

BROWN of Florida, Mr. CALLAHAN, Mrs. CAPPS, Mrs. CHENOWETH, Mr. CLAY, Mr. CLEMENT, Mr. COBURN, Mr. CUMMINGS, Mr. NADLER, Ms. LEE, Mr. GUTIERREZ, Mr. THOMPSON of Mississippi, Mr. WYNN, Mr. HOYER, Mr. SPRATT, Mrs. EMERSON, Mr. INSLEE, Mr. COOK, Mr. KILDEE, Mr. HALL of Ohio, Mr. SKEEN, Mr. SHOWS, Mr. CAPUANO, Mrs. LOWEY, Mr. BARCIA, Ms. NORTON, Ms. VELÁZQUEZ, Mr. DAVIS of Illinois, Mr. LAFALCE, Mr. GONZALEZ, Mr. HILL of Indiana, Mr. MINGE, Mr. SMITH of New Jersey, Mr. RANGEL, Ms. SANCHEZ, Mr. TIERNEY, Mrs. TAUSCHER, Mrs. CLAYTON, Mr. SABO, Ms. MCKINNEY, Mr. ENGEL, Mr. GREENWOOD, Mr. KANJORSKI, and Mr. BLUMENAUER.

H.R. 1000: Mr. TERRY.

H.J. Res. 14: Mr. BARR of Georgia, Ms. LOFGREN, Mr. BARRETT of Nebraska, Mr. ENGLISH, Mr. MCKEON, and Mr. OXLEY.

H.J. Res. 21: Mr. GARY MILLER of California, Mr. BALLENGER, and Mr. GIBBONS.

H.J. Res. 33: Mr. SANDLIN, Mr. SHAW, Mr. GARY MILLER of California, Mrs. WILSON, Mr. ADERHOLT, Mr. STUPAK, Mrs. NORTHUP, Mr. MARTINEZ, and Mr. ANDREWS.

H. Con. Res. 10: Mr. BEREUTER, Mr. ANDREWS, and Mr. ISAKSON.

H. Con. Res. 24: Mr. BORSKI, Mr. ROGAN, Mr. BOEHLERT, Mr. HANSEN, Mr. QUINN, Mr. BLILEY, Mrs. CHENOWETH, Mr. LATHAM, Mrs. EMERSON, Mr. FATTAH, Mr. RILEY, Mr. CANON, Mr. EWING, Mr. EVERETT, Mr. LUCAS of Oklahoma, Mr. TOOMEY, and Mr. RYAN of Wisconsin.

H. Con. Res. 28: Mrs. MYRICK.

H. Con. Res. 29: Mr. GIBBONS, Mr. GOODLING, Mr. FORBES, and Mr. NORWOOD.

H. Con. Res. 31: Mr. WEXLER, Mr. GEORGE MILLER of California, Mr. WEINER, Mr. BROWN of Ohio, Mr. KUCINICH, Mr. SHOWS, Mr. BAIRD, Mr. LUTHER, Ms. MCKINNEY, Mr. ETHERIDGE, Mr. BROWN of California, Mr. MCGOVERN, and Mr. PASTOR.

H. Con. Res. 43: Mr. ENGLISH.

H. Res. 32: Mr. GILMAN.

H. Res. 38: Mr. FATTAH and Mr. DAVIS of Florida.

H. Res. 41: Mr. BARRETT of Nebraska, Mrs. BONO, Ms. BROWN of Florida, Mr. BROWN of California, Mrs. CHRISTENSEN, Mr. CUNNINGHAM, Mr. GRAHAM, Mr. HILL of Indiana, Mr. HINCHEY, Mr. STUMP, Mr. SWEENEY, Mr. DOYLE, Mr. DUNCAN, and Mr. ISTOOK.

H. Res. 79: Ms. KILPATRICK, Mr. PASTOR, and Mr. JEFFERSON.

H. Res. 95: Mr. HOBSON.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 800

OFFERED BY: MR. CASTLE

AMENDMENT NO. 2: In section 4(a)(4)(A)(iii) (of H.R. 800, as reported), strike "or" and insert "and".

In section 4(a) (of H.R. 800, as reported), strike paragraph (5) and insert the following:

"(5) OVERSIGHT AND REPORTING.—

"(A) IN GENERAL.—

"(i) OVERSIGHT.—Each State educational agency participating in the education flexibility program under this section shall annually monitor the activities of local educational agencies and schools receiving waivers under this section. Such monitoring shall include a review of relevant audit, technical assistance, evaluation, and performance reports.

