	289	381	393	463	475	746	939
CALIFORNIA	3,322	4,386	4,788	5,595	5,740	8,989	11,263
COLORADO	339	418	455	535	549	851	1,083
CONNECTICUT	282	356	366	468	468	735	925
DELAWARE	145	178	184	228	234	367	462
DISTRICT OF COLUMBIA	145	178	194	228	234	367	462
FLORIDA	1,353	1,749	1,902	2,231	2,288	3,579	4,485
GEORGIA	789	1,007	1,086	1,288	1,319	2,062	2,590
HAWAII	145	178	194	228	234	367	462
IDAH0	145	178	194	228	234	367	462
ILLINOIS	1,289	1,622	1,659	1,954	2,006	3,164	3,973
INDIANA	517	640	697	828	841	1,319	1,659
IOWA	243	308	338	395	405	634	797
KANSAS	248	301	328	386	386	622	783
KENTUCKY	505	594	648	763	783	1,232	1,552
LOUISIANA	758	884	864	1,136	1,166	1,835	2,312
MAINE	145	178	184	228	234	367	462
MARYLAND	450	544	593	697	716	1,124	1,414
MASSACHUSETTS	577	688	750	894	918	1,442	1,815
MICHIGAN	1,293	1,516	1,653	1,847	1,993	3,144	3,981
MINNESOTA	428	519	566	665	683	1,072	1,350
MISSISSIPPI	484	577	629	741	761	1,197	1,508
MISSOURI	529	649	707	832	854	1,339	1,685
MONTANA	145	178	194	228	234	367	462
NEBRASKA	150	188	204	240	246	388	488
NEVADA	145	178	194	228	234	367	462
NEW HAMPSHIRE	145	178	194	228	234	367	462
NEW JERSEY	705	865	842	1,108	1,137	1,784	2,244
NEW MEXICO	247	314	341	401	412	645	810
NEW YORK	2,599	3,497	3,804	4,465	4,581	7,164	8,599
NORTH CAROLINA	636	780	861	1,012	1,038	1,627	2,047
NORTH DAKOTA	145	178	184	228	234	367	462
OHIO	1,186	1,401	1,527	1,798	1,846	2,903	3,657
OKLAHOMA	348	431	470	552	565	888	1,117
OREGON	297	363	395	465	477	749	943
PENNSYLVANIA	1,311	1,545	1,665	1,994	2,036	3,203	4,035
PUERTO RICO	1,040	1,181	1,323	1,558	1,600	2,517	3,172
RHODE ISLAND	145	178	194	228	234	367	462
SOUTH CAROLINA	373	458	510	598	614	953	1,211
SOUTH DAKOTA	145	178	194	228	234	367	462
TENNESSEE	818	628	684	804	826	1,298	1,631
TEXAS	2,600	3,112	3,388	3,863	4,087	6,407	8,059
UTAH	198	245	267	314	322	505	635
VERMONT	145	178	184	228	234	367	462
VIRGINIA	541	653	722	850	872	1,388	1,722
WASHINGTON	504	617	672	780	811	1,273	1,602
WEST VIRGINIA	291	340	370	436	448	705	888
WISCONSIN	517	639	698	818	840	1,317	1,657
WYOMING	145	178	194	228	234	367	462
Outlying Areas/DIA	154	191	331	404	417	865	1,068
Total teachers	38,857	38,152	41,724	48,070	50,356	79,183	99,592
Total appropriation	1,200,000,000	1,400,000,000	1,500,000,000	1,700,000,000	1,735,000,000	2,300,000,000	2,800,000,000

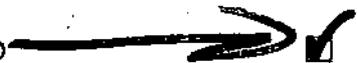
<sup>1</sup> Estimates assume that 10 percent of program funds will support teacher testing and professional development with the remainder funding class-size reduction, except that after 2003 all funds will be used for class-size reduction. Estimates also assume an average local match of 30% on all funds above the FY 99 allocation. Estimates further assume that 75 percent of teachers hired will be beginning teachers and 25 percent will be reentry teachers. Estimated average cost of teachers hired (including salary and benefits) under these assumptions is \$35,000.  
Source: 1993-94 Schools and Staffing Survey.

WHITE HOUSE STAFFING MEMORANDUM

Date: 11/8/99 ACTION / CONCURRENCE / COMMENT DUE BY: ASAP

Subject: Remarks - Departure Statement on the Budget



	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	<input checked="" type="checkbox"/>	<input type="checkbox"/>	LOCKHART	<input type="checkbox"/>	<input checked="" type="checkbox"/>
PODESTA	<input checked="" type="checkbox"/>	<input type="checkbox"/>	MARSHALL	<input type="checkbox"/>	<input type="checkbox"/>
ECHAVESTE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	MOORE	<input type="checkbox"/>	<input type="checkbox"/>
RICCHETTI	<input checked="" type="checkbox"/>	<input type="checkbox"/>	NASH	<input type="checkbox"/>	<input type="checkbox"/>
LEW	<input checked="" type="checkbox"/>	<input type="checkbox"/>	NOLAN	<input type="checkbox"/>	<input type="checkbox"/>
BAILY	<input type="checkbox"/>	<input type="checkbox"/>	REED 	<input checked="" type="checkbox"/>	<input type="checkbox"/>
BERGER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SOSNIK	<input checked="" type="checkbox"/>	<input type="checkbox"/>
BLUMENTHAL	<input type="checkbox"/>	<input type="checkbox"/>	SPERLING	<input checked="" type="checkbox"/>	<input type="checkbox"/>
BURSON	<input type="checkbox"/>	<input type="checkbox"/>	STEIN	<input checked="" type="checkbox"/>	<input type="checkbox"/>
CAHILL	<input type="checkbox"/>	<input type="checkbox"/>	STRETT	<input type="checkbox"/>	<input type="checkbox"/>
EDMONDS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	TRAMONTANO	<input checked="" type="checkbox"/>	<input type="checkbox"/>
FRAMPTON	<input type="checkbox"/>	<input type="checkbox"/>	UCELLI	<input checked="" type="checkbox"/>	<input type="checkbox"/>
IBARRA	<input type="checkbox"/>	<input type="checkbox"/>	VERVEER	<input type="checkbox"/>	<input type="checkbox"/>
JOHNSON, B.	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
JOHNSON, J.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
LANE	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
LEWIS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>

REMARKS:

Comments to Paul Glavin 65716

RESPONSE:

Draft 11/8/99 12:10 p.m.

Glastris

99 NOV 8 PM 12:21

**PRESIDENT WILLIAM J. CLINTON  
DEPARTURE STATEMENT ON BUDGET  
THE WHITE HOUSE  
WASHINGTON, DC  
November 8, 1999**

In a few moments, I will be leaving for Georgetown University to offer some thoughts on what we must do to strengthen and deepen the transformation to democracy that has occurred around the world since the fall of the Berlin Wall. But before I go, I want to say a few words about our negotiations with Congress over budget issues affecting us here at home.

Over the weekend, we made some progress towards creating a budget that reflects the values of the American people, respects the need for government to live within its means, and looks towards the future. We are not there yet, but we are at a critical point. I believe we can finish our work by Wednesday, if we put partisanship aside and focus on achieving the goals the American people value. A better education for our children. Safer streets. A clean environment protected for future generations. And more Americans brought into the circle of our growing prosperity.

There is no greater value than education, especially in an information-age economy. It is a value that Vice President Gore and I have worked hard to strengthen over the last seven years. So, even as we've reduced the size of government, turned budget deficits into surpluses, and sparked an economic expansion that this February will be the longest in history, we have also nearly doubled our investment in education and training.

Last fall, we took another important step. We reached an agreement with Congress to help states and school districts begin hiring 100,000 new, high-quality teachers to reduce class sizes in the early grades. The need was obvious. School enrollments are exploding. Record numbers of teachers are or will soon be retiring. And the research is clear that students learn more in smaller classes with quality teachers.

Last week, we learned, from a new survey of the nation's largest school districts, that our class size reduction initiative has so far done precisely what we said it would do: it has put more teachers in the classroom, and increased training for those already there, with a minimum of red tape and bureaucracy.

Now, we have even more new evidence that our class size reduction effort is working. Today, I am releasing a new report from the Department of Education. The report shows that in just one year, schools across America have hired over 29,000 new teachers, thanks to our class size reduction initiative. The report also shows that in the early grades in those schools, class sizes have been reduced by an average of five students per class. Over 1.7 million students are now directly benefiting from our class

size reduction effort. This is good news for America. And I am committed to making sure that every young student in America receives the benefits of more individual attention and a more disciplined learning environment that smaller class sizes bring.

Congressional Republicans agreed to support our class size reduction effort last fall. In fact, they went home and campaigned on it, and ran ads touting it as their idea. It was a good idea then, and it's a good idea now.

But suddenly, the Republican majority has changed its mind. Instead of keeping their commitment to hire more teachers and reduce class size, they want an open-ended block grant, which could be used for vouchers to private schools. I think that would be wrong. Taxpayer money should go for more teachers and smaller classes in public schools, not for vouchers for private schools. I am absolutely committed to keeping the promise that I made, and Congress made, to reduce classes in the early grades. We need to find a way to keep that promise.

If we put partisanship aside, I believe we can find a way, by Wednesday, to deliver a budget that supports the values of the American people.

We value the safety of our families, and so we must put 50,000 new community police officers in our neighborhoods to keep the crime rate going down.

We value an environment that is protected. And so we must support our Land Legacies initiative, to set aside precious natural areas for future generations. And we must reject special interest provisions that would endanger our environment.

Finally, we value equal opportunity. And so, before Congress leaves, let's tackle one more urgent priority. Let's make sure we give hard working families a chance to share in our growing prosperity, by raising the minimum wage.

We can do all of this in way that is paid for, that does not spend the Social Security Trust Fund, and that allows us to pay down the debt over the next 15 years so that America can be debt free for the first time since 1835. So, I urge the Congress to put partisanship aside and work with me to finish the job the American people sent us here to do.

Thank you.

Talking Points on  
*Local Success Stories Reducing Class Size Report*

This report:

- This report contains several new findings: The Department of Education estimates that **29,000 teachers** will be hired, **1.7 million children** will be directly impacted by the program, and that **average grade 1-3 class size in schools impacted by the program has dropped to 18.**
- **42 percent** of teachers hired are teaching in **first-grade**, **23 percent** in **second grade**, and **24 percent** in **third grade.**
- About **8 percent** of the money is being used for professional development.
- The report also highlights **new research** from Tennessee and Wisconsin that provides even more evidence that reducing class sizes in the early grades is an effective strategy to increase student achievement.
- The report shows that in concert with the President's plan **20 states** are reducing class size in the early grades.
- The report illustrates that the program is **focused enough to accomplish its goals** but **flexible enough to accommodate varying local needs.** For example in addition to just hiring teachers to reduce class size, the report shows how school districts are using innovative approaches such as team teaching, sustained intensive instruction in smaller classes by specialists in key subjects like reading and math, and converting to a year round schedule.
- The report offers **examples of local strategies** that are being employed to reduce class size and the **success that school districts across the country** are having with the program. For example:

**Jackson, Mississippi hired 20 additional teachers** and placed them in 20 low-performing elementary schools. Many of the teachers had previously retired or left the district but **returned because of the opportunity to work in smaller classes and to act as mentors for less experienced teachers.**

**Columbus, Ohio hired 58 fully certified teachers for 13 high-poverty, low-performing schools. In these schools class size has now been reduced from an average of 25 to approximately 15 in grades 1-3. Columbus is using the class size reduction program as part of its comprehensive effort to raise student achievement and end social promotion.**

Background:

- Last year a bipartisan deal resulted in \$1.2 billion for this program. This year's budget asked for an additional \$200 million (\$1.4 billion total) to hire 8000 additional teachers.

At the time Republican leaders said:

**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]

**Former Speaker Newt Gingrich**

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

**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]

## **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, especially at a time of booming enrollments, 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.

# Fax Transmission



## COMMITTEE ON EDUCATION AND THE WORKFORCE

### Office of the Staff Director

U.S. House of Representatives  
2181 Rayburn House Office Building  
Washington, DC 20515-6100

(202) 225-4527, phone  
(202) 225-9552, fax

TO: Bruce Reed DATE: 11/7/99

COMPANY: \_\_\_\_\_

FAX NUMBER: \_\_\_\_\_ TOTAL NO. OF PAGES INCLUDING COVER: 4

PHONE NUMBER: \_\_\_\_\_ SENDER'S REFERENCE NUMBER: \_\_\_\_\_

KEVIN TALLEY, STAFF DIRECTOR

KELLY DUQUIN, ASSISTANT TO THE STAFF DIRECTOR

URGENT     FOR REVIEW     PLEASE COMMENT     PLEASE REPLY

NOTES/COMMENTS:

*Here some language was developed  
beso the letter to Hostert/Lott.  
Home phone 202-543-2445*

Alternative Teacher Quality Provisions:

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

That \$1,800,000,000 is for an initiative focusing on teacher quality and reducing class size 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 funds under this part to improve the quality of teacher preparation programs, establish or expand alternative routes to teacher certification, and providing assistance to local education agencies in the delivery of high quality professional development to teachers.

Provided further that a local educational agency receiving funds under this part shall use a portion of such funds for recruiting, hiring, and training fully qualified teachers in order to reduce class size, unless the local agency determines that the funds would be used more effectively in order to ensure all existing teachers are fully qualified, or if the local agency determines that efforts to reduce class size would result in having to rely on under-qualified teachers, inadequate classroom space or would have other negative consequences affecting efforts to improve student academic achievement. And that local educational agency may also use funds under this part for initiatives to promote the retention of fully qualified teachers, implement reforms to improve teacher quality such as merit-pay and tenure reform, 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 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 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 local education agencies receiving such funds shall publicly report to parents on the progress of increasing the percentage of classes in core academic areas taught by fully qualified teachers.

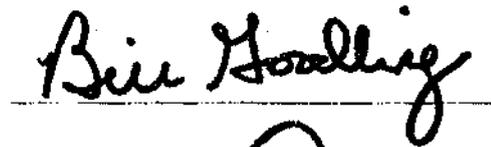
Provided further, That Title III of the Goals 2000: Educate America Act, and Title II of the Elementary and Secondary Education Act, are hereby repealed.

The Honorable Dennis J. Hastert  
The Honorable Trent Lott  
November 3, 1999  
Page Two

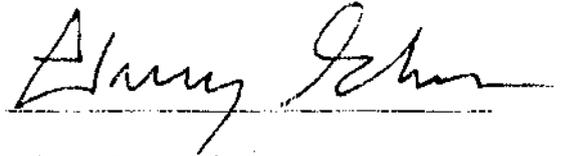
We believe Republicans have a unique opportunity for a compromise in this area between the current block grant approach that is in the Labor-HHS-Education Appropriations bill and the President's mandated program to hire 100,000 new teachers regardless of the quality or need for such teachers. The TEA is a common sense approach that is focused on maintaining qualified teachers in our classrooms and providing flexibility to local school districts.

We want to work with you and the other budget negotiators to include the TEA bill in the final budget agreement but you should know that we will vote against the final bill if it continues to fund the President's 100,000 new teacher program as he has mandated without the local flexibility as we have envisioned it.

