

116TH CONGRESS
1ST SESSION

S. 579

To provide grants to eligible local educational agencies to help public schools reduce class size in the early elementary grades, and for other purposes.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 27, 2019

Mr. MERKLEY (for himself, Mr. BENNET, Mrs. GILLIBRAND, Ms. HARRIS, Mr. BLUMENTHAL, and Ms. WARREN) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To provide grants to eligible local educational agencies to help public schools reduce class size in the early elementary grades, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Smaller Class Sizes
5 for Students and Educators Act of 2019”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

8 (1) ESEA TERMS.—The terms “elementary
9 school”, “local educational agency”, and “poverty

1 line” have the meanings given the terms in section
2 8101 of the Elementary and Secondary Education
3 Act of 1965 (20 U.S.C. 7801).

4 (2) EARLY ELEMENTARY GRADES.—The term
5 “early elementary grades” means kindergarten
6 through grade 3.

7 (3) ELIGIBLE LOCAL EDUCATIONAL AGENCY.—
8 The term “eligible local educational agency” means
9 a local educational agency—

10 (A) for a school district in which 75 per-
11 cent or more of the population have incomes
12 below the poverty line; and

13 (B) that is within a State, as such term is
14 defined in section 8101 of the Elementary and
15 Secondary Education Act of 1965 (20 U.S.C.
16 7801).

17 (4) SECRETARY.—The term “Secretary” means
18 the Secretary of Education.

19 (5) TARGETED SCHOOL.—The term “targeted
20 school” means a public elementary school in which
21 not less than 75 percent of the students attending
22 the elementary school are from families with incomes
23 below the poverty line.

1 **SEC. 3. REDUCING CLASS SIZE IN KINDERGARTEN**
2 **THROUGH GRADE 3 CLASSROOMS.**

3 (a) PROGRAM AUTHORIZED.—

4 (1) IN GENERAL.—From amounts made avail-
5 able under subsection (g), the Secretary shall award
6 grants, on a competitive basis, to eligible local edu-
7 cational agencies to enable the eligible local edu-
8 cational agencies to reduce class sizes in the early el-
9 elementary grades.

10 (2) DURATION OF GRANT.—A grant awarded
11 under this section shall be for a period of 5 years.

12 (b) APPLICATION.—

13 (1) IN GENERAL.—An eligible local educational
14 agency that desires a grant under this section shall
15 submit an application to the Secretary at such time,
16 in such manner, and containing such information as
17 the Secretary may require.

18 (2) CONTENTS.—The application required
19 under paragraph (1) shall include an evidence-based
20 plan to lower class sizes in the early elementary
21 grades that includes the following:

22 (A) A description of—

23 (i) how the eligible local educational
24 agency will reduce the class size for early
25 elementary grade classes in the targeted
26 schools served by the eligible local edu-

1 cational agency to not more than 18 stu-
2 dents per class, recognizing that class size
3 maximums must be based on type of stu-
4 dents, grade level, subject area, physical
5 facilities, and workload maximums for edu-
6 cators; and

7 (ii) the continuum of small class sizes
8 based on grade level the eligible local edu-
9 cational agency will provide for students in
10 the early elementary grades in targeted
11 schools.

12 (B) A description of how the eligible local
13 educational agency will recruit, hire, and retain
14 individuals, including individuals from popu-
15 lations underrepresented in the teaching profes-
16 sion, as teachers for the early elementary
17 grades.

18 (C) A description of how the eligible local
19 educational agency will provide additional pro-
20 fessional development and training for teachers
21 hired for class size reduction.

22 (D) A description of how the eligible local
23 educational agency will provide time for collabo-
24 ration between teachers at the targeted schools
25 for activities such as analyzing student work,

1 instruction and assessment planning, or cur-
2 riculum and instruction-specific professional de-
3 velopment.

4 (E) A description of how the eligible local
5 educational agency will ensure that any new
6 teachers hired using grant funds are certified to
7 teach in the field of hire, qualified, effective,
8 and able to teach to State standards, as deter-
9 mined by the State for purposes of the Elemen-
10 tary and Secondary Education Act of 1965 (20
11 U.S.C. 6301 et seq.).

12 (F) In the case of an eligible local edu-
13 cational agency that is using funds available
14 under part A of title II of the Elementary and
15 Secondary Education Act of 1965 (20 U.S.C.
16 6611 et seq.) for class size reduction, informa-
17 tion regarding such use and the extent to which
18 the funds are being used to reduce class size in
19 the early elementary grades in targeted public
20 schools.