"(ii) REPORTING.—The State educational agency shall submit to the Secretary an an-

nual report on the results of such oversight and its impact on the improvement of education programs.

"(B) PERFORMANCE DATA.—

"(i) STATE REPORTING.—Not later than 2 years after a State is designated as an Ed-Flex Partnership State, each such State shall include, as part of their report to the Secretary under clause (ii) of subparagraph (A), performance data demonstrating the degree to which progress has been made toward meeting the objectives outlined in section 3(A)(iii). The report to the Secretary shall, when applicable, include—

"(I) information on the total number of waivers granted, including the number of waivers granted for each type of waiver;

"(II) information describing the types and characteristics of waivers granted and their relationship to the progress of local educational agencies and schools toward meeting their performance objectives; and

"(III) an assurance from State program managers that the data used to measure performance of the education flexibility program under this section are reliable, complete, and accurate, as defined by the State, or a description of a plan for improving the reliability, completeness, and accuracy of such data."

"(ii) SECRETARY REPORT.—The Secretary shall—

"(I) make each State report available to Congress and the general public;

"(II) submit to Congress a report, on a timely basis, that addresses the impact that the education flexibility program under this section has had with regard to performance objectives described in paragraph (3)(A)(iii).

The Secretary shall include in the report to Congress an assurance that the data used to measure performance of the education flexibility program under this section are complete, reliable, and accurate or a plan for improving the reliability, completeness, and accuracy of such data."

H.R. 800

OFFERED BY: MR. CLAY

AMENDMENT NO. 3: In section 4(b) (of H.R. 800, as reported), strike paragraph (5) and insert the following:

(5) Beginning in fiscal year 2000, if a local educational agency participates in the class size reduction program described under section 5 and uses 90 percent of the funds made available under section 6002 of the Elementary and Secondary Education Act of 1965 for such class size reduction program, with the remainder of such funds used to enhance student achievement in accordance with title VI of such Act, the local educational agency may waive the provisions of such title VI without seeking the approval of the Secretary or State, except as provided in subsection (c).

At the end of the bill (H.R. 800, as reported), add the following:

SEC. 5. CLASS SIZE REDUCTION.

(A) ALLOTMENTS.—

(a) WITHIN STATE DISTRIBUTION.—

(1) IN GENERAL.—Each State that makes funds available under Title VI to expend under this section shall distribute the amount of the allotted funds to local educational agencies in the State, 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 and are from families with incomes below the poverty line (as defined by the Office of Management and Budget and revised annually in ac-

cordance 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 schools and secondary schools in the school districts within the boundaries of such agencies.

(2) AWARD RULE.—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.

(b) USES OF FUNDS.—Each local educational agency that expends 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 research has shown class size reduction is most effective.

(c) CLASS REDUCTION.—

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

(A) 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;

(B) 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

(C) 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.

(2) RESTRICTION.—A local educational agency may use not more than a total of 15 percent of the funds used under this section for each fiscal year to carry out activities described in subparagraphs (B) and (C) of paragraph (1).

(3) SPECIAL RULE.—A local educational agency that has already reduced class size in the early grades to 18 or fewer children may use funds under this section—

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

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

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

(d) SUPPLEMENT NOT SUPPLANT.—A local educational 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.

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

(f) **PROFESSIONAL DEVELOPMENT.**—If a local educational agency uses funds under this section for professional development activities, the agency shall ensure the equitable participation of private nonprofit elementary and secondary schools in such activities. Section 6402 shall not apply to other activities under this section.

(g) **ADMINISTRATIVE EXPENSES.**—A local educational agency that expends funds under this section may use not more than 3 percent of such funds for local administrative expenses.

(h) **FEDERAL SHARE.**—The Federal share of the cost of activities carried out under this section—

(1) may be up to 100 percent in local educational agencies with child-poverty levels of 50 percent or greater; and

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

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

(j) **REQUEST FOR FUNDS.**—Each local educational agency that desires to expend funds under the provisions section shall include in the application submitted under section 6303 a description of the agency's program under this section to reduce class size by hiring additional highly qualified teachers.

(k) **REPORTS.**—

(1) **STATE REPORTS.**—Each State expending funds under this section shall report on activities in the State under this section, consistent with section 6202(a)(2).

(2) **SCHOOL REPORTS.**—Each school expending funds under 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, regarding student achievement that is a result of hiring additional highly qualified teachers and reducing class size."