Sincerely,



BILL GOODLING



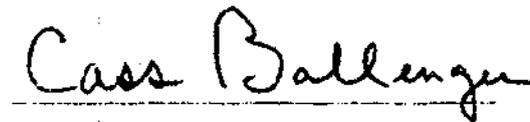
LINDSEY GRAHAM



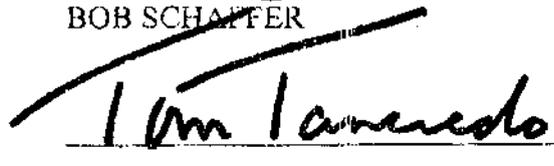
THOMAS PETRI



BOB SCHAFFER



CASS BALLENGER



TOM TANCREDO



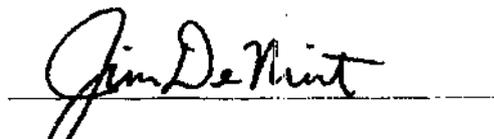
PETE HOEKSTRA



VERNON EILERS



MATT SALMON



JIM DEMINT

## MAJORITY MEMBERS:

WILLIAM F. GOODLING, PENNSYLVANIA, Chairman

THOMAS E. PETRI, WISCONSIN, Vice Chairman  
 MARGE ROUKEMA, NEW JERSEY  
 CASS BALLINGER, NORTH CAROLINA  
 BILL BARRETT, NEBRASKA  
 JOHN A. BOEHNER, OHIO  
 PETER HOEKSTRA, MICHIGAN  
 HOWARD P. "BOCKY" MCKEON, CALIFORNIA  
 MICHAEL N. CASTLE, DELAWARE  
 SAM JOHNSON, TEXAS  
 JAMES M. TALENT, MISSOURI  
 JAMES C. GREENWOOD, PENNSYLVANIA  
 LINDSEY O. GRAHAM, SOUTH CAROLINA  
 MARK E. SOUDER, INDIANA  
 DAVID M. MOTTLOH, INDIANA  
 CHARLIE NORWOOD, GEORGIA  
 RON PAUL, TEXAS  
 BOB SCHAFER, COLORADO  
 FRED UPTON, MICHIGAN  
 NATHAN DEAL, GEORGIA  
 VAN HILLEARY, TENNESSEE  
 VERNON J. EHRLERS, MICHIGAN  
 MATT SALMON, ARIZONA  
 THOMAS G. TANCREDO, COLORADO  
 ERNE FLETCHER, KENTUCKY  
 JIM GUMMINT, SOUTH CAROLINA  
 JOHNNY ISAKSON, GEORGIA



COMMITTEE ON EDUCATION  
 AND THE WORKFORCE  
 U.S. HOUSE OF REPRESENTATIVES

2181 RAYBURN HOUSE OFFICE BUILDING  
 WASHINGTON, DC 20515-6100

November 3, 1999

## MINORITY MEMBERS:

WILLIAM L. CLAY, MISSOURI, Ranking Member

GEORGE MILLER, CALIFORNIA  
 DAVE L. KILDEE, MICHIGAN  
 MATTHEW B. MARTINEZ, CALIFORNIA  
 MARSH R. GWOSD, NEW YORK  
 DONALD M. PAYNE, NEW JERSEY  
 PATEY D. MINK, HAWAII  
 ROBERT E. ANDREWS, NEW JERSEY  
 TIM ROEMER, KENTUCKY  
 ROBERT C. "BOBBY" SCOTT, VIRGINIA  
 LYNN C. WOOLSEY, CALIFORNIA  
 CARLOS A. ROMERO BARCELÓ, PUERTO RICO  
 CHARA PATAK, PENNSYLVANIA  
 RUBEEN HINDOJA, TEXAS  
 CAROLYN MCCARTHY, NEW YORK  
 JOHN F. TILNEY, MASSACHUSETTS  
 RON KIND, WISCONSIN  
 LORRETA SANCHEZ, CALIFORNIA  
 HAROLD E. FORD, JR., TENNESSEE  
 DENNIS J. KUCINICH, OHIO  
 DAVID YU, OREGON  
 RUSHDY HOLT, NEW JERSEY

MAJORITY — (202) 225-4027  
 TTY — (202) 226-3172  
 MINORITY — (202) 226-3176  
 TTY — (202) 226-3116

The Honorable Dennis J. Hastert  
 Speaker  
 H-232 The Capitol  
 Washington, DC 20515

The Honorable Trent Lott  
 Majority Leader  
 S-230 The Capitol  
 Washington, DC 20515

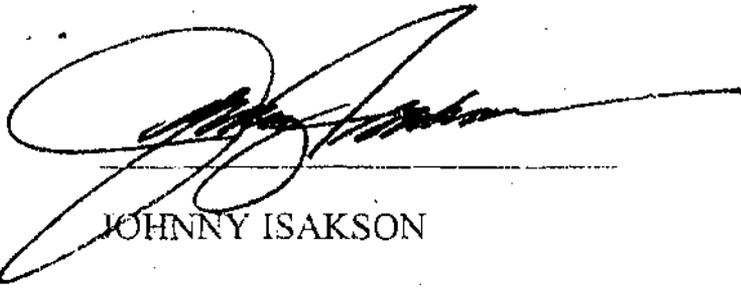
Dear Speaker Hastert and Majority Leader Lott:

As we enter into the final days of budget negotiations, President Clinton has stated numerous times that one of his top priorities is funding for his "100,000 New Teachers" program. Clearly, this is one of the most controversial issues to be resolved prior to adjournment. In our view, this is a win-win situation for Republicans. Every parent knows that a quality teacher is the key to a good education.

As Members of the Education and Workforce Committee, we believe that Republicans have a positive alternative to his "Washington knows best" approach. The Republican alternative is H.R. 1995, the Teacher Empowerment Act (TEA) which passed the House this summer with bipartisan support. This legislation maintains a strong focus on reducing class size by requiring that a portion of funds (unspecified) be used to hire teachers for this purpose. However, unlike the President's program, which 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. Furthermore, unlike the President's program, TEA demands true accountability as demonstrated through increased student achievement.

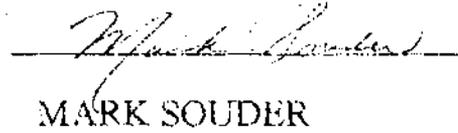
During consideration of the FY2000 Labor-HHS-Education Appropriations bill, the House Committee on Appropriations did not provide funds for the Goals 2000 State grant program and the President's 100,000 new teachers program. The bill consolidated those 2 programs along with the Eisenhower Professional Development Program to provide \$1.8 billion for the Teacher Empowerment Act, subject to such Act being enacted into law. We strongly urge you and the other budget negotiators to support this consolidation approach in the final appropriations bill.

The Goals 2000 State grant program has expired and our Committee does not plan to reauthorize this program. Even the President proposed consolidating the Goals 2000 State grant program into a professional development program for States in his legislation to reauthorize the Elementary and Secondary Education Act. Funding a separate program for Goals 2000 should not be a part of this final budget agreement. If the President can do it, it is very difficult for us to understand why the GOP majority can't as well.



---

JOHNNY ISAKSON



---

MARK SOUDER

cc: The Honorable Dick Arney  
The Honorable Tom DeLay  
The Honorable C.W. Bill Young  
The Honorable John Porter  
The Honorable Don Nickles  
The Honorable Ted Stevens  
The Honorable Arlen Specter

**MEMORANDUM TO THE PRESIDENT**

**DRAFT**

From: Richard W. Riley  
Secretary of Education

RE: Conference Report for the Department's FY 2000 Appropriations Act

As you know, the Class Size Reduction Program is already beginning to make an important difference in our Nation's schools. Based on our preliminary data, we estimate that the \$1.2 billion appropriated by Congress one year ago for this program was used to hire approximately 30,000 teachers in communities throughout the country. In the school districts where they work, the addition of these new teachers have reduced the average size of first, second, and third grade classes by more than 5 students—from roughly 23 students per class to less than 18. In all, some 1.7 million children will benefit from the Class Size Reduction Program this year. And earlier this week, you received a report from the Council of Great City Schools, documenting how some 40 large city school systems are effectively lowering class size as part of their overall strategy to increase reading achievement in the early grades, to recruit and prepare qualified teachers, to end social promotion the right way, and to turn around low performing schools.

Unfortunately, the conference report for the Department of Education FY 2000 Appropriations Act places this important progress in jeopardy. I wish to call your attention to several serious problems with the bill's treatment of the Class Size Reduction Program.

First, the conference report contains language that permits school districts to use appropriated funds not only to lower class size but also to pursue virtually any other educational strategy designed to improve student performance. This effectively converts the Class Size Reduction Program into a block grant that lacks both a clear purpose and accountability for performance. In contrast, the original statute establishing the Class Size Reduction Program couples a very clear objective with substantial flexibility for local school systems to meet the objective in ways that reflect their priorities and needs. Under the guise of expanding flexibility for local school systems, the conference report abandons the commitment you and the Congress made to students, parents, and teachers to reduce class size in the early grades to an average of 18.

Second, the conference report contains language that appears to authorize the use of appropriated funds for private school vouchers or similar arrangements. This back-door effort to promote vouchers comes just one week after the House voted against a voucher provision in Title I. No other Department program, including Titles I and VI of the Elementary and Secondary Education Act of 1965, contains such broad authority. As you know, I strongly oppose the use of federal funds to support private school vouchers. There is no parallel universe of private schools ready, able, and willing to take on the job

of educating 48 million public school students, and research does not confirm that private schools offer a better education than public schools. Moreover, because private schools are designed to provide independent alternatives to publicly supported education, voucher programs present enormous difficulties with respect to ensuring public accountability for educational results. In sum, the only way to fix the public schools is to fix the public schools, not to abandon them. The Class Size Reduction Program is an important step in this direction, and I urge you not to allow funds for this program to be diverted to private school vouchers.

Third, the conference report does not contain sufficient funds to make additional progress in lowering class size. Your FY 2000 budget proposed a \$200 million increase in this program, from \$1.2 billion to \$1.4 billion. This amount would enable school districts to hire an additional 7,000 teachers, further reducing class size. In contrast, the conference report provides level funding—enough to enable school districts to maintain the progress they have made, but not enough to allow them to make additional progress. Given the positive outcomes we are already beginning to see, the Class Size Reduction Program deserves increased investment.

## MEMORANDUM TO BRUCE REED

*Edw -  
class size*

**FROM:** Caroline Chang  
Bethany Little

**SUBJECT:** "Smaller is Better: First Hand Reports of Early Grade Class Size Reduction in New York City Public Schools"

---

Per your request, I am attaching the New York City class size report cited in the article you forwarded. In April, the Educational Priorities Panel (EEP) released this anecdotal report concluding that the overall effect of smaller classes was "overwhelmingly positive."

The report is based on interviews with principals and teachers from five schools, as well as test data in their first year of the NYC public schools class size reduction program for grades K-3. The city used \$110 million in state and federal funds to create 950 classes averaging 20 students each. The smaller classes are estimated to affect about 30 percent of students in K-3. Some federal funds were used to hire 600 extra "floating" teachers, who step into a regular class to provide additional small-group instruction for a block each day. The report points out that class size reduction is valuable because it is prevention rather than remediation, and it concludes that expanding the program would most likely lead to significant improvements in student outcomes.

Observed changes attributed to the smaller class sizes include:

- Improved teaching quality and quantity, due to greater individualized attention;
- More frequent student evaluation and follow-up;
- Heightened classroom participation;
- Greater enthusiasm for reading;
- Reduction in number of disciplinary referrals – one principal said suspensions are down 60% because of the smaller class sizes;
- Increased teacher morale and ability to attract experienced and qualified teachers;
- Greater parent involvement stemming from improved parent-teacher relationships;

In addition, the report includes suggestions on how the program could be strengthened:

- Provide sufficient training and professional development for "floating" teachers, and incorporate time for coordination with collaborating teachers;
- Be wary of "enrollment creep," or adding additional students during the year, which essentially invalidates the initiative;
- Smaller class sizes should be formed at the K and 1<sup>st</sup> grade levels first (some schools used the funds to decrease class size in 2<sup>nd</sup> and 3<sup>rd</sup> grades), since the greatest impacts occur with sustained exposure to smaller class size

EPP is a consortium of about 25 religious and secular non-profit organizations in New York, including groups like the New York Urban League and the League of Women Voters of New York City, Inc.

# Smaller is Better

First-hand Reports of Early Grade  
Class Size Reduction in  
New York City Public Schools



Educational Priorities Panel

## MEMBERS OF THE EDUCATIONAL PRIORITIES PANEL

Advocates for Children  
American Jewish Committee, New York Chapter  
American Jewish Congress, Metropolitan Region  
Asian American Communications  
ASPIRA of New York  
Association for the Help of Retarded Children  
Citizens' Committee for Children of New York, Inc.  
The City Club of New York  
Community Service Society  
The Junior League of Brooklyn  
League of Women Voters of New York City, Inc.  
New York Coalition of 100 Black Women  
National Black Child Development Institute of New York  
New York Urban League  
Parent to Parent New York State  
People for the American Way Foundation  
Presbytery of New York City  
PROGRESS, Inc.  
Reformed Church in America, Synod of New York  
Resources for Children with Special Needs, Inc.  
Rheedlen Centers for Children and Families  
United Neighborhood Houses  
United Parents Associations of NYC, Inc.  
Women's City Club of New York, Inc.

### EDUCATIONAL PRIORITIES PANEL

225 Broadway, Suite 3101  
New York, NY 10007  
tel. (212) 964-7347  
fax (212) 964-7354

Noreen Connell, *Executive Director*  
Marian Adams Bott, *Legislative Representative*

Marilyn Braveman, *Chairperson*  
Marge Scheuer, *Vice Chairperson*

*This report was made possible by grants from*  
The Caroline & Sigmund Schott Foundation  
The Dickler Family Foundation

#### **Other Support for the Educational Priorities Panel for 1999-00 Has Been Provided by:**

Booth Ferris Foundation	Blue Ridge Foundation
Chase Manhattan Foundation	Donors' Education Collaborative
J.P. Morgan & Co. Incorporated	Klingenstein Fund
New York Community Trust	New World Foundation
Presbytery of New York City	Joseph E. Seagram & Sons, Inc. Fund

# Smaller is Better

## First-Hand Reports of Early Grade Class Size Reduction in New York City Public Schools

**F**inally the children in a public school ... have a fair chance to succeed ... The government is investing in our schools the right way, providing the resources the children really need ... It should stay here forever. We have come so far to obtain this, it has been so long — we must keep it. It's the only way to guarantee success for our children. For decades it's been the thing we knew would make all the difference for our children, but I never thought I would live to see the day where it would actually happen. I feel honored that I've seen the day that I could provide these children with the appropriate resources they need to learn. Now, it should be expanded to all the schools in the city. All children in this city, this state, this country are entitled to the benefits of smaller classes. Speaking as an educator, it should not be a privilege, it should be a right.

