

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.

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## 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

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## 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 ementary 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;

1           (ii) in the case of an eligible local edu-  
2           cational agency for which all targeted  
3           schools have class sizes at or less than the  
4           levels established by the local educational  
5           agency in the plan submitted under sub-  
6           section (b)(2), obtaining additional space,  
7           or renovating school buildings, to provide  
8           more classroom space, except that not  
9           more than 15 percent of the funds pro-  
10          vided under the grant may be used for this  
11          purpose; and

12          (iii) in the case of an eligible local  
13          educational agency for which all targeted  
14          schools have class sizes at or less than the  
15          levels established by the local educational  
16          agency in the plan submitted under sub-  
17          section (b)(2), providing professional devel-  
18          opment for teachers of the early elemen-  
19          tary grades at targeted schools, except that  
20          not more than 15 percent of the funds pro-  
21          vided under the grant may be used for this  
22          purpose.

23          (B) HIGHEST NEED.—In carrying out ac-  
24          tivities under the grant, the eligible local edu-  
25          cational agency shall first prioritize targeted

1 schools that serve the highest percentage of stu-  
2 dents from families with incomes below the pov-  
3 erty line and then prioritize schools with the  
4 highest average class sizes in the early elemen-  
5 tary grades.

6 (e) REPORTING.—

7 (1) ANNUAL REPORTS BY ELIGIBLE LOCAL  
8 EDUCATIONAL AGENCIES.—Each eligible local edu-  
9 cational agency receiving a grant under this section  
10 shall prepare and submit to the Secretary an annual  
11 report that includes an evaluation of the activities  
12 carried out under grant, including an evaluation  
13 of—

14 (A) the progress of the eligible local edu-  
15 cational agency in reducing class size in the  
16 early elementary grades at the targeted schools  
17 served by the local educational agency;

18 (B) student academic achievement, which  
19 may include locally developed assessments, in  
20 the early elementary grades of the targeted  
21 schools receiving support through the local edu-  
22 cational agency under the grant where pre- and  
23 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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