H.R. 800

OFFERED BY: MR. CLAY

AMENDMENT NO. 4: At the end of the bill (H.R. 800, as reported) add the following:

SEC. 5. CLASS SIZE REDUCTION.

Title VI of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7301 et seq.) is amended by adding at the end the following:

"PART E—CLASS SIZE REDUCTION

"SEC. 6601. SHORT TITLE.

"This part may be cited as the 'Class Size Reduction Act of 1999'.

"SEC. 6602. FINDINGS.

"Congress finds as follows:

"(1) Rigorous research has shown that students attending small classes in the early grades make more rapid educational progress than students in larger classes, and that these achievement gains persist through at least the elementary grades.

"(2) The benefits of smaller classes are greatest for lower achieving, minority, poor, and inner-city children. One study found that urban fourth-graders in smaller-than-average classes were 3/4 of a school year ahead of their counterparts in larger-than-average classes.

"(3) Teachers in small classes can provide students with more individualized attention, spend more time on instruction and less on other tasks, cover more material effectively, and are better able to work with parents to further their children's education.

"(4) Smaller classes allow teachers to identify and work more effectively with students who have learning disabilities and, potentially, can reduce those students' need for special education services in the later grades.

"(5) Students in smaller classes are able to become more actively engaged in learning than their peers in large classes.

"(6) Efforts to improve educational achievement by reducing class sizes in the early grades are likely to be more successful if—

"(A) well-prepared teachers are hired and appropriately assigned to fill additional classroom positions; and

"(B) teachers receive intensive, continuing training in working effectively in smaller classroom settings.

"(7) Several States have begun a serious effort to reduce class sizes in the early elementary grades, but these actions may be impeded by financial limitations or difficulties in hiring well-prepared teachers.

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

"SEC. 6603. PURPOSE.

"The purpose of this part is to help States and local educational agencies recruit, train, and hire 100,000 additional teachers over a 7-year period in order to—

"(1) reduce class sizes nationally, in grades 1 through 3, to an average of 18 students per classroom; and

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

"SEC. 6604. PROGRAM AUTHORIZED.

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

"(b) **ALLOTMENTS.**—

"(1) **IN GENERAL.**—From the amount appropriated under subsection (a) for a fiscal year the Secretary—

"(A) shall make a total of 1 percent available to the Secretary of the Interior (on behalf of the Bureau of Indian Affairs) and the outlying areas for activities that meet the purpose of this part; and

"(B) shall allot to each State the same percentage of the remaining funds as the percentage it received of funds allocated to States for the previous fiscal year under section 1122 or section 2202(b), whichever percentage is greater, except that such allotments shall be ratably decreased as necessary.

"(2) **DEFINITION OF STATE.**—In this part the term 'State' means each of the several States of the United States, the District of Columbia and the Commonwealth of Puerto Rico.

"(c) **WITHIN STATE DISTRIBUTION.**—

"(1) **IN GENERAL.**—Each State that receives an allotment under this section shall distribute the amount of the allotted funds to local educational agencies in the State, 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 and are 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 schools and secondary schools in the school districts within the boundaries of such agencies.

"(2) **AWARD RULE.**—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.

"SEC. 6605. USE OF FUNDS.

"(a) **IN GENERAL.**—Each local educational agency that receives funds under this part 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 research has shown class size reduction is most effective.

"(b) **CLASS REDUCTION.**—

"(1) **IN GENERAL.**—Each such local educational agency may pursue the goal of reducing class size through—

"(A) 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;

"(B) 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

"(C) 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.

"(2) **RESTRICTION.**—A local educational agency may use not more than a total of 15 percent of the funds received under this part for each of the fiscal years 2000 through 2003 to carry out activities described in subparagraphs (B) and (C) of paragraph (1), and may not use any funds received under this part for fiscal year 2004 or 2005 for those activities.

"(3) **SPECIAL RULE.**—A local educational agency that has already reduced class size in the early grades to 18 or fewer children may use funds received under this part—

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

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

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

"(c) **SUPPLEMENT NOT SUPPLANT.**—A local educational agency shall use funds under

this part 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 part.

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

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

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

“SEC. 6606. COST-SHARING REQUIREMENT.

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

“(1) may be up to 100 percent in local educational agencies with child-poverty levels of 50 percent or greater; and

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

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

“SEC. 6607. REQUEST FOR FUNDS.

“Each local educational agency that desires to receive funds under this part shall include in the application submitted under section 6303 a description of the agency’s program under this part to reduce class size by hiring additional highly qualified teachers.