— **Norma Genao**,  
Principal, PS 185 in Manhattan  
*(Pictured on the cover with some  
students at her school.)*

Educational Priorities Panel

# Table of Contents

	Page
Executive Summary .....	i
Chapter I. Introduction .....	1
Chapter II. What changes class size reduction has brought to the classroom .....	3
Chapter III. How the program can be strengthened .....	11
Chapter IV. Conclusion: The need for continuity in planning and funding .....	15

## EXECUTIVE SUMMARY

The Educational Priorities Panel (EPP) has carried out a study of the first year of the class size reduction program for grades K-3 in the New York City public schools by visiting five schools throughout the city and interviewing the principal and at least two teachers involved in implementing the program at each school. All told, 17 interviews were conducted.

This report is based on the first-hand accounts by these principals and teachers of the effect of smaller classes on their schools as well as one school's test data indicating changes in student performance levels. The monitoring study was done after EPP had surveyed 18 community school districts to verify compliance with state and federal class size reduction regulations. Systemwide surveys of compliance have been conducted by the New York City Board of Education and, independently, by the United Federation of Teachers.

On the whole, the class size reduction experience as reported by principals and teachers has been overwhelmingly positive. They note the following changes in their schools as a result of the introduction of smaller classes:

- Many of the students placed in smaller classes appear to be learning faster this year compared to the year before, though all of the educators we interviewed stressed that it was still too early to make definitive judgments.
- The quality and quantity of teaching have been fundamentally enhanced, because smaller classes allow teachers to give more individualized attention to their students and utilize small group instruction more effectively.
- Smaller classes have allowed teachers to do more frequent student evaluation and follow-up.
- There is a heightened level of classroom participation this year, which has led to improvements in students' language and communication skills.
- Students display a greater enthusiasm for and initiative in reading this year, most likely due to their being placed in customized and smaller reading groups.
- There is a noticeable decline in the number of disciplinary referrals among students placed in smaller classes. One principal reported that suspensions at her school are down 60% from last year, which she specifically attributed to the class size reduction program.
- There is an upsurge in teacher morale that many expect will lead to significant decreases in staff turnover. In some schools, the smaller class sizes have also made it easier to hire more qualified and experienced teachers.
- Parent-teacher relationships have improved in some schools this year, leading to an overall increase in parental involvement in these schools.
- Smaller classes have proved especially valuable, since this is a reform that focuses on prevention rather than remediation, giving more children the opportunity to succeed in the first place rather than fail.
- We identified ways in which the initiative could be strengthened, particularly the floating teacher program, by contrasting how it is being implemented in two different schools. We found that floating teachers appear to be most successful when time is provided for training, coordination, and planning, and when they are not assigned to too many classrooms.
- In some schools inconsistencies in terms of grade level implementation and grouping could be redressed if there was more careful planning and assurances of continued funding for the program.

At this point, the New York City class size reduction program has every indication of success, and will most likely lead to significant improvements in student outcomes if the legislative support for this program is sustained and expanded.

## CHAPTER I

# Introduction

**T**he New York City public school system has long been plagued by its overly large classes. For many years, New York City students have been crammed into the largest classes in the state, averaging about 28 per class in the elementary grades, compared to 22 or fewer elsewhere. Research has shown that lowering class size, particularly in grades K-3, is the most effective way to boost student performance, narrow the achievement gap, and decrease the number of students who drop out of school or are held back. Research also shows that the benefits of being placed in a smaller class in the early grades continue through the high school years and beyond.

- This year, with the help of \$110 million in state and federal funds, about 950 new, smaller classes in grades K-3 were created in the New York City public schools, with about 20 students per class.
- Since every new class created reduces the size of other classes in that grade, the Board of Education has calculated that state and federal aid combined has resulted in smaller classes for an estimated 30% of the students in grades K-3.
- These new, smaller classes were created in approximately 530 of the 675 New York City elementary schools. In many schools, classes were reduced in only one or two grades.
- Some of the federal funds have also been used to hire about 600 extra "floating" teachers in schools too crowded to create new classes. These teachers enter the regular classroom for a significant block of time each day in order to provide additional small-group instruction to students in reading or math.

Since the fall of 1999, the Board of Education has been collecting reports from community school districts on how many classes have been reduced and at what grade levels, how many schools have benefited, and how many schools have opted to use "floating" teachers. The United Federation of Teachers (UFT) has conducted its own independent, internal survey of the state and federal class size reduction imple-



**This year, students are showing a greater enthusiasm for reading**

mentation to verify that these funds have been used appropriately. By December, EPP concluded its own independent survey of 18 district superintendents and business managers to get a school-by-school breakdown of the actual classes reduced and the number of schools that used federal funds for "floating" teachers. Our assessment is that the Board of Education has fully complied with state and federal regulations in the allocation of these funds.

By 2001, the New York State Legislature is supposed to fund the class size reduction program at \$225 million. If this level of funding is fulfilled, it will represent the state's most significant contribution to high-needs school districts, since most of these dollars are to go to the large cities, where class sizes are the largest and student needs are the greatest overall.

Both the state and the federal government have made sizable investments toward providing smaller classes in our schools because research has shown that reducing class size, particularly in the early grades, significantly increases student achievement. Yet this is the first opportunity EPP has had to assess whether smaller classes do indeed make a difference in New York City public schools, and if so, why. With this objective in mind, the Educational Priorities Panel visited schools throughout the city to interview principals and teachers who are experiencing class size reduction for the first time.

We carried out 17 in-depth interviews at five schools currently implementing class size reduction. We interviewed the principal and at least two teachers at every school. Two of the schools were in Manhattan, and there was one in every other borough except Staten Island. The choice of schools was partly random and partly based on suggestions from superintendents. We ended up seeing a range of schools, some in overcrowded districts, and some in less crowded districts. Some of these schools were high achieving, and others were less so. Many different models of class size reduction were used in the various schools we visited.

Some of the principals we interviewed had used class size reduction funds to lower all of their class sizes in certain grades by a few students to 24 or less; others had used the funds to reduce only a few classes in selected grades to less than 20. Other principals had enough funds to reduce all their early grade classes to 18 or 20. Some of the schools we visited had floating teachers, while others did not. All in all, the sample we ended up with was highly differentiated and appeared to be broadly representative of schools where class size reduction is being carried out in the city as a whole.

There was also a wide range of experience among the educators we interviewed. The two newest principals had been

in their jobs for almost three years, and the most experienced had been in the job for 10½ years, with a mean of seven years overall. The range among teachers was even wider, from two floating teachers who were new this year, to one classroom teacher who had been working for 29 years, with an overall mean among teachers of 12 years experience. This report is based on on-site interviews with these principals and teachers in February and early March 2000, using open-ended questions that could elicit both negative and positive responses.

EPP usually encounters a significant amount of criticism and frustration about new initiatives from staff at the school level. For this reason, our reports usually do not identify the individuals we interview. This is the first time EPP has encountered few, if any, reservations regarding a new initiative. All of those interviewed were unanimous in their praise for what smaller classes had done for their schools. Typical responses included the following superlatives: From a teacher in Queens, "It's ideal." From a principal in Brooklyn, "It's been incredible ... just phenomenal." A teacher in East Harlem, "It's been invaluable." A principal in central Harlem, "The government is investing in our schools the right way, providing the resources the children really need."

## CHAPTER II

# What changes class size reduction has brought to the classroom

**T**he Tennessee and Wisconsin research studies on increases in student achievement from smaller class size are largely based on analyses of test results.

With the exception of one New York City school that had testing data over several years, the reports of increased performance in this chapter are based on teachers' and principals' observations of improved learning in the classroom. From their accounts, EPP has attempted to identify some of the factors that may play a role in this increased student achievement.

### Early signs of increased achievement

The most important change noted by principals and teachers was that the students placed in smaller classes seemed to be learning faster this year compared to the year before, though all of them stressed that it was still too early to make any definitive judgments. Carla Middough, a teacher of 18 1<sup>st</sup> graders at PS 185 in District 3 said, "My students have made a lot of progress since September. Many of them didn't know their alphabet, or their sounds; now a lot are beginning to pick up sight words. I've seen much quicker progress than the year before."

Dawn Steinberg, a 1<sup>st</sup> grade teacher at PS 139 in Flatbush, Brooklyn in District 22 reported that her students were able to "pick things up faster, and move faster through subjects" than when she had a larger class. At the same school, Bobbi Silverman, a Kindergarten teacher of an inclusion class with some special education children, is delighted with her students' progress: "They have excelled way beyond my expectations."

Lisa Goldstein, a teacher of 19 2<sup>nd</sup> graders at PS 198 in District 2 in Manhattan, when asked if she's seen benefits of the program in terms of student achievement, replied: "Absolutely. Almost all the kids are reading on grade level," compared to the six or seven who weren't the year before, when she had 29 in her class. "It's a huge difference; I can tell from my own sense and the running records we keep," she affirms. Though she emphasizes she has "no hard data as of yet," Gloria Buck-



**Ivy Sherman, principal of PS 139 in Brooklyn, has seen her students' test scores soar as a result of smaller classes**

ery, the principal of PS 198, concurs: "We have some informal assessments that show our students are reading at a higher level ... The quality of their writing, the level of their literacy is improved." Peter McNally, principal of PS 229 in District 24 in Queens agrees: "Research shows and our limited experience from this year indicates that the productivity of the kids is much better ... the quality of their work [has] improved."

One principal that we interviewed did have statistics to back up her conviction that smaller classes have significantly boosted student performance at her school. PS 139 in Flatbush, Brooklyn in District 22 has a large and diverse student population of 1100, with a poverty level of 90%, and a large number of immigrant students who among them speak 51 languages at home. For the last three years, the school has also had smaller classes in Kindergarten and 1<sup>st</sup> grade, with twenty students per class, due to a district-wide initiative. When asked if she has seen benefits of the program in terms

of student performance, Ivy Sherman, the principal of PS 139 replied: "Absolutely; it's been reflected in our test scores, our class work, the students' writing. We're really meeting the standards, because our teachers are able to meet the children's needs." The result is that she's seen her students' test scores soar: "The first year I got here, [when class size reduction started], 48% of the 1<sup>st</sup> graders were meeting or exceeding their grade level on the California Achievement Test; last year it was 69%." The 2<sup>nd</sup> graders in her school, she noted, have made similar jumps in achievement, which she attributes directly to the class size reduction program, along with an increased emphasis on professional development and "balanced literacy."<sup>1</sup>

### **Factors leading to higher achievement**

In our interviews, we were especially interested in finding out what it was about smaller classes that might lead to such improvements in student outcome. We discovered a number of factors that seemed to work synergistically to advance the learning experience in the classroom and the school as a whole.

#### **1. More individualized attention leads to enhanced teaching**

All of the interviewed teachers responded that the quality and quantity of their teaching had been fundamentally improved as a result of class size reduction. Each spoke at length about how having a smaller class had allowed them to give more individualized attention to their students. Most also mentioned that they relied increasingly on small group instruction and personal "conferencing," especially for reading and writing, in order to meet the new higher standards, and their ability to do so was now greatly facilitated. A typical response was that of Lisa Goldstein, the 2<sup>nd</sup> grade teacher at PS 198, a school that borders East Harlem in Manhattan. When asked what her experience has been teaching a class of 19 this year, compared to 29 the year before, Ms. Goldstein replied:

It's made a world of difference ... I can meet with children on an individual basis and meet all their needs more effectively. During reading and writing times we conference with the kids, but I have time to see only

four to five per day. I don't worry about the rest of the class during this time so much now that I have a smaller class. The children are easier to control, there are fewer distractions, and fewer kids disrupting what's going on. I can also meet with them more often individually compared to last year — about once a week compared to once every two weeks last year. It raises the quality of teaching. I'm not doing anything differently, but I can do it more often, and better.

Iris Pellet, 1<sup>st</sup> grade teacher at PS 139 in Flatbush, reported how with a smaller class there seemed to be more time in the day to cover more subjects and engage in more activities: "I can spend more time actually working with kids, see their work, check on its progress. And it takes less time to cycle through all the kids, so I can work with them individually more frequently."

Individualized attention is especially crucial in the early grades, as Maryann Wainstock, a Kindergarten teacher at PS 198 in District 2 points out. Ms. Wainstock, who has been in the profession for 24 years, explained: "Children come in to school at so many different levels. There are huge gaps in their abilities at this age. You have to teach each child individually, or teach them in small groups, and the more children you have the harder it is to reach all of them ... Particularly in Kindergarten, they come in with fewer skills; we have to touch each child, to show them how to hold a pencil properly, how to write. We need them close by. There's no way to do that with a large group."

Elizabeth Lutkowski, who teaches a 1<sup>st</sup> grade class of 17 students at PS 229 in Woodside Queens, describes other benefits of a smaller class: "As a teacher you can be more visual, more hands-on. The children can work with manipulatives more easily, and leave things set up in the corner, to come back to later ... They can also share much more easily. They've just made dioramas, and are sharing them in three groups. In a large group, there's so much time to wait. These things might not seem important, but they are."

Since their students are learning the basics more quickly, some teachers noted that they were able to cover more aspects of a topic. According to Ms. Steinberg, the 1<sup>st</sup> grade teacher at PS 139 in Brooklyn, she's been able to pursue "more lateral growth — to work on a different area of the topic, or a more challenging aspect of the same skill. Also, we can branch off into different tangents of the subject, depending on what they bring up in class and their inter-

<sup>1</sup> "Balanced literacy" is a process by which children experience reading and writing in many different ways, including learning skills and strategies through "shared" reading with a teacher, reading in small groups where teachers "guide" their reading, and reading and writing independently.



**Carla Middough can do more ECLAS assessments of her first grade students**

ests." Thus, her 1<sup>st</sup> graders are increasingly able to pursue their individual interests, do research on them, and report back to the class. Ms. Silverman, Kindergarten teacher at PS 139, described that since some of the children in her class have acquired the basic skills so quickly, now they "are working on poetry — they can go off on different tangents."

## **2. More frequent student assessment and follow-up**

Many teachers said that having a small class allowed them to do the critical tasks of individual evaluation and follow-up more frequently. A great number of assessments, both formal and informal, are now mandated for New York City elementary students. One of the most important is the Early Childhood Literacy Assessment System, or ECLAS, that is supposed to be done at least twice during the year for early grade students. Some teachers we interviewed have added an additional mid-year ECLAS to their routine.

As Carla Middough, a teacher of a 1<sup>st</sup> grade class of 18 students at PS 185 in Harlem pointed out, because of the fewer number of students, "It's easier to break them up into small groups. We see them more often, can cycle through all the groups, and keep track of their progress better. We can do more ECLAS assessments. The first comes in November, the second usually in May. It has four components, and is very time-consuming. Now we've added a mid-year assessment."

Michelle McElhatton, a "floating" teacher who works with two 2<sup>nd</sup> grade classes at PS 280 in the Bronx, can complete more Developmental Reading Assessments (DRAs) with her students, another type of literacy assessment often used,

because of the class size reduction program. She's also able to carry out "running records" more frequently, during which she counts exactly how many and what kind of mistakes they make while reading aloud to her: "I can keep my eyes on my students better and constantly check if they're understanding the material. I can check how many errors they're making, and think of strategies to deal with those errors."

As teachers track the progress of their students more closely, they can target those students with learning problems earlier, and deal with these problems more effectively. Ms. McElhatton concludes, "I really get to know the children one to one, what skills they lack, what they need. I have a plan for each child... It's easier to adjust to different learning styles with the smaller groups. I can identify and address their needs quicker."