21 (G) The average class size, by grade, in
22 the early elementary grades of the public
23 schools served by the eligible local educational
24 agency at the time the application is submitted
25 and during the prior 2 academic years.

1 (H) A description of how the eligible local
 2 educational agency will determine or define
 3 class size.

4 (c) AWARD BASIS.—In awarding grants under this
 5 section, the Secretary shall give priority to eligible local
 6 educational agencies with the greatest number of students
 7 from families with incomes below the poverty line.

8 (d) USE OF FUNDS.—

9 (1) ADMINISTRATIVE EXPENSES.—An eligible
 10 local educational agency receiving a grant under this
 11 section may use not more than 3 percent of the
 12 grant funds for the administrative expenses of the
 13 grant.

14 (2) REDUCING CLASS SIZE.—

15 (A) IN GENERAL.—An eligible local edu-
 16 cational agency shall use not less than 97 per-
 17 cent of the grant funds to reduce class sizes in
 18 the early elementary grades at targeted schools
 19 by—

20 (i) recruiting, training, and hiring
 21 qualified teachers, both general education
 22 teachers and teachers of special-needs chil-
 23 dren, for the early elementary grades at
 24 targeted schools;

(ii) in the case of an eligible local educational agency for which all targeted schools have class sizes at or less than the levels established by the local educational agency in the plan submitted under subsection (b)(2), obtaining additional space, or renovating school buildings, to provide more classroom space, except that not more than 15 percent of the funds provided under the grant may be used for this purpose; and

(iii) in the case of an eligible local educational agency for which all targeted schools have class sizes at or less than the levels established by the local educational agency in the plan submitted under subsection (b)(2), providing professional development for teachers of the early elementary grades at targeted schools, except that not more than 15 percent of the funds provided under the grant may be used for this purpose.

(B) HIGHEST NEED.—In carrying out activities under the grant, the eligible local educational agency shall first prioritize targeted

schools that serve the highest percentage of students from families with incomes below the poverty line and then prioritize schools with the highest average class sizes in the early elementary grades.

(e) REPORTING.—

(1) ANNUAL REPORTS BY ELIGIBLE LOCAL EDUCATIONAL AGENCIES.—Each eligible local educational agency receiving a grant under this section shall prepare and submit to the Secretary an annual report that includes an evaluation of the activities carried out under grant, including an evaluation of—

(A) the progress of the eligible local educational agency in reducing class size in the early elementary grades at the targeted schools served by the local educational agency;

(B) student academic achievement, which may include locally developed assessments, in the early elementary grades of the targeted schools receiving support through the local educational agency under the grant where pre- and post-assessment data is available;

1 (C) a climate study of teachers in such tar-
 2 geted schools that addresses working conditions,
 3 job satisfaction, and teacher stress;

4 (D) teacher qualifications for newly hired
 5 teachers in such targeted schools for class size
 6 reduction;

7 (E) targeted professional development and
 8 training provided to newly hired teachers in tar-
 9 geted schools for class size reduction;

10 (F) the time added to be used for teachers
 11 to collaborate in targeted schools;

12 (G) teacher retention and turnover rates
 13 pre- and post-class size reduction efforts; and

14 (H) a description of rates of student dis-
 15 cipline problems and in chronic student absen-
 16 teeism.

17 (2) ANNUAL REPORTS BY THE SECRETARY.—

18 By not later than 30 days after the date by which
 19 the reports under paragraph (1) are first due, and
 20 annually thereafter, the Secretary shall prepare and
 21 submit a report to the Committee on Health, Edu-
 22 cation, Labor, and Pensions of the Senate and the
 23 Committee on Education and Labor of the House of
 24 Representatives regarding the grants awarded under
 25 this section.

1 (f) SUPPLEMENT, NOT SUPPLANT.—A local edu-
2 cational agency receiving funds under this section shall
3 use such funds to supplement, and not supplant, any other
4 funds available to the local educational agency for the pur-
5 poses of reducing class size in the early elementary grades.

6 (g) AUTHORIZATION OF APPROPRIATIONS.—There
7 are authorized to be appropriated to carry out this section
8 \$2,000,000,000 for the first fiscal year and such sums as
9 are necessary for each succeeding fiscal year.

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