“SEC. 6608. REPORTS.

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

“(b) SCHOOL.—Each school receiving assistance under this part, 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, regarding student achievement that is a result of hiring additional highly qualified teachers and reducing class size.”.

H.R. 800

OFFERED BY: MRS. CLAYTON

AMENDMENT NO. 5: Add at the end of the bill the following:

SEC. 5. CLASS SIZE REDUCTION.

Title VI of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7301 et seq.) is amended by adding at the end the following:

“PART E—CLASS SIZE REDUCTION

“SEC. 6601. SHORT TITLE.

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

“SEC. 6602. FINDINGS.

“Congress finds as follows:

“(1) Rigorous research has shown that students attending small classes in the early grades make more rapid educational progress than students in larger classes, and that these achievement gains persist through at least the elementary grades.

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

“(3) Teachers in small classes can provide students with more individualized attention, spend more time on instruction and less on other tasks, cover more material effectively, and are better able to work with parents to further their children’s education.

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

“(5) Students in smaller classes are able to become more actively engaged in learning than their peers in large classes.

“(6) Efforts to improve educational achievement by reducing class sizes in the early grades are likely to be more successful if—

“(A) well-prepared teachers are hired and appropriately assigned to fill additional classroom positions; and

“(B) teachers receive intensive, continuing training in working effectively in smaller classroom settings.

“(7) Several States have begun a serious effort to reduce class sizes in the early elementary grades, but these actions may be impeded by financial limitations or difficulties in hiring well-prepared teachers.

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

“SEC. 6603. PURPOSE.

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

“(1) reduce class sizes nationally, in grades 1 through 3, to an average of 18 students per classroom; and

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

“SEC. 6604. PROGRAM AUTHORIZED.

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

“(b) ALLOTMENTS.—

“(1) IN GENERAL.—From the amount appropriated under subsection (a) for a fiscal year the Secretary—

“(A) shall make a total of 1 percent available to the Secretary of the Interior (on behalf of the Bureau of Indian Affairs) and the outlying areas for activities that meet the purpose of this part; and

“(B) shall allot to each State the same percentage of the remaining funds as the percentage it received of funds allocated to States for the previous fiscal year under section 1122 or section 2202(b), whichever per-

centage is greater, except that such allotments shall be ratably decreased as necessary.

H.R. 800

OFFERED BY: MR. EHLERS

AMENDMENT NO. 6: In section 4(a)(4)(C)(i) (of H.R. 800, as reported), strike “and” after the semicolon.

In section 4(a)(4)(C)(ii) (of H.R. 800, as reported), strike the period and insert “; and”.

After section 4(a)(4)(C)(ii) (of H.R. 800, as reported), insert the following:

(iii) the State educational agency is satisfied that the underlying purposes of the statutory requirements of each program or Act for which a waiver is granted continue to be met.

H.R. 800

OFFERED BY: MR. FATTAH

AMENDMENT NO. 7: At the end of section 4(a)(2)(B) strike the period and insert “; and”.

After section 4(a)(2)(B) (of H.R. 800, as reported) insert the following:

(C) has a coefficient of variation of per pupil expenditures in local educational agencies statewide for elementary and secondary education of less than 10 percent, with the coefficient of variation calculated based on intrastate expenditures for current operations, as determined by the State, without regard to Federal contributions.

H.R. 800

OFFERED BY: MR. FATTAH

AMENDMENT NO. 8: In section 4(a)(3)(A)(iv), strike “and” after the semicolon.

In section 4(a)(3)(A)(v)(I), strike the period and insert “; and”.

After section 4(a)(3)(A)(v)(II), insert the following:

(vi) an assurance that the coefficient of variation of per pupil expenditures in local educational agencies statewide for elementary and secondary education in such State is less than 10 percent, with the coefficient of variation calculated based on intrastate expenditures for current operations, as determined by the State, without regard to Federal contributions.

In section 4(a)(3)(B)(iv), strike “and” after the semicolon.

In section 4(a)(3)(B)(v), strike the period and insert “; and”.

After section 4(a)(3)(B)(v), insert the following:

(vi) if the coefficient of variation of per pupil expenditures in local educational agencies statewide for elementary and secondary education in such State is less than 10 percent as provided in subparagraph (A)(vi).

H.R. 800

OFFERED BY: MR. FATTAH

AMENDMENT NO. 9: In section 4(a)(3)(B)(iv), strike “and” after the semicolon.

In section 4(a)(3)(B)(v), strike the period and insert “; and”.