## **3. Student language skills improved**

In a smaller class, the communication skills of students are also enhanced because there is more opportunity for them to participate in classroom discussion. This in turn helps build their ability to read and write. According to Ms. Lutkowski of PS 229 in Queens, in a smaller class, students can "learn from each other better, they listen to the teacher better. They feel more free to offer their own views. Really, language is the basis of their problems ... and in a smaller class, we are encouraging interaction, speaking, and communication, all of which together is the basis for reading and writing."

Many other teachers noted an increased level of classroom participation in their smaller classes this year. Some attributed this to the closer bond that they were able to forge with their students. Nancy Napoli, a 3<sup>rd</sup> grade teacher at PS 280 in



**Elizabeth Lutkowski, first grade teacher, observes that her students' communication skills are enhanced in a smaller class**

the Bronx, explains that her students are "quick to show you they understand, because they're in a small group ... They're more eager to please me, because they're in a smaller class, and I'm able to get to everybody sometime during a period. A lot of kids are quiet and shy ... but now they aren't so quiet and shy anymore. They've come out of their shells, they're raising their hands, and eager to show me they know the answer — and that's because they're in a smaller class."

Maria Dockendorf, a teacher at PS 220 in Woodside, Queens, has seen a similar improvement occurring among her 18 3<sup>rd</sup> graders, many of whom were low-achieving:

Originally, some of the children were afraid to ask questions. Now, they're all more comfortable. One was so timid, so afraid, he was reluctant to participate in the school storytelling contest, but now he's gone all the way to the district level in the competition, representing our school. So many of the children feel very insecure, they've failed so many times ... They need us to build them up, build up their confidence level before they can achieve.

#### **4. More focused learning and student-teacher interaction**

Many teachers and principals noted a radical change in the atmosphere of their schools, with more focused work going on in the classroom. Several independently pointed out that when children are taught in small groups, they appear to pay more attention to what is going on. Gloria Buckery, principal of PS 198, said: "They're able to use manipulatives more in math, and they're having conversations about the manipulatives ... The quality of the cooperative learning has improved. They're more focused on the task at hand." As Ms. McElhatton put it, "They're not distracted; they're really paying attention. I'm really getting through to them." In a smaller class, according to Maryann Wainstock of PS 198, the atmosphere is "calmer, much quieter ... [it's] academically sounder."

Teachers also stressed that the heightened interaction they experienced with their students this year was critical, given that many of these children came from homes where English was not the first language, or where parents worked in the evening or were busy dealing with other issues. As Ms. Midough, the 1<sup>st</sup> grade teacher at PS 185 in Harlem explained, "A lot of my students only have real contact with an adult ... in school. A lot of them have language barriers and they don't speak English, or their parents have language barriers. They need to have more help, more attention from their teacher as a result."

Lisa Goldstein of PS 198 in District 2 agreed: "Inner city kids need more than kids in the suburbs. They get less individual attention at home. The smaller the class size, the more we can give them." Norma Genao, principal at PS 185, sums it up best: "For too many of our students, their parents are working at night, or they're living with foster families or living with grandmothers. Their best chance for quality time with an adult is right here in school. How many children can a teacher see and attend to on a daily basis? How can a qualified teacher address the needs of 30 children in a class? They are doomed to failure."

#### **5. Increased levels of student initiative in reading**

The more accurate assessment that smaller classes allow, as well as the greater ability to form customized reading groups, has enabled teachers to place their students in reading groups that are at just the right levels — which leads to further gains in achievement. Again, as Ms. McElhatton points out, "I can choose literature that's just right for them. If I choose books that are too hard, they won't want to read them, they get scared. If I choose books too easy ... they'll get bored." Within the right, small group, "they can get books just right for them."

When placed in the appropriate reading group, students often seem to demonstrate a greater enthusiasm for reading. As Verlethia Cisse, a teacher at PS 185 in Harlem explains, when her 19 2<sup>nd</sup> graders "have reading groups that are really individualized and geared to their level ... they don't feel threatened. They're more comfortable, and participate more, which raises their confidence and self-esteem. Reading becomes tremendously gratifying and exciting to them — before it was not exciting. Now, they want to pick up books to read on their own, because of this confidence factor. I see them doing more independent reading. They show greater initiative, they even attempt harder books because they feel successful instead of defeated." Moreover, according to principal Norma Genao, "If you go into my classrooms, you see small classes, more space, an inviting and rich environment, with room for books, and the children's work on display. The children feel special and welcome, they feel 'I'm important, because look at the place I'm in!'"

#### **6. Disciplinary referrals dramatically reduced**

One of the consequences of smaller classes that we had not anticipated and that came up spontaneously in nearly every one of our interviews was their profound impact on the number of disciplinary referrals. Gloria Buckery, principal of



**Principal Gloria Buckery reports that disciplinary referrals have dropped 60% this year at PS 198 in District 2**

PS 198, reports that suspensions in her school are down fully 60% from last year, a huge drop that she attributes specifically to the class size reduction program. Ms. Genao, principal of PS 185, observed a similar improvement at her school: "Management is easier. When they [the students] play outside, they're calmer — you can see the difference. Even though there are more students than ever before, the playground is quieter. There are fewer discipline problems because their needs are being met in the classroom. They're not acting out as much; there's been a turnaround in their behavior. For the first time we have time to invest in the whole child, and relate to the child on all levels." Ms. Sherman, principal of PS 139 in Brooklyn also noted a reduction in behavior referrals, as did Peter McNally, principal of PS 229 in Queens.

Teachers cited many reasons for the sharp decline in behavior problems, which they linked to smaller classes. One explanation was that when students are more engaged in classroom activities, they are less apt to cause disruptions. As Dawn Steinberg of PS 139 in Brooklyn explained, "If you have a child with a disciplinary problem, you can get on top of it faster and help that child get through it, by altering their way of dealing with it. You can rechannel children's attention towards a different avenue, and get them to refocus their energies on the work, instead of acting out." Another possible reason mentioned is that in a smaller class, as Verlethia

Cisse explains, children "look at each other more as family, and they connect to each other."

Finally, with smaller classes, there is more space for students to move around the room without bumping into one another, a frequent occurrence in the city's typically overcrowded classrooms, which often leads to fights. One teacher has seen deterioration in this regard as her enrollment has crept upward from 20 to 23 over the course of this year. "Now ... it's more crowded on the rug, the lines are longer. They're pushing each other more ... there's more behavior problems."

Of course, as disciplinary problems are reduced, the time for teaching is increased, which leads to further academic advances — triggering a positive feedback. As Ms. Buckery points out, "Smaller classes make classroom management easier, and that lessens interference for kids to progress ... when you're not coping with behavior problems, more energy can go into instruction." Ms. Cisse, 2<sup>nd</sup> grade teacher at PS 185 concurs that this year, "I spend more time on teaching, less on classroom management."

### **7. Smaller classes leading to higher morale among teachers**

Another beneficial effect of class size reduction has been an upsurge in the level of morale among teachers. Ms. Buckery reports: "For the first time, no new teacher has broken down crying in my office. It's always happened in the past. You could see the lack of morale among the teachers. Now what's being asked of them is realistic."

Especially with the new learning standards, the pressure on teachers has become immense, as Norma Genao, principal of PS 185 pointed out: "The main concern every teacher should have is instruction, not management. When you have overcrowded classes, management comes first, unfortunately, and instruction comes second. Now they also have preparation, planning, and new standards to live up to, there are no excuses. They are all accountable. This adds to the stress."

Ms. Genao revealed that her teachers have made additional contributions to the improvement of the school as a result of their more positive attitude this year: "The teachers have created handbooks for the staff, and another one for the parents. Because they are not overwhelmed and frustrated, they can be more creative and more productive." Ivy Sherman, principal of PS 139 in Brooklyn, also notes that teacher participation has grown because of class size reduction: "In some schools, it's hard to get teachers to work in the after-school program, because they're so tired, so burned-out after

the end of the day. Here we have 36 teachers working in our after-school program."

#### **8. Less staff turnover and easier recruitment expected**

Many principals we interviewed independently predicted that the significant improvement in teacher morale resulting from class size reduction will likely lead to less staff turnover at their schools. Teacher turnover is a chronic problem in New York City, where according to the UFT, 55% of teachers leave after only five years — double the national average. Norma Genao, principal of PS 185 described the phenomenon this way:

With my teachers I was always concerned about burn-out. I was a teacher myself and knew how difficult it was having 25 to 30 students ... In this school the staff turnover used to be tremendous; it was in part because they had so many kids, they were doomed to failure and no one wants to fail. Now, my teachers are happy. They are enjoying the art of teaching again. Sometimes, I felt like we were all on an assembly line. Now we can feel satisfaction, because we have results and can accomplish our goals.

Gloria Buckery, principal of PS 198, agreed: "New teachers are frequently overwhelmed, and this [smaller classes] would help ensure that their classroom experience was positive, leading them to stay on longer in the profession and develop their skills more."

Ivy Sherman, principal of PS 139 in Brooklyn, which has benefited from smaller classes for almost three years, confirmed that teacher turnover has diminished as a result: "We've had very little staff turnover — only one teacher has retired since I've been here, and she was ill."

Several teachers independently confirmed these principals' expectations. Dawn Steinberg, an experienced teacher of 31 years at PS 139 explained: "When you're dealing with smaller classes, you can defuse the discipline problems more easily, and that's a large part of the daily stress a teacher faces ... I feel a great weight, a pressure lifted off my back. I'm not hitting my head on the wall. I think it's going to reduce burnout dramatically, and allow teachers to stay in the profession longer. I know it'll tempt me to stay longer."

Lisa Goldstein of PS 198 went as far as to say that she would not remain teaching in the New York City public school system if the program was discontinued: "Now that I've seen the difference a small class makes, I don't want to go back to



**Lisa Goldstein would leave teaching at PS 198 if her class became too large again**

being a policeman. It would be impossible for me to go back to the old way. If the program disappeared, I'd go elsewhere — I wouldn't keep teaching in a city public school, I'd teach where classes are smaller. Whatever money I was offered, it's just not worth it."

One of the arguments frequently made by opponents of class size reduction is that it will lead to an influx of unqualified, inexperienced teachers, particularly in schools that are already hard-to-staff. None of the principals mentioned this as a problem. Instead, Norma Genao, principal of PS 185 in Harlem, found that it was much easier to fill the numerous openings she had, even among applicants who had already taken other jobs, because she could promise them smaller classes. Indeed, as a result of this highly attractive incentive, she was able to draw more qualified candidates to teach in her school, including many with master's degrees and a greater experience level.

All in all, our interviews revealed that providing smaller classes may in the end be one of the most effective ways to bring qualified and experienced teachers into New York City public schools, and ensure they remain working longer once they have entered the system.

#### **9. Improved parent-teacher relationships**

At the schools implementing class size reduction, this year has also seen a change in the relationships between parents and staff, according to some of the educators we interviewed. As Gloria Buckery, principal of PS 198 in District 2

observed, "Teachers have more time to tell parents the positive things their children are doing rather than only focusing on the negative. Positive interaction is happening as well." Iris Pellot, 1<sup>st</sup> grade teacher at PS 139 in Flatbush, Brooklyn pointed out that with a smaller class, "It seems easier to communicate with parents ... I have more time to engage parents in what's going on in the classroom."

Principal Norma Genao has noticed greater parental participation at PS 185 as well: "There's been ... an improvement in terms of the atmosphere of the school. It's more relaxed, we're all more comfortable and confident and proud, and parents feel that and it reflects in our relationships with them. Parent involvement has been the greatest this year than I've ever known it, in the almost 20 years I've been involved in the school. There are more parents volunteering in the lunchroom, there are more teachers volunteering to give parent seminars at night."

The program has even brought changes to parent-teacher night. Some teachers noted that this year they had time to correct homework in more detail, and fill out report cards in more depth. As Lisa Goldstein pointed out, "I'm not spreading my efforts so thinly. I can focus on each person's work in a more concentrated way." Michelle McElhatton, the floating teacher at PS 280 in the Bronx, is able to graph each student's progress in color on the Developmental Reading Assessment, which she and the regular classroom teacher then present to parents on parent-teacher night. Even the parent-teacher conferences can be longer, because of the smaller number each teacher has to see overall. As Ms. Goldstein added, "it's made a huge difference doing parent/teacher conferences; I can take 15 minutes with each, instead of 10 minutes."

#### **10. More collaboration between teachers**

Yet another ancillary benefit of the program noted by some of those we interviewed is the greater degree of collaboration among teachers this year, particularly in schools with floating teachers. As Gary LaMotta, principal of PS 280 in the Bronx explained, "Relationships have been forged between teachers, leading them to share among themselves, because of the new support teacher." Michelle McElhatton, the floating teacher interviewed at PS 280, mentioned this advantage as well: "It's great to be able to talk and plan with the other teachers. Three heads are better than one. We get ideas from each other, and go to each other for help." Bobbi Silverman, a Kindergarten teacher at PS 139 in District 22 in Brook-

lyn sees great benefits flowing to her students as a result of the additional teacher who comes in for half of each day: "They get to learn things a different way, two different versions of teaching the same skills. It's so rewarding — I'm banging my head against the wall, and then the kids get so excited with the fresh approach from a new teacher."

Carla Middough, a 1<sup>st</sup> grade teacher at PS 185 in Harlem, remarked that even in a school without floating teachers, "we can better discuss our children's problems among the teachers and brainstorm together" — since each teacher has fewer students overall. "Especially with the holdovers, it's easier to discuss their needs with their teachers from last year," according to Ms. Middough.

Peter McNally, principal of PS 229 in Queens, commented that his inclusion, reduced-size 1<sup>st</sup> grade class, taught by Elizabeth Lutkowski, has become something of an example for the school — one that other teachers have been able to learn from. He explained: "Ms. Lutkowski has been able to do so many creative things in her classroom in terms of grouping and skill development that other teachers in the school have been able to observe and model their techniques after her." According to Mr. McNally, especially noteworthy has been Ms. Lutkowski's ability to carry out small-group instruction and more continuous assessment and remediation with her "high-risk" students.

#### **Program likely to lead to fewer special education referrals**

Another strength of the program is the enhanced ability for teachers to address the needs of children with learning problems in a regular class. Individual intervention is especially important for these students, so that they do not have to be referred to special education or be taught in a self-contained classroom. As Ms. Lutkowski pointed out, without the special help a small class affords them, some of her "high-risk" students "might be the ones who fall by the wayside in a regular class." Not only has the smaller class made it easier for her to work effectively with these children, but she has found that her students actually treat each other better as a result: "These are all children with very different abilities, many of them resource room kids. They never make fun of each other. With a big class size, it's much harder to intervene as quickly, and control the group the way you want it to go. These children are so very kind to each other; it's a very caring group, and the smaller size allows for that."

Verlethia Cisse, teacher at PS 185 in Harlem, pointed out, "Each child has different needs, some have self-esteem problems. We can address these quicker, and don't let them fall through the cracks. Before we used to wonder, 'what's wrong with so and so?' But we didn't really have time to find out." Norma Genao, principal of PS 185, agreed that as a result of the class size reduction program, special education referrals would likely fall, since student "needs can be better addressed in the regular classroom."

As Bobbi Silverman, teacher of an inclusion Kindergarten with a number of special needs children at PS 139, explained, "We deal with a lot of emotional problems, kids with a lot of baggage. In a smaller class, you can center on these problems quicker, to sound out what's going on." Ivy Sherman, principal of PS 139 corroborated that there has been a drop in special education referrals, both in her school and district-wide, since the class size reduction started in District 22 three years ago.

### **PREVENTION RATHER THAN REMEDIATION STRESSED**

According to the teachers and principals we interviewed, class size reduction is an especially valuable development within the New York City public school system, because unlike many of the other changes introduced over the last few years, such as after-school programs, summer sessions, and an end to "social promotion," this reform focuses primarily on prevention rather than remediation. As Principal Buckley of PS 198 in District 2 put it, "We don't want students to fail, but when they do we try to help them with a lot of remedial efforts. It's better to help them succeed in the first place."

Maryann Wainstock, Kindergarten teacher at PS 198, agreed: "For years I've been saying that the largest problem with the public schools was overly large classes. For me that is the most important thing — smaller classes are better than having push-in teachers or special programs. With a smaller class, you can get to the children who need it, particularly in early childhood."

Several of those we interviewed brought up the fact that this year, the class size reduction program had allowed them to provide their students with something closer to a high-quality



**Because of her smaller class, Verlethia Cisse is better able to make sure that none of her 3rd graders "fall through the cracks"**

ty private school experience. Not only do private schools usually have smaller classes, but unlike the public schools in New York City, they are often designed and given the resources to maximize their students' chances for academic success. In addition, children who go to private schools are usually treated as though they are special, as though they mattered. As Ms. Lutkowski of PS 229 in Queens said, who herself taught in private schools for 10 years, now she is able to provide a learning environment that is "ideal, like a private school education. They get all the extras, including time to share ideas between themselves. All of the children get a turn."

As Norma Genao said, "Give me all the money you want, the materials, and the services, but the most important key factor is quality time with a teacher, and that depends on reduced class size. Now, sometimes I honestly feel we're running a private school here. When I talk about a private school, I mean ... where everything is geared toward success ... You are truly being accountable in providing a meaningful, appropriate, and effective education to each child. Not just the kids who would make it anyway, as in the survival of the fittest."

## CHAPTER III

# How the program could be strengthened

**W**e did find a few problems with the way some schools were implementing the class-size reduction initiative. One of these pertains to the floating teacher program, at least as it is being carried out in some of the schools we visited.

### Lessons from the floating teacher program

The floating teacher program was designed for those schools that were too overcrowded to create additional classes to reduce class size. Here, extra teachers have been hired to go into the regular classroom to provide small group instruction on a daily basis to students in literacy and math. There appears to have been a lot of flexibility given to different districts and even within districts on how best to implement this program. Though the program appeared to be highly successful in some schools, as in PS 280 in District 10 in the Bronx, the same was not true of another school we visited, in a different district.

At the other school, an inexperienced first year teacher was hired two days before classes began, and without adequate training and time to coordinate her role with other teachers, was thrust into five classes to work with some of the slowest learners in each class. The understandable result is that she feels frustrated and that she doesn't "belong anywhere." She hopes not to continue in this job in the future, and rather to get her own classroom instead.

On the other hand, the "floating teacher" at PS 280 in District 10 had an entirely different experience. Though Michelle McElhatton admitted that initially she had been disappointed that she did not get her own class and was extremely apprehensive, now she is thrilled with what she's been able to achieve so far: "I love it. It's been a great experience. At first I was scared to have to specialize in literacy, as a first year teacher. I wanted my own classroom. But because of all the support and training, I've learned so much. I want to stick with it; I hope they have this position next year. I've gotten so much better at it."

We learned the following lessons, from looking at the way in which this program was functioning in these two different schools:

- **Provide enough training and professional development.** All new teachers need extensive training and support, and most of the floating teachers that were hired seem to be new teachers. Professional development is especially crucial for these particular neophytes, since they are supposed to focus their efforts on literacy and are often given the most difficult and problematic group in the classroom to teach. In District 10, all of the floating teachers received special training from the district over the summer, according to Gary LaMotta, the principal of PS 280, and continue to receive additional support from district staff developers who regularly come into the school during the year.

According to Michelle McElhatton, the floating teacher at PS 280, "The staff development has been excellent; it's helped me learn how to plan, how to be more organized, how to do the DRA [Developmental Reading Assessment], how to determine their reading levels, how to meet the kids' needs." As a result, she said "I've been able to break up my small group into two, even smaller groups, and I'm seeing results. Most of them have moved up into a faster reading group already." On the other hand, at another school, the floating teacher who was hired two days before school began received no preparation in advance and the only training she had during the fall was designed for 5th grade teachers, while she teaches 3<sup>rd</sup> grade students.

- **Incorporate adequate time for coordination and planning.** From our two contrasting schools, it was apparent that there must be careful planning to ensure that the floating teacher has time built into her schedule to coordinate her activities with the teachers of the other classes that she works with. At PS 280 this was done, in part, by making sure that they all had a common preparation period. According to Ms. McElhatton, "We all have a common prep, we plan activities and discuss our students. We also talk after school; it's very helpful to get different perspectives." At the other school we visited, there was no time set aside for the floating teacher to plan her role with the regular classroom teachers. As she

explained, "There's little or no time for planning. I often have to switch roles and tasks at the last minute. I get little time to talk to each teacher individually."

- **Resist the temptation to spread the floating teacher too thinly.** Of course, the fewer classrooms a floating teacher is assigned to, the easier planning and coordination will be. The teacher's ability to get to know the students in these classes is considerably expanded the more time she or he can spend with each. The program as implemented at PS 280 does this by having Ms. McElhatton assigned to only two 2<sup>nd</sup> grade classes, where she works with the same reading groups each morning, and in the afternoon with the same groups for math. She can also talk to the parents of her students along with the regular classroom teacher on parent-teacher night, where they discuss student progress in reading, illustrated by color graphs of their DRAs.

On the other hand, the floating teacher in the other school was assigned to five different 3<sup>rd</sup> grade classrooms, so she never had enough time to get to know her students well, never had the opportunity to coordinate her responsibilities with their different classroom teachers, and never was able to attend parent-teacher conferences. Though we understand the motivation of the principal who wanted to provide as much help as he could to each of his 3<sup>rd</sup> grade classes, he himself admitted that if he had to do it over again, he would have devoted all his funds towards creating smaller classes rather than hiring floating teachers, "because in this situation the teacher will be responsible for her own students." In the end, he argued, this would work better both for the teachers and the parents, who often do not know which teacher to talk to about their children's education.

### **Enrollment creep**

In a few schools we visited, some classes that began with 20 or fewer students had increased in size over the course of the year until they were much larger than originally planned. One Kindergarten teacher, who had 18 students at one point during the year and now had 23, revealed how this growth in enrollment, due to more children entering the school mid-year, had entirely altered the atmosphere of her classroom. Before, "the atmosphere in class was more congenial, more cooperative, more relaxed ... it's a homier, more nurturing setting when a child can be given more attention." Now, there were many more behavior problems among her students, and she found herself much less "able to reach her children

individually." Before, reading groups were "manageable," with four to five children in each group. Now, she felt that she was unable to give the children as much individual instruction as they needed, particularly the slowest readers who needed her help the most.

### **Space constraints**

Of course, space limitations in many schools prevent principals from simply forming new classes. Nevertheless, all the principals we interviewed said they would welcome the expansion of the program, and had potential strategies for utilizing extra teaching positions if they were to come their way. This was true even of those whose schools were over 100% capacity, such as Ivy Sherman, principal of PS 139 in District 22. If she received more positions for next year, Ms. Sherman said she would make more space by moving at least one of her pre-K classes out of the building, with the permission of her superintendent. (The official goal of the New York City Board of Education is to have 75% of its pre-K programs placed outside of school buildings, to be run by neighborhood preschools and community based organizations.)

Gloria Buckery, principal of PS 198 in District 2, would "squeeze" more of her staff specialists into smaller rooms, and have her cluster teachers travel from class to class. Gary LaMotta, principal of PS 280 in the very overcrowded District 10, would ask permission from his superintendent to let him use some of the classrooms in the middle school annex next door. As Norma Genao, principal of PS 185 in District 3 put it, to create smaller classes, she would do "anything. The essence of a school is a classroom teacher with those kids in her class, and as a principal I have to facilitate what makes this work ... There's always a way to get to your goal, if you try hard enough."

Given space constraints, the floating teacher model could be utilized more widely throughout the city, especially as it was implemented in District 10. Nevertheless, there will undoubtedly have to be an expansion of classroom space in many districts for real class size reduction to be brought to all the children who need it throughout the city.

### **Implementation by grade level inconsistent**

Another related problem that we noted was an inconsistency across schools as to which grade level classes are first being reduced. Research shows that the greatest and most lasting benefits result from first providing smaller classes to Kindergarten students and 1<sup>st</sup> graders, and then making sure

these students remain in smaller classes for at least three years. Indeed, the instructions from the Chancellor's office of the New York City Board of Education were explicit that where there was room to create more classes, schools should do so first for Kindergarten, then 1<sup>st</sup> grade, etc.

Yet some of the schools we visited instead appeared to have formed smaller classes for their 2<sup>nd</sup> and 3<sup>rd</sup> graders before their younger students. And while principals had different explanations for their decisions, including an understandable desire to give extra help to some of their 2<sup>nd</sup> and 3<sup>rd</sup> graders at risk of being held back, it was also likely that they are responding to the immediate pressure to make sure their students do well on the 3<sup>rd</sup> and 4<sup>th</sup> grade tests.

Again, this is also understandable — but regrettable. On the whole, research is at best equivocal as to whether there are benefits for students who are placed in smaller classes for only one year, as late as the 2<sup>nd</sup> or 3<sup>rd</sup> grade. The best long-term strategy to avoid the problem of children performing below grade level is to provide them with smaller classes as early in their educational careers as possible, and to keep them in smaller classes for at least three years.

### **SMALLER CLASSES SHOULD NOT BE USED AS REMEDIATION**

An unfortunate occurrence we noted at some schools was that especially where class size reduction funds were limited, smaller classes were provided only for the most "at-risk" children. This follows a pattern that is prevalent in the resource-strapped New York City school system: children who fall behind and fail to flourish in overly large classes are then rel-

egated to the "slow class" or pulled out for remediation sessions with paraprofessionals or teacher specialists. The smaller class size program, on the other hand, is an opportunity to prevent children from becoming "at-risk" in the first place.

State Education Department regulations require that the lowest-performing schools receive class size reduction funds on a priority basis so that more students in these schools could begin to perform at grade level. They did not require that these funds be used to target their lowest-achieving students. As many children as possible in the early grades should be the beneficiaries of a better classroom environment and more individual attention from a classroom or floating teacher. If a systemwide pattern develops where most schools create smaller class sizes only for "at-risk" students, this initiative will become just one more remediation strategy, such as special education "Resource Rooms," and will fail to achieve the results documented in the Tennessee and Wisconsin studies. The long-term goal should be that all students in the early grades have smaller class sizes. Inevitably, there will be some children who still need intensive intervention through a variety of services, but there will be significantly fewer numbers who need this extra help.

In addition, the program should not be used as a convenient excuse to take low-achieving students out of a heterogeneous class where they might otherwise benefit from contact with higher-achieving peers. Worse still, in schools where ability grouping is practiced in the 2<sup>nd</sup> and 3<sup>rd</sup> grades, smaller class sizes for "at-risk" students could push this "tracking" down to the Kindergarten and 1<sup>st</sup> grades.

## CHAPTER IV

# Conclusion: The need for continuity in planning and funding

**A**ll this underscores the need to make sure that the financial support for this program is continued and expanded as originally planned. Otherwise, with the limited and uncertain funding stream that now exists, some schools will undoubtedly continue giving smaller classes to their children only in the Kindergarten and 1<sup>st</sup> grades, and other schools to their 2<sup>nd</sup> and 3<sup>rd</sup> graders, with no chance of the sustained and progressive implementation that only three years in a smaller class will provide.

Under the combined pressures of limited resources and higher standards, other schools will continue to make the Hobson's choice of providing smaller classes to only their most underachieving and "at-risk" children, rather than helping to ensure that all children succeed in the first place. Indeed, it would be tragic to throw any of these children, after only one year of a closely attentive environment where they have begun to thrive, back into the Darwinian world of oversized classes where only the fittest survive.

There is no reason for the partisan battling that has occurred over the last two years, in which the class size reduction program has become a bargaining chip between the Governor and the New York State Legislature. To the contrary, across the rest of the country, there has been remarkable bipartisan agreement that class size reduction is the one of the most effective ways to improve schools. Republican governors, including Lamar Alexander, who pioneered the STAR study in Tennessee, Pete Wilson of California, and many others have championed efforts to reduce class size in their states.

Throughout the country, reducing class size has been shown to be a potent method to raise student performance, begin to close the achievement gap, and make sure that funds go straight to the classroom where they belong.

Indeed, all of the principals and teachers we interviewed urged that support for the class size program should be continued and expanded. As Gloria Buckery, principal of PS 198 in District 2 pointed out, "We know it's good, why should it only be provided for a small percentage of the population? You should really do it for all the children." Especially now, with the need for students to achieve the new higher learning standards, they agreed that smaller classes are more important than ever. Gary LaMotta, principal of PS 280 in the Bronx explained, "The demands of the curriculum, the explosion of information, and the standards all speak to the need for smaller class size and additional support. The bar has been raised."

As for the floating teacher program, it too should be extended, as Michelle McElhatton of PS 280 said: "Every teacher always can use an extra teacher in the room to help out, especially with the at-risk kids. And with the lower grades — they're so needy and so young. The teacher can't run around with 28 kids and meet all of their needs at the same time."

Norma Genao, principal of PS 185 in Harlem put it best: "Finally the children in a public school ... have a fair chance to succeed ... The government is investing in our schools the right way, providing the resources the children really need ... It should stay here forever. We have come so far to obtain this; it has been so long — we must keep it. It's the only way to guarantee success for our children. For decades its been the thing we knew would make all the difference for our children, but I never thought I would live to see the day where it would actually happen. I feel honored that I've seen the day that I could provide these children with the appropriate resources they need to learn. Now it should be expanded to all the schools in the city. All children in this city, this state, this country are entitled to the benefits of smaller classes. Speaking as an educator, it should not be a privilege, it should be a right."



October 20, 1999

MEMORANDUM FOR BRUCE REED

From: Andrew Rotherham

Subject: Class Size/Teacher Quality Options for Appropriations

This memo contains both our substantive and cosmetic options on class size reduction and teacher quality. These two issues will be linked during appropriations discussions this fall and this linkage will allow us to broaden support for our class size initiative by engaging members such as Representative Miller who have been cool to our proposal in the past.

First, if an opportunity to change language on the class size legislation arises, we should not resist efforts to fix the consortia language for rural school districts. This provision has proven to be unworkable and the Department has issued a large number of waivers as a result. The Department has language to accomplish this fix.

Three core issues that we shouldn't compromise on are: (1) maintaining a separate revenue stream that supplements rather than supplants local and state efforts; (2) maintaining the targeting provision so that funds go to the neediest communities; and (3) maintaining an emphasis on class size reduction as the primary use of these funds.