After section 4(a)(3)(B)(v), insert the following:

(vi) if the coefficient of variation of per pupil expenditures in local educational agencies statewide for elementary and secondary education in such State is less than 10 percent, with the coefficient of variation calculated based on intrastate expenditures for current operations, as determined by the State, without regard to Federal contributions.

H.R. 800

OFFERED BY: MR. HOLT

AMENDMENT NO. 10: In section 4(a)(4)(A)(iv) (of H.R. 800, as reported), strike “and”.

In section 4(a)(4)(A)(v) (of H.R. 800, as reported), strike the period and insert “; and”.

After subclause (v) of section 4(a)(4)(A) (of H.R. 800, as reported), insert the following:

(vi) if applying for a waiver of section 2206 of the Elementary and Secondary Education Act of 1965, the local education agency’s application for such waiver must include a description of how the professional development needs of its teachers in the areas of mathematics and science will be, or are being, met.

H.R. 800

OFFERED BY: MR. KILDEE

AMENDMENT No. 11: In section 4(c) (of H.R. 800, as reported) after “Secretary”, insert “or a State educational agency”.

At the end of section 4(c)(1)(G) (of H.R. 800, as reported), strike “and”.

After subparagraph (H) of section 4(c) (of H.R. 800, as reported), insert the following:

(I) requirements under title VI of the Elementary and Secondary Education Act of 1965 unless 75 percent or more of the funds received under such title in fiscal year 2000, and any subsequent fiscal year, are used to reduce class size in accordance with section 307 of the Department of Education Appropriations Act, 1999; and

H.R. 800

OFFERED BY: MR. GEORGE MILLER OF CALIFORNIA

AMENDMENT No. 12: In section 4(a)(2)(A)(i) (of H.R. 800, as reported), strike “or” after the semicolon.

In section 4(a)(2)(A)(i) (of H.R. 800, as reported), strike subclause (II) and insert the following:

(II) developed a system to measure the degree of change from one school year to the next in student performance on such assessments;

(III) developed a system under which assessment information is disaggregated by race, ethnicity, sex, English proficiency status, migrant status, and socioeconomic status for the State, each local educational agency, and each school, except that such disaggregation shall not be required in cases in which the number of students in any such group is insufficient to yield statistically reliable information or would reveal the identity of an individual student; and

(IV) established specific, measurable, numerical performance objectives for student achievement, including—

(aa) a definition of performance considered to be satisfactory to the State on the assessment instruments described under subclauses I, II, and III with performance objectives established for all students and for specific student groups, including groups for which data is disaggregated under subclause III; and

(bb) the objective of improving the performance of all groups and narrowing gaps in performance between those groups.

In section 4(a)(2)(A)(ii) (of H.R. 800, as reported) after “under” insert “clause (i)(IV) and”.

In section 4(a)(3)(A)(iii) (of H.R. 800, as reported) after “plan” insert “consistent with paragraph (2)(A)(i)”.

H.R. 800

OFFERED BY: MR. GEORGE MILLER OF CALIFORNIA

AMENDMENT No. 13: At the end of section 4(c)(1)(G) (of H.R. 800, as reported), strike “and”.

After subparagraph (H) of section 4(c) (of H.R. 800, as reported), insert the following:

(I) limitations on the share of Federal funds that may be used for State and local

administration in accordance with section 1111(g) of the Elementary and Secondary Education Act of 1965; and

H.R. 800

OFFERED BY: MR. GEORGE MILLER OF CALIFORNIA

AMENDMENT No. 14: At the end of section 4(c)(1)(G) (of H.R. 800, as reported), strike “and”.

After subparagraph (H) of section 4(c)(1) (of H.R. 800, as reported), insert the following:

(I) the qualifications of instructional staff, including staff described in section 1119(i) of the Elementary and Secondary Education Act of 1965; and

H.R. 800

OFFERED BY: MRS. MINK OF HAWAII

AMENDMENT No. 15: In section 4(c) (of H.R. 800, as reported) after “Secretary”, insert “or a State educational agency”.

At the end of section 4(c)(1)(G) (of H.R. 800, as reported), strike “and”.

After subparagraph (H) of section 4(c) (of H.R. 800, as reported), insert the following:

(I) the professional development requirements of section 1119 of the Elementary and Secondary Education Act of 1965; and

H.R. 800

OFFERED BY: MRS. MINK OF HAWAII

AMENDMENT No. 16: In section 4(c)(1)(G) (of H.R. 800, as reported), after “civil rights” insert “and sex equity”.