Cosmetic Changes to Class Size Initiative:

1. Allow school districts to reduce class size in kindergarten as well as grades 1-3. This option is backed by research and is sound policy and is politically attractive.
2. Permit school districts to substitute pre-existing state or local class size reduction goals for the national goal of 18 so long as state or local goals do not exceed 20.
3. Clarify that school districts with space constraints, teacher shortages, or other limitations can utilize a number of "class size reduction" strategies including, (1) having two certified teachers team teach in a single classroom for a portion of or all of the school day; (2) hiring an additional certified teacher for a specific grade level, for example having three teachers for two 2<sup>nd</sup>-grade classes to allow for longer periods of instruction in priority subjects such as reading and math; (3) adopting flexible scheduling such as year-round schools; (4) creating smaller classes for academically focused after-school and summer school programs.
4. Clarify that school districts can, if it is necessary to recruit fully qualified teachers, use funds for recruitment strategies including scholarships to undergraduates in

exchange for teaching commitments, career ladders for paraprofessionals, and financial incentives for new teachers.

The advantage of these options is that they either strengthen or are neutral with regard to current law and allow the program to continue without significant disruption although strategy 4 in option 3 would have to be narrowly focused enough to ensure that the funds are still academically focused and that an emphasis on smaller classes is not lost.

The disadvantage is that except for option 4 these options don't address the teacher quality concerns of Representative Miller and others and option 4 does not address the issue as strongly as those members would like.

#### Substantive Changes to Class Size Initiative:

1. Prohibit school districts from using class size funds to hire teachers who lack full certification unless these individuals have a bachelors degree, participate in an intensive training program as part of an alternative route to full certification lasting no more than 3 years, and receive mentoring and supervision from an experienced teacher during this period. No class size funds could be used to pay any individual who is not fully certified by the end of three years. (If pushed the alternative route timeline could be limited to two years although this would impact some existing programs.)
2. Prohibit school districts from using class size funds to hire additional teachers for grades 1-3 if more than 5 percent of the current grade 1-3 teaching force in the district lacks full certification. These school districts would use the funding to bring existing teachers up to full certification, expand the supply of fully certified teachers through scholarships, career ladders, or other strategies to recruit certified teachers, and/or provide high-quality professional development and implement proven instructional practices.
3. If a state or school district is ending social promotion, allow the funds to be used for reducing class size in grades at key transition points, creating small classes with certified teachers after school, on Saturdays, and during the summer to provide intensive help, and creating small classes with certified teachers as part of an alternative strategy to retaining students who have not met promotion standards.

Options 1 and 2 would strongly appeal to Representative Miller although the 3-year path in option 1 would have to be written tightly enough to avoid the sort of "loopholes" he decries. Several of these options could be coupled together, for example, a deal could be struck allowing the substitution of local or state goals, use of funds for kindergarten, and a teacher quality measure such as option 1 or two above.

The Administration's ESEA proposal (Education Accountability Act) contains the following language intended to boost teacher quality.

"Our proposal would require states to ensure that, within four years, at least 95 percent of their teachers are (1) fully-certified, (2) working toward full certification through an alternative route, or (3) are fully-certified in another state and working toward meeting any state-specific requirements. In addition, states would be required to ensure that at least 95 percent of secondary school teachers have had academic training or demonstrated competence in the subject area in which they teach."

In Chicago, they are apparently using the funding for small, intensive after-school and summer school classes already although we have no official confirmation of this. If this is the case, it is likely that Speaker Hastert could push for flexibility for that option.

The most crude fix that Republicans might propose is simply lifting the allowable percentage of funding dedicated to professional development from 15 percent to a higher number. Unofficial estimates are that about 8-12 percent of the funds are currently being used for this purpose. Lifting the cap to 20 percent would most likely not have an adverse effect although moving beyond this point might begin to dilute the purpose of the program.

With regard to charter schools, any language that is intended to apply to all public schools should defer to state law in terms of certification requirements for teachers in public charter schools.

- Require testing of new teachers (and certification?)

#### Existing Programs

- 5 yr deal - more for prof. devel., but class size reduced by 5th yr

The examples below illustrate how states and localities are using class size funds in innovative ways now. Our goal should be to encourage this sort of activity while opposing any restrictions that would curtail it. For example, without a provision for alternative routes the Philadelphia approach would be put in jeopardy. It is also important to note that the Department of Education has been liberal with waiver authority with regard to this program and although we don't want to highlight this because it also illustrates problems with the program, it does refute to some degree the Republican argument that the program is entirely inflexible.

- **Philadelphia.** Philadelphia is using federal class size reduction funds to address the challenges of teacher recruitment, support for new teachers, and class size reduction. Philadelphia has hired 265 "literacy interns", college graduates who lack teacher certification. Many are mid-career adults who are making the transition to teaching. These interns have received two weeks of intensive training during the summer, and now are working in classrooms along side, and under the supervision of, fully certified teachers. They are also enrolled in "alternative route" teacher education programs, which will lead to full certification in two years. Once certified, the interns will teach in small classes. Philadelphia's strategy enables it to recruit capable people into teaching and ensure that they become fully qualified; provide an extraordinary level of mentoring and support for teachers in their first two years on the job, immediately give students the benefits of smaller instructional groups by

having two adults in the classroom, and ultimately lower class size in more conventional ways.

- **Montgomery County, MD** – Montgomery County, is combining federal class size reduction funds with state and local funds to support its Reading Initiative in every first and second grade class in the county. The initiative combines small classes of no more than 15 for reading instruction with the use of proven reading instruction approaches such as Reading Recovery.
- **Columbus, Ohio** – Columbus has hired 58 fully certified teachers with its class size reduction funds, and placed these teachers in 13 high poverty, low performing schools, reducing class size in grades 1-3 from 25 to 15. Along with the implementation of proven models of reading instruction, such as Success for All, as well as a number of other school reforms, class size reduction is a central part of Columbus' efforts to turn around low performing schools and implement a social promotion policy.

#### Statutory Language

From P.L. 105-277

112 STAT. 2681-375

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 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.

(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.

(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.



THE SECRETARY OF EDUCATION  
WASHINGTON, D.C. 20202

October 29, 1999

INFORMATION

MEMORANDUM FOR THE PRESIDENT

FROM: Richard W. Riley

A handwritten signature in black ink that reads "Dick 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.

**Here are the relevant class size sections from H.R. 1995, the Teacher Empowerment Act, as passed by the House:**

*20 percent of the money goes to a competitive grant program and the remainder goes to LEA's as indicated below. As you can see the primary problem is that there is no firm target for class size reduction. Overall, the targeting of funding in the bill is a major problem as well. Frankly, this language could be tightened up to mesh with some of the options I laid out in the memo and preserve the independent funding stream.*

**SEC. 2031. LOCAL USE OF FUNDS.**

**(a) REQUIRED ACTIVITIES-**

**(1) IN GENERAL-** Each local educational agency that receives a subgrant under this subpart shall use the subgrant to carry out the activities described in this subsection.

**(2) MATHEMATICS AND SCIENCE-**

**(A) IN GENERAL-** Of the amount made available to each local educational agency under this subpart for a fiscal year, the 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 the Teacher Empowerment Act) for the fiscal year preceding such enactment for professional development activities in mathematics and science in accordance with section 2033.

*Elserhauer*

**(B) WAIVER-**

**(i) APPLICATION-** A local educational agency, in consultation with teachers and principals, may seek a waiver of the requirement in subparagraph (A) from a State in order to allow the local educational agency to use such funds for professional development in academic subjects other than mathematics and science.

**(ii) STANDARD FOR GRANTING-** A State may not approve such a waiver unless the local educational agency is able to demonstrate that--

**(I)** the professional development needs of mathematics and science teachers, including elementary teachers responsible for teaching mathematics and science, have been adequately served and will continue to be adequately served if the waiver is approved;

**(II)** State assessments in mathematics and science demonstrate that each school within the local educational agency has made and will continue to make progress toward meeting the challenging State or local content standards and student performance

standards in these areas; and

“(III) State assessments in other academic subjects demonstrate a need to focus on subjects other than mathematics and science.

“(iii) GRANDFATHER OF OLD WAIVERS- A waiver provided to a local educational agency under part D of title XIV prior to the date of the enactment of the Teacher Empowerment Act shall be deemed effective until such time as it otherwise would have ceased to be effective.

“(3) PROFESSIONAL DEVELOPMENT ACTIVITIES- Each local educational agency that receives a subgrant under this subpart shall use a portion of such funds for professional development activities that give teachers, principals, and administrators the knowledge and skills to provide students with the opportunity to meet challenging State or local content standards and student performance standards. Such activities shall be consistent with sections 2033 and 2034.

“(4) HIRING AND RETAINING WELL-QUALIFIED AND EFFECTIVE TEACHERS-

“(A) IN GENERAL- Each local educational agency that receives a subgrant under this subpart shall use a portion of such funds for recruiting, hiring, and training fully qualified teachers, including teachers fully qualified through State and local alternative routes, in order to reduce class size.

“(B) SPECIAL RULE FOR SPECIAL EDUCATION TEACHERS- Notwithstanding subparagraph (A), a local educational agency may use some or all of the funds described in such subparagraph to hire special education teachers regardless of whether such action reduces class size.

“(C) WAIVER-

“(i) APPLICATION- A local educational agency may seek a waiver of the requirement in subparagraph (A) from a State in order to allow the local educational agency to use such funds for purposes other than hiring teachers in order to reduce class size.

“(ii) STANDARD FOR GRANTING- A State may not approve such a waiver unless the local educational agency is able to demonstrate that--

“(I) such funds will be used to ensure 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; or

“(II) an initiative to reduce class size would result in having to rely

on underqualified teachers, inadequate classroom space, or would have any other negative consequence affecting the efforts of the local educational agency to improve student academic achievement.

(b) ALLOWABLE ACTIVITIES- Each local educational agency that receives a subgrant under this subpart may use the subgrant to carry out the following activities:

(1) Initiatives to assist recruitment of fully qualified teachers who will be assigned teaching positions within their field, including--

(A) providing signing bonuses or other financial incentives, such as differential pay, for teachers to teach in academic subject areas in which there exists a shortage of such fully qualified teachers within a school or the local educational agency;

(B) establishing programs that--

(i) recruit professionals from other fields and provide such professionals with alternative routes to teacher certification, especially in the areas of mathematics and science; and

(ii) provide increased opportunities for minorities, individuals with disabilities, and other individuals underrepresented in the teaching profession; and

(C) implementing hiring policies that ensure comprehensive recruitment efforts as a way to expand the applicant pool, such as through identifying teachers certified through alternative routes, coupled with a system of intensive screening designed to hire the most qualified applicant.

(2) Initiatives to promote retention of highly qualified teachers and principals including--

(A) programs that provide mentoring to newly hired teachers, such as from master teachers, and to newly hired principals; or

(B) programs that provide other incentives, including financial incentives, to retain teachers who have a record of success in helping low-achieving students improve their academic success.

(3) Programs and activities that are designed to improve the quality of the teacher force, such as--

(A) innovative professional development programs (which may be through partnerships including institutions of higher education), including programs that

train teachers to utilize technology to improve teaching and learning, that are consistent with the requirements of section 2033;

`(B) development and utilization of proven, cost-effective strategies for the implementation of professional development activities, such as through the utilization of technology and distance learning;

`(C) tenure reform;

`(D) merit pay;

`(E) testing of elementary and secondary school teachers in the subject areas taught by such teachers;

`(F) professional development programs that provide instruction in how to teach children with different learning styles, particularly children with disabilities and children with special learning needs (including those who are gifted and talented);

`(G) professional development programs that provide instruction in how best to discipline children in the classroom and identify early and appropriate interventions to help children described in subparagraph (F) learn; and

`(H) professional development programs that provide instruction in how to teach character education in a manner that--

    `(i) reflects the values of parents, teachers, and local communities; and

    `(ii) incorporates elements of good character, including honesty, citizenship, courage, justice, respect, personal responsibility, and trustworthiness.

`(4) Teacher opportunity payments, consistent with section 2034.

`(5) Professional activities designed to improve the quality of principals.

#### `SEC. 2032. LOCAL APPLICATIONS.

`(a) IN GENERAL- A local educational agency seeking to receive a subgrant from a State

under this subpart shall submit an application to the State--

    `(1) at such time as the State shall require; and

    `(2) which is coordinated with other programs under this Act, or other Acts, as appropriate.

(b) LOCAL APPLICATION CONTENTS- The local application described in subsection

(a), shall include, at a minimum, the following:

(1) A description of how the local educational agency intends to use funds provided under this subpart, including an assurance that the local educational agency will meet the requirements for the use of funds for mathematics and science programs, professional development, and hiring teachers to reduce class size, under section 2031.

(2) An assurance that the local educational agency will target funds to schools within the jurisdiction of the local educational agency that--

(A) have the lowest proportion of fully qualified teachers;

(B) have the largest average class size; or

(C) are identified for school improvement under section 1116(c).

(3) A description of how the local educational agency will coordinate professional development activities authorized under this subpart with professional development activities provided through other Federal, State, and local programs, including those authorized under title I, title III, title IV, part A of title VII, and (where applicable) the Individuals with Disabilities Education Act and the Carl D. Perkins Vocational and Technical Education Act.

(4) A description of how the local educational agency will integrate funds under this subpart with funds received under title III that are used for professional development to train teachers in how to use technology to improve learning and teaching.

(5) A description of how the local educational agency has collaborated with teachers, principals, parents, and administrators in the preparation of the application.:

**This is the language in P.L. 106-25, Ed. Flex:**

## **SEC. 5. FLEXIBILITY TO DESIGN CLASS SIZE REDUCTION PROGRAMS.**

Section 307 of the Department of Education Appropriations Act, 1999, <<NOTE: 112 Stat. 2681-375.>> is amended--

(1) in subsection (b)(2), by inserting "(except as provided in subsection (c)(2)(D))" before the period; and

(2) in subsection (c)(2), by adding at the end the following:

“(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.”.

**This is the language in the Jeffords’ second degree that was essentially a straight substitute, class size for IDEA:**

Mr. JEFFORDS (for himself, Mr. Gregg, and Ms. Collins) proposed an amendment to amendment No. 35 proposed by Mr. Bingaman to the bill, supra; as follows:

On page 20, between lines 4 and 5, insert the following:

“SEC. . FUNDING FOR IDEA.

“Notwithstanding any other provision of law, the provisions of this part, other than this section, shall have no effect, except that funds appropriated pursuant to the authority of this part shall be used to carry out part B of the Individuals with Disabilities Education Act (20 U.S.C. 1411 et seq.).

**This is the teacher professional development language from H.R. 1995, Teacher Empowerment Act:**

SEC. 2033. PROFESSIONAL DEVELOPMENT FOR TEACHERS.

“(a) LIMITATION RELATING TO CURRICULUM AND CONTENT AREAS-

“(1) IN GENERAL- Except as provided in paragraph (2), professional development funds under this subpart may not be provided for a teacher and an activity if the activity is not--

“(A) directly related to the curriculum and content areas in which the teacher provides instruction; or

“(B) designed to enhance the ability of the teacher to understand and use the State’s standards for the subject area in which the teacher provides instruction.

“(2) EXCEPTION- Paragraph (1) does not apply to funds for professional development activities that instruct in methods of disciplining children.

“(b) OTHER REQUIREMENTS- Professional development activities funded under this

subpart--

- `(1) shall be measured, in terms of progress, using the specific performance indicators established by the State in accordance with section 2013(b)(3);
- `(2) shall be tied to challenging State or local content standards and student performance standards;
- `(3) shall be tied to scientifically based research demonstrating the effectiveness of such program in increasing student achievement or substantially increasing the knowledge and teaching skills of such teachers;
- `(4) shall be of sufficient intensity and duration (such as not to include 1-day or short-term workshops and conferences) to have a positive and lasting impact on the teacher's performance in the classroom, except that this paragraph shall not apply to an activity if such activity is one component of a long-term comprehensive professional development plan established by the teacher and the teacher's supervisor based upon an assessment of their needs, their students' needs, and the needs of the local educational agency;
- `(5) shall be developed with extensive participation of teachers, principals, parents, and administrators of schools to be served under this part and, with respect to any professional development program described in subparagraphs (F) and (G) of section 2031(b)(3), shall, if appropriate, be developed with extensive coordination with, and participation of, professionals with expertise in such types of professional development; and
- `(6) shall, to the extent appropriate, provide training for teachers in the use of technology so that technology and its applications are effectively used in the classroom to improve teaching and learning in the curriculum and academic content areas in which those teachers provide instruction.

**Teacher Quality Language from H.R. 1995, Teacher Empowerment Act:**

**SEC. 2013. APPLICATIONS BY STATES.**

`(a) **IN GENERAL-** To be eligible to receive a grant under this subpart, a State shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may reasonably require.

`(b) **CONTENTS-** Each application under this section shall include the following:

`(1) A description of how the State will ensure that a local educational agency receiving a subgrant under subpart 3 will comply with the requirements of such subpart, including the required use of funds for mathematics and science programs, professional development, and hiring teachers to reduce class size.

*(2) A plan to ensure all teachers within the State are fully qualified not later than December 31, 2003.*

*[this is the statutory definition of fully qualified: (2) FULLY QUALIFIED- The term 'fully qualified'--*

*(A) when used with respect to a public elementary or secondary school teacher (other than a teacher teaching in a public charter school), means that the teacher has obtained State certification as a teacher (including certification obtained through alternative routes to certification) or passed the State teacher licensing exam and holds a license to teach in such State; and*

*(B) when used with respect to --*

*(i) an elementary school teacher, means that the teacher holds a bachelor's degree and demonstrates knowledge and teaching skills in reading, writing, mathematics, science, and other areas of the elementary school curriculum; or*

*(ii) a middle or secondary school teacher, means that the teacher holds a bachelor's degree and demonstrates a high level of competency in all subject areas in which he or she teaches through-*

*(I) a high level of performance on a rigorous State or local academic subject areas test; or*

*(II) completion of an academic major in each of the subject areas in which he or she provides instruction.]*

*(3) An assurance that the State will require each local educational agency and school receiving funds under this title to publicly report their annual progress on the agency's and the school's performance indicators in the following:*

*(A) Subject to section 2012(f)(2), improving student academic achievement, as defined by the State.*

*(B) Closing academic achievement gaps, as defined by the State, between the groups described in section 2012(f)(2)(A)(i).*

*[This is the definition for disaggregated data: (2) DISAGGREGATED DATA- The information described in paragraph (1)(A)(i) and section 2013(b)(3)(A) shall be--*

*(A) disaggregated--*

*(i) by minority and non-minority status and by low-income and non-low-income status; and*

*(ii) using assessments consistent with section 1111(b)(3); and*

*(B) publicly reported in the form of disaggregated data only when such data are statistically sound.]*

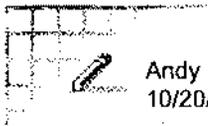
*(C) Increasing the percentage of classes in core academic areas taught by fully qualified teachers.*

(4) A description of how the State will hold local educational agencies and schools accountable for making annual gains in meeting the performance indicators described in paragraph (3).

(5) A description of how the State will coordinate professional development activities authorized under this part with professional development activities provided under other Federal, State, and local programs, including those authorized under title I, title III, title IV, part A of title VII, and (where applicable) the Individuals with Disabilities Education Act and the Carl D. Perkins Vocational and Technical Education Act. The application shall also describe the comprehensive strategy that the State will take as part of such coordination effort, to ensure that teachers are trained in the utilization of technology so that technology and its applications are effectively used in the classroom to improve teaching and learning in all curriculum and content areas, as appropriate.

(6) A description of how the State will encourage the development of proven, innovative strategies to deliver intensive professional development programs that are both cost-effective and easily accessible, such as through the use of technology and distance learning.

(7) A description of how the State will ensure that local educational agencies will comply with the requirement under section 2033(b)(5), especially with respect to ensuring the participation of teachers and parents.



Andy Rotherham  
10/20/99 01:40:25 PM

Record Type: Record

To: Bruce N. Reed/OPD/EOP@EOP  
cc: See the distribution list at the bottom of this message  
Subject: rural class size language

Here is language from our ESEA proposal that fixes the rural issue with class size. Right now the consortia language in current law is problematic and has resulted in a bunch of waivers being issued. If we get in a position to change things, here is what we want to use:

SMALL LEAS. Notwithstanding any other provision of this section (except for subsection (d)), a local educational agency that receives a subgrant under this section in an amount less than the starting salary for a new teacher in that agency may use the subgrant funds-

- "(1) to form a consortium with one or more other local educational agencies for the purpose of reducing class size;
- "(2) to help pay the salary of a full or part-time teacher hired to reduce class size; or
- "(3) for professional development related to teaching in smaller classes, if the amount of the subgrant is less than \$10,000.

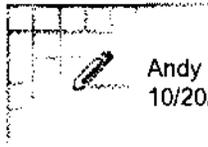
Message Copied To:

---

Eric P. Liu/OPD/EOP@EOP  
Anna Richter/OPD/EOP@EOP  
Broderick Johnson/WHO/EOP@EOP  
Cathy R. Mays/OPD/EOP@EOP  
Barbara Chow/OMB/EOP@EOP

## Talking Points on Class Size Reduction

- Research has shown that reducing class size can increase academic achievement, particularly in the early elementary grades.
- In his FY 1999 Budget, the President proposed to help the States and schools hire 100,000 new, qualified teachers to reduce class size in the early grades and to raise the quality of education. In order to ensure time for recruiting and hiring qualified teachers, the President's plan would reach the 100,000 goal in FY 2005.
- In what we consider a major victory in the FY 1999 budget negotiations, the President obtained \$1.2 billion to hire the first installment of 31,000 teachers.
- The FY 2000 Budget, now before Congress, seeks a second installment of \$1.4 billion, which would support 38,000 teachers (31,000 teachers from FY 1999, and 7,000 new teachers).
- The Republican teacher proposal -- H.R. 1995, the Teacher Empowerment Act -- recently adopted by the House Committee on Education and the Workforce, would not continue this progress.
- The House bill would include class size funding in a broader teacher quality bill and allow it as an eligible purpose. But, it would not require a dedicated stream of funding for class size nor the achievement of any class size goals or targets. In other words, under the Republican bill, a State could spend virtually nothing on class size and still receive funding.
- The Administration strongly supports maximum flexibility for States and school districts in the hiring and training of teachers, consistent with the necessity for accountability for high quality and supporting the new teachers needed to reduce class size and raise student achievement.
- The President's proposal would dedicate a funding stream to class size reduction, but would leave it up to the States and school districts to develop and implement their own class size reduction plans. To further promote flexibility, States and school districts would also be allowed to use their class size funds to hire teachers with alternative certifications; to promote high quality, they could use up to 15 percent of their allocation for professional development to help teachers better utilize small classroom settings.
- The Administration's proposal would also consolidate three federal education program (Goals 2000, Eisenhower Professional Development, and Title VI) into a professional development State grant, and provide States and schools considerable flexibility in meeting their professional development needs.



Andy Rotherham  
10/20/99 06:13:56 PM

Record Type: Record

To: Bruce N. Reed/OPD/EOP@EOP, Eric P. Liu/OPD/EOP@EOP, Barbara Chow/OMB/EOP@EOP  
cc: Anna Richter/OPD/EOP@EOP  
Subject: Title I accountability

Here is what the department came up with on language for our set-aside:

----- Forwarded by Andy Rotherham/OPD/EOP on 10/20/99 05:51 PM -----



"Cook, Sandra" <Sandra\_Cook@ed.gov>  
10/20/99 05:39:37 PM

Record Type: Record

To: See the distribution list at the bottom of this message  
cc: See the distribution list at the bottom of this message  
Subject: RE: VIP--Title I accountability piece

---

Our recommendation would be to use the language from our budget proposal, as follows:

"Provided further, That each State shall reserve 2.5 percent of its total allocation under sections 1124, 1124A, and 1125 to support efforts to improve schools identified under section 1116(c), pursuant to additional guidance to be issued by the Secretary:"

However, since neither the House Committee or full Senate bill includes any funds for section 1125, the reference to that section could be deleted (although it causes no harm to keep it).

The \$200 million would have to be offset by reductions in some other earmark(s), such as those for Basic Grants and Concentration Grants.

> -----Original Message-----

> From: Andy\_Rotherham@opd.eop.gov [SMTP:Andy\_Rotherham@opd.eop.gov]  
> Sent: Wednesday, October 20, 1999 10:16 AM  
> To: mike\_cohen@ed.gov; scott\_fleming@ed.gov; sandra\_cook@ed.gov;  
> thomas\_kelley@ed.gov  
> Cc: Broderick\_Johnson@who.eop.gov; mike\_smith@ed.gov;

> diane\_rogers@ed.gov; heidi\_ramirez@ed.gov; goodwin\_liu@ed.gov  
> Subject: VIP--Title I accountability piece  
>  
> Negotiations on ed approps could start within 24 hours. We need official  
> language on our Title I set-aside that we can use ASAP. We don't want to  
> use the Bingaman-Reed-Kerry language because of the drafting problem.  
>

Message Sent To:

---

Andy Rotherham/OPD/EOP  
"Cohen, Mike" <Mike\_Cohen@ed.gov>  
"Fleming, Scott" <Scott\_Fleming@ed.gov>  
"Cook, Sandra" <Sandra\_Cook@ed.gov>  
"Kelley, Thomas" <Thomas\_Kelley@ed.gov>

Message Copied To:

---

Broderick Johnson/WHO/EOP  
"Smith, Mike" <Mike\_Smith@ed.gov>  
"Rogers, Diane" <Diane\_Rogers@ed.gov>  
"Ramirez, Heidi" <Heidi\_Ramirez@ed.gov>  
"Liu, Goodwin" <Goodwin\_Liu@ed.gov>

**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.”

**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]

Date: July 16, 1999

To: Bruce

456-5542

From: Chad

Message: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Pages Including Cover: 2

*This is information RD's are  
distributing on the teacher bill.*

*Chad*



U.S. Rep. John Tanner  
1127 Longworth HOB  
Washington, D.C. 20515  
202 / 225 - 4714 voice  
202 / 225 - 1765 fax

District Offices:  
Jackson - 901 - 423 - 4848  
Memphis - 901 - 382 - 3220  
Union City - 901 - 885 - 7070

### H.R. 1995, the Teacher Empowerment Act

H.R. 1995 amends the Elementary and Secondary Education Act of 1965 and addresses teacher development, student achievement, funding distribution based on poverty levels and competitiveness, and reauthorizes the Reading Excellence Act.

It is possible that H.R. 1995 could come to the floor as early as next week. As it stands, the Secretary of Education will likely ask the President to veto it for the following reasons:

- It is a piecemeal approach to reauthorizing the ESEA.
- It does not continue the class size reduction agreed to in the FY99 appropriations act.
- Does not retain language relating to Federal support for the National Board for Professional Teaching Standards.
- Does not advance standards-based reforms, i.e. Goals 2000.
- Does not encourage effective teacher professional development.
- Accountability provisions for states are vague.
- Does not target funds equitably - 80% of funds to local districts through formula based 50% on number of poor children and 50% on district enrollment. The remaining 20% is awarded competitively but with no priority for high-need districts.
- Does not expand Troops-to-Teachers to include mid-career professionals.
- Limits Secretary to 2 national activities -Troops-to-Teachers and Teacher Excellence Academies- and limits their ability to carry out other national programs of significance, such as a national teacher recruitment clearinghouse.
- Does not include direct support for professional development for early childhood educators in the field of early language and literacy development.

A Democratic substitute will most likely be offered that reflects the President's proposal. This substitute will address most of the deficiencies in H.R. 1995. The ones that are not addressed may be introduced as amendments, such as a Roemer amendment to expand Troops-to-Teachers to mid-career. The Democratic substitute differs mainly in the distribution of funds in that it targets more funds to high poverty areas.

# FINAL VOTE RESULTS FOR ROLL CALL 320

(Republicans in roman; Democrats in *italic*; Independents underlined)

HR 1995 RECORDED VOTE 20-JUL-1999 6:59 PM

QUESTION: On Passage

BILL TITLE: Teacher Empowerment Act

	AYES	NOES	PRES	NV
REPUBLICAN	215	4		3
DEMOCRATIC	24	180		7
INDEPENDENT		1		
<b>TOTALS</b>	<b>239</b>	<b>185</b>		<b>10</b>

--- AYES 239 ---

Aderholt	Gilman	Pickering
Archer	<i>Goode</i>	Pitts
Arney	Goodlatte	Pombo
Bachus	Goodling	Porter
Baker	Goss	Portman
Ballenger	Graham	Pryce (OH)
Barr	Granger	Quinn
Barrett (NE)	Green (WI)	Radanovich
Bartlett	Greenwood	Ramstad
Barton	Gutknecht	Regula
Bass	<i>Hall (TX)</i>	Reynolds
Bateman	Hansen	Riley
Bereuter	Hastert	<i>Rivers</i>
Biggert	Hastings (WA)	<i>Roemer</i>
Bilirakis	Hayes	Rogan
Bliley	Hayworth	Rogers
Blunt	Hefley	Rohrabacher
Boehlert	Herger	Ros-Lehtinen
Boehner	Hill (MT)	Roukema
Bonilla	Hilleary	Royce
Bono	Hobson	Ryan (WI)
<i>Boyd</i>	Hoekstra	Ryun (KS)
Brady (TX)	<i>Holt</i>	<i>Sabo</i>
Bryant	Horn	Salmon
Burr	Hostettler	Sanford
Burton	Houghton	Saxton
Buyer	Hulshof	Scarborough
Callahan	Hunter	Schaffer