H.R. 800

OFFERED BY: MR. PAYNE

AMENDMENT No. 17: At the end of section 1 (of H.R. 800, as reported) add the following:

(8) The recent report ‘Promising Results, Continuing Challenges: The Final Report of the National Assessment of Title I’, issued by the Department of Education, found that the poorest children can be adversely affected by the issuance of waivers as demonstrated by the finding that waivers resulted in a reduction in the median school allocation per pupil in waiver districts of 18 percent in 1995-1996 and 12 percent in 1997-1998.

H.R. 800

OFFERED BY: MR. PAYNE

AMENDMENT No. 18: In section 4(c) (of H.R. 800, as reported) after “Secretary”, insert “or a State educational agency”.

At the end of section 4(c)(1)(G) (of H.R. 800, as reported), strike “and”.

After subparagraph (H) of section 4(c) (of H.R. 800, as reported), insert the following:

(I) serving eligible school attendance areas in rank order under section 1113(a)(3) of the Elementary and Secondary Education Act of 1965; and

H.R. 800

OFFERED BY: MS. ROYBAL-ALLARD

AMENDMENT No. 19: At the end of section 4(a)(5)(A) (of H.R. 800, as reported), add the following sentence: “Such report shall include statistical information regarding the number and percentage of elementary and secondary school students by gender, race, and ethnic origin who drop out of a school that received a waiver under this section.”

In section 4(a)(6)(B)(i) (of H.R. 800, as reported), strike “and” after the semicolon.

In section 4(a)(6)(B) (of H.R. 800, as reported), redesignate clause (ii) as (iii) and insert after clause (i) the following:

(ii) review the progress of each State in reducing its student dropout rate; and

H.R. 800

OFFERED BY: MR. SCOTT

AMENDMENT No. 20: At the end of section 1 (of H.R. 800, as reported) add the following:

(8) The purpose of education flexibility is to allow States, local educational agencies, and schools to administer Federal education programs more effectively without reducing resources to schools with the highest concentrations of poor children.

H.R. 800

OFFERED BY: MR. SCOTT

AMENDMENT No. 21: In section 4(c) (of H.R. 800, as reported), after “Secretary”, insert “or a State educational agency”.

At the end of section 4(c)(1)(G) (of H.R. 800, as reported), strike “and”.

After subparagraph (H) of section 4(c) (of H.R. 800, as reported), insert the following:

(I) in the case of a school that participates in a schoolwide program under section 1114 of the Elementary and Secondary Education Act of 1965, the eligibility requirements of such section if such a school serves a school attendance area in which less than 35 percent of the children are from low-income families; and

H.R. 800

OFFERED BY: MR. SCOTT

AMENDMENT No. 22: Redesignate subsection (g) of section 4 (of H.R. 800, as reported) as subsection (h), and after subsection (f) of such section, insert the following:

(g) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to require a local educational agency to allocate the same per-pupil amount to each participating school attendance area or school if such agency allocated higher per-pupil amounts to areas or schools with higher concentrations of poverty than to areas or schools with lower concentrations of poverty.

H.R. 800

OFFERED BY: MRS. TAUSCHER

AMENDMENT No. 23: At the end of section 1 (of H.R. 800, as reported) add the following:

(8) Quality, after-school child care programs enhance the academic performance of school-age children. Therefore, when reallocating resources made available by the authority granted under this Act, schools that receive waiver authority under this Act should promote after-school, educational child care programs for children who are enrolled in such schools.

H.R. 800

OFFERED BY: MRS. TAUSCHER

AMENDMENT No. 24: At the end of section 1 (of H.R. 800, as reported) add the following:

(8) After-school programs for at-risk juveniles, designed and operated by law enforcement personnel, have been shown to reduce juvenile crime on school campuses and promote academic achievement among at-risk youth. Therefore, when reallocating resources made available by the authority granted under this Act, schools that receive waiver authority under this Act should promote after-school programs designed to reduce the incidence of criminal activity for at-risk students who are enrolled in such schools.

H.R. 800

OFFERED BY: MR. WU

AMENDMENT No. 25: At the end of section 1 (of H.R. 800, as reported) add the following:

(8) Smaller classes allow teachers to identify and work more effectively with students. The Federal Government, through education flexibility and the existing class size reduction program set forth in section 307 of the Department of Education Appropriations Act, 1999, can assist in these efforts by providing funding for class-size reduction in grades 1 through 3, and by helping to ensure that new teachers brought into the classroom are prepared.