Calvert	Hutchinson	Sensenbrenner
Camp	Hyde	Sessions
Campbell	Isakson	Shadegg
Canady	Istook	Shaw
Cannon	Jenkins	Shays
Castle	Johnson, Sam	Sherwood
Chabot	Jones (NC)	Shimkus
Chambliss	Kasich	Shuster
Chenoweth	Kelly	Simpson
Coble	Kind (WI)	Skeen
Coburn	King (NY)	Smith (MI)
Collins	Kingston	Smith (NJ)
Combest	Knollenberg	Smith (TX)
Condit	Kolbe	Smith (WA)
Cook	Kuykendall	Souder
Cooksey	LaHood	Spence
Cox	Largent	Stearns
Crane	Latham	Stenholm
Cubin	LaTourette	Stump
Cunningham	Leach	Sununu
Davis (FL)	Lewis (CA)	Sweeney
Davis (VA)	Lewis (KY)	Talent
Deal	Linder	Tancredo
DeLay	Lipinski	Tauscher
DeMint	LoBiondo	Tauzin
Diaz-Balart	Lucas (OK)	Taylor (MS)
Dickey	Manzullo	Taylor (NC)
Doggett	McCollum	Terry
Dooley	McCrary	Thomas
Doolittle	McHugh	Thompson (CA)
Dreier	McInnis	Thornberry
Duncan	McIntosh	Thune
Dunn	McKeon	Tiahrt
Ehlers	Metcalf	Tierney
Ehrlich	Mica	Toomey
Emerson	Miller (FL)	Opton
Eshoo	Miller, Gary	Vitter
Everett	Miller, George	Walden
Ewing	Mollohan	Walsh
Fletcher	Moran (KS)	Wamp
Foley	Myrick	Watkins
Forbes	Nethercutt	Watts (OK)

Fossella	Ney	Weldon (FL)
Fowler	Northup	Weldon (PA)
Franks (NJ)	Norwood	Weller
Frelinghuysen	Nussle	Whitfield
Gallegly	Ose	Wicker
Ganske	Oxley	Wilson
Gekas	Packard	Wolf
Gibbons	Pease	Young (AK)
Gilchrest	Peterson (MN)	Young (FL)
Gillmor	Petri	

--- NOES 185 ---

Abercrombie	Gonzalez	Napolitano
Ackerman	Gordon	Neal
Allen	Green (TX)	Oberstar
Andrews	Gutierrez	Obey
Baird	Hall (OH)	Olver
Baldacci	Hastings (FL)	Ortiz
Baldwin	Hill (IN)	Owens
Barcia	Hilliard	Pallone
Barrett (WI)	Hinojosa	Pascrell
Becerra	Hoeffel	Pastor
Bentsen	Hooley	Paul
Berkley	Hoyer	Payne
Berman	Inslee	Pelosi
Berry	Jackson (IL)	Phelps
Bilbray	Jackson-Lee (TX)	Pickett
Bishop	Jefferson	Pomeroy
Blagojevich	John	Price (NC)
Blumenauer	Johnson (CT)	Rahall
Bonior	Johnson, E. B.	Rangel
Borski	Jones (OH)	Reyes
Boswell	Kanjorski	Rodriguez
Boucher	Kaptur	Rothman
Brady (PA)	Kildee	Roybal-Allard
Brown (FL)	Kilpatrick	Rush
Brown (OH)	Kleczka	Sanchez
Capps	Klink	Sanders
Capuano	Kucinich	Sandlin
Cardin	LaFalce	Sawyer
Carson	Lampson	Schakowsky

Clay	Lantos	Scott
Clayton	Larson	Serrano
Clement	Lee	Sherman
Clyburn	Levin	Shows
Coyers	Lofgren	Sisisky
Costello	Lowey	Skelton
Coyne	Lucas (KY)	Slaughter
Cramer	Luther	Snyder
Crowley	Maloney (CT)	Spratt
Cummings	Maloney (NY)	Stabenow
Danner	Markey	Strickland
Davis (IL)	Martinez	Stupak
DeFazio	Mascara	Tanner
DeGette	Matsui	Thompson (MS)
Delahunt	McCarthy (MO)	Thurman
DeLauro	McCarthy (NY)	Towns
Deutsch	McGovern	Traficant
Dicks	McIntyre	Turner
Dingell	McKinney	Udall (CO)
Dixon	McNulty	Udall (NM)
Doyle	Meehan	Velazquez
Edwards	Meek (FL)	Vento
Engel	Meeks (NY)	Visclosky
Etheridge	Menendez	Waters
Evans	Millender-McDonald	Wall (NC)
Farr	Minge	Weiner
Fattah	Mink	Wexler
Filner	Moakley	Weygand
Ford	Moore	Wise
Frank (MA)	Moran (VA)	Woolsey
Frost	Morella	Wu
Gejdenson	Murtha	Wynn
Gephardt	Nadler	

--- NOT VOTING 10 ---

English	Lazio	Stark
Hinchev	Lewis (GA)	Waxman
Holden	McDermott	
Kennedy	Peterson (PA)	

# FINAL VOTE RESULTS FOR ROLL CALL 319

(Republicans in roman; Democrats in *italic*; Independents underlined)

HR 1995 RECORDED VOTE 20-JUL-1999 6:39 PM

AUTHOR(S): Martinez of California Substitute Amendment

QUESTION: On Agreeing to the Amendment

	AYES	NOES	PRES	NV
REPUBLICAN	3	215		3
DEMOCRATIC	203	2		6
INDEPENDENT	1			
<b>TOTALS</b>	<b>207</b>	<b>217</b>		<b>9</b>

--- AYES 207 ---

<i>Abercrombie</i>	<i>Gonzalez</i>	<i>Oberstar</i>
<i>Ackerman</i>	<i>Gordon</i>	<i>Obey</i>
<i>Allen</i>	<i>Green (TX)</i>	<i>Olver</i>
<i>Andrews</i>	<i>Gutierrez</i>	<i>Ortiz</i>
<i>Baird</i>	<i>Hall (OH)</i>	<i>Owens</i>
<i>Baldacci</i>	<i>Hastings (FL)</i>	<i>Pallone</i>
<i>Baldwin</i>	<i>Hill (IN)</i>	<i>Pascrell</i>
<i>Barcia</i>	<i>Hilliard</i>	<i>Pastor</i>
<i>Barrett (WI)</i>	<i>Hinojosa</i>	<i>Payne</i>
<i>Becerra</i>	<i>Hoeffel</i>	<i>Pelosi</i>
<i>Bentsen</i>	<i>Holt</i>	<i>Peterson (MN)</i>
<i>Berkley</i>	<i>Hooley</i>	<i>Phelps</i>
<i>Berman</i>	<i>Hoyer</i>	<i>Pickett</i>
<i>Berry</i>	<i>Inslee</i>	<i>Pomeroy</i>
<i>Bilbray</i>	<i>Jackson (IL)</i>	<i>Price (NC)</i>
<i>Bishop</i>	<i>Jackson-Lee (TX)</i>	<i>Rahall</i>
<i>Blagojevich</i>	<i>Jefferson</i>	<i>Rangel</i>
<i>Blumenauer</i>	<i>John</i>	<i>Reyes</i>
<i>Bonior</i>	<i>Johnson, E. B.</i>	<i>Rivers</i>
<i>Borski</i>	<i>Jones (OH)</i>	<i>Rodriguez</i>
<i>Boswell</i>	<i>Kanjorski</i>	<i>Roemer</i>
<i>Boucher</i>	<i>Kaptur</i>	<i>Rothman</i>
<i>Boyd</i>	<i>Kildee</i>	<i>Roybal-Allard</i>
<i>Brady (PA)</i>	<i>Kilpatrick</i>	<i>Rush</i>
<i>Brown (FL)</i>	<i>Kind (WI)</i>	<i>Sabo</i>
<i>Brown (OH)</i>	<i>Kleczka</i>	<i>Sanchez</i>
<i>Capps</i>	<i>Klink</i>	<i>Sanders</i>
<i>Capuano</i>	<i>Kucinich</i>	<i>Sandlin</i>

Cardin	LaFalce	Sawyer
Carson	Lampson	Schakowsky
Clay	Lantos	Scott
Clayton	Larson	Serrano
Clement	Lee	Sherman
Clyburn	Levin	Shows
Condit	Lipinski	Sisisky
Conyers	Lofgren	Skelton
Costello	Lowey	Slaughter
Coyne	Lucas (KY)	Smith (WA)
Cramer	Luther	Snyder
Crowley	Maloney (CT)	Spratt
Cummings	Maloney (NY)	Stabenow
Danner	Markey	Stenholm
Davis (FL)	Martinez	Strickland
Davis (IL)	Mascara	Stupak
DeFazio	Matsui	Tanner
DeGette	McCarthy (MO)	Tauscher
Delahunt	McCarthy (NY)	Taylor (MS)
DeLauro	McGovern	Thompson (CA)
Deutsch	McHugh	Thompson (MS)
Dicks	McIntyre	Thurman
Dingell	McKinney	Tierney
Dixon	McNulty	Towns
Doggett	Meehan	Traficant
Dooley	Meek (FL)	Turner
Doyle	Meeks (NY)	Udall (CO)
Edwards	Menendez	Udall (NM)
Engel	Millender-McDonald	Velazquez
Eshoo	Miller, George	Vento
Etheridge	Minge	Visclosky
Evans	Mink	Waters
Farr	Moakley	Watt (NC)
Fattah	Mollohan	Waxman
Filner	Moore	Weiner
Forbes	Moran (VA)	Wexler
Ford	Morella	Weygand
Frank (MA)	Murtha	Wise
Frost	Nadler	Woolsey
Gejdenson	Napolitano	Wu
Gephardt	Neal	Wynn

## --- NOES 217 ---

Aderholt	Gilman	Pease
Archer	Goode	Petri
Armey	Goodlatte	Pickering
Bachus	Goodling	Pitts
Baker	Goss	Pombo
Ballenger	Graham	Porter
Barr	Granger	Portman
Barrett (NE)	Green (WI)	Pryce (OH)
Bartlett	Greenwood	Quinn
Barton	Gutknecht	Radanovich
Bass	Hall (TX)	Ramstad
Bateman	Hansen	Regula
Bereuter	Hastings (WA)	Reynolds
Biggert	Hayes	Riley
Bilirakis	Hayworth	Rogan
Bliley	Hefley	Rogers
Blunt	Hegger	Rohrabacher
Boehlert	Hill (MT)	Ros-Lehtinen
Boehner	Hilleary	Roukema
Bonilla	Hobson	Royce
Bono	Hoekstra	Ryan (WI)
Brady (TX)	Horn	Ryun (KS)
Bryant	Hostettler	Salmon
Burr	Houghton	Sanford
Burton	Hulshof	Saxton
Buyer	Hunter	Scarborough
Callahan	Hutchinson	Schaffer
Calvert	Hyde	Sensenbrenner
Camp	Isakson	Sessions
Campbell	Istook	Shadegg
Canady	Jenkins	Shaw
Cannon	Johnson (CT)	Shays
Castle	Johnson, Sam	Sherwood
Chabot	Jones (NC)	Shimkus
Chambliss	Kasich	Shuster
Chenoweth	Kelly	Simpson
Coble	King (NY)	Skeen
Coburn	Kingston	Smith (MI)
Collins	Knollenberg	Smith (NJ)

Combest	Kolbe	Smith (TX)
Cook	Kuykendall	Souder
Cooksey	LaHood	Spence
Cox	Largent	Stearns
Crane	Latham	Stump
Cubm	LaTourette	Sununu
Cunningham	Lazio	Sweeney
Davis (VA)	Leach	Talent
Deal	Lewis (CA)	Tancredo
DeLay	Lewis (KY)	Tauzin
DeMint	Linder	Taylor (NC)
Diaz-Balart	LoBiondo	Terry
Dickey	Lucas (OK)	Thomas
Doolittle	Manzullo	Thornberry
Dreier	McCollum	Thune
Duncan	McCrery	Tiahrt
Dunn	McInnis	Toomey
Ehlers	McIntosh	Upton
Ehrlich	McKeon	Vitter
Emerson	Metcalf	Walden
Everett	Mica	Walsh
Ewing	Miller (FL)	Wamp
Fletcher	Miller, Gary	Watkins
Foley	Moran (KS)	Watts (OK)
Fossella	Myrick	Weldon (FL)
Fowler	Nethercutt	Weldon (PA)
Franks (NJ)	Ney	Weller
Frelinghuysen	Northup	Whitfield
Gallegly	Norwood	Wicker
Ganske	Nussle	Wilson
Gekas	Ose	Wolf
Gibbons	Oxley	Young (AK)
Gilchrest	Packard	
Gillmor	Paul	

--- NOT VOTING 9 ---

English	Kennedy	Peterson (PA)
Hinchey	Lewis (GA)	Stark
Holden	McDermott	Young (FL)

The Democrat's alternative teacher quality and class size proposal, offered by Representative Martinez, includes several strong accountability provisions. In particular, it includes a proposal from Representative Miller that would require teachers to be certified, or pass a subject matter test, within three years of the bill's passage. Both the Administration's proposal and the Martinez proposal incorporate strong accountability measures -- if we work together, we can craft strong accountability provisions that address all of our concerns.



"Cohen, Mike" <Mike\_Cohen@ed.gov>  
07/15/99 12:18:41 PM

Record Type: Record

To: Broderick Johnson/WHO/EOP

cc:

Subject: Miller

---

Scott told me you need some stuff on Miller. Hopoe this helps:

#### George Miller Issues

1. Rep. Miller is far more concerned about teacher quality than having smaller classes. The experience of class size reduction in California shows that a major effort to reduce class size can lead to reductions in the quality of teachers, especially in high poverty and urban school districts. In California, these districts (1) lost good teachers to surrounding suburbs where the pay and working conditions are more favorable and where there were new vacancies as a result of the class size reduction program, and (2) were forced to hire uncertified teachers because they were unable to attract fully qualified candidates to fill the vacancies created by class size reduction.

Our approach is not the same as California, and won't have the same problems associated with it.

\* California did not target funds to high poverty communities; we do. This means that there will be far less of an exodus of teachers from high poverty to wealthier communities.

\* California gave school districts less than a month to implement the program (from the time the legislation passed until the time school opened). This gave school districts no time to plan for implementation, and no time to recruit good teachers. Our proposal phased in implementation over 7 years, providing more than enough time to recruit and prepare teachers.

\* California did not prohibit hiring of uncertified teachers, and did not provide funds to help recruit and train teachers. Our proposal lets school districts use these funds to recruit qualified new teachers (e.g., a school district can use the funds to give scholarships to undergraduates preparing to become teachers if they agree to teach in the district schools in return.) It lets districts use up to 15% of the funds to provide professional development to upgrade the skills of teachers already in the classroom. And the Martinez proposal incorporates Mr. Miller's provisions that would require that only fully certified teachers be hired with these funds.

As a result of a waiver we provided to California, school districts can use all of the funds under our program to provide training to the uncertified teachers they have been forced to hire, and to get them certified.

Consequently, our program is helping California solve the problem it created for itself.

2. Miller (and others in the California delegation) don't really need a class size reduction bill for their local constituencies. Under our proposal and under the Republican proposal, California districts would have the same flexibility to use program funds for professional development or for reducing class size in any grades.

We need to stress to Miller that class size is important as a Democratic message issue.

3. Miller will probably stick with our strategy of voting against the Republican bill, unless there are already a large number of Democratic defections.

We need to urge Miller to stick with us all the way, and to underscore for him that his leadership role means that he could take Dems with him if he bolts.

BEST ARGUMENTS

- x 100,000 cops (w/ uniforms)
- x Not a \$ for class size
- x Revenue sharing - no supplant

PTS. FOR JOHN

- x Pres will send veto message
- x We'll fight for your changes in approps, where Miller
- x Wt effort to frame debate: Iowa Fri, make BC start Tues.