

114TH CONGRESS  
1ST SESSION

# H. R. 2411

To support early learning.

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IN THE HOUSE OF REPRESENTATIVES

MAY 19, 2015

Mr. HANNA (for himself and Mr. SCOTT of Virginia) introduced the following bill; which was referred to the Committee on Education and the Workforce

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## A BILL

To support early learning.

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 “Strong Start for Amer-  
5 ica’s Children Act of 2015”.

6 **SEC. 2. TABLE OF CONTENTS.**

7 The table of contents for this Act is as follows:

Sec. 1. Short title.

Sec. 2. Table of contents.

### TITLE I—PREKINDERGARTEN ACCESS

Subtitle A—Access to Voluntary Prekindergarten for Low- and Moderate-  
Income Families

Sec. 101. Purposes.

Sec. 102. Definitions.

- Sec. 103. Program authorization.
- Sec. 104. Allotments and reservations of funds.
- Sec. 105. State eligibility criteria.
- Sec. 106. State applications.
- Sec. 107. State use of funds.
- Sec. 108. Additional prekindergarten services.
- Sec. 109. Performance measures and targets.
- Sec. 110. Matching requirements.
- Sec. 111. Eligible local entity applications.
- Sec. 112. Required subgrant activities.
- Sec. 113. Report and evaluation.
- Sec. 114. Prohibition of required participation or use of funds for assessments.
- Sec. 115. Coordination with Head Start programs.
- Sec. 116. Technical assistance in program administration.
- Sec. 117. Authorization of appropriations.

#### Subtitle B—Prekindergarten Development Grants

- Sec. 121. Prekindergarten development grants.

#### TITLE II—EARLY LEARNING QUALITY PARTNERSHIPS

- Sec. 201. Purposes.
- Sec. 202. Early learning quality partnerships.

#### TITLE III—AUTHORIZATIONS OF APPROPRIATIONS FOR THE EDUCATION OF CHILDREN WITH DISABILITIES

- Sec. 301. Preschool grants.
- Sec. 302. Infants and toddlers with disabilities.

#### TITLE IV—MATERNAL, INFANT, AND EARLY CHILDHOOD HOME VISITING PROGRAM

- Sec. 401. Sense of the House of Representatives.

1     **TITLE I—PREKINDERGARTEN**  
 2                     **ACCESS**  
 3     **Subtitle A—Access to Voluntary**  
 4             **Prekindergarten for Low- and**  
 5             **Moderate-Income Families**

6     **SEC. 101. PURPOSES.**

7             The purposes of this subtitle are to—

- 8                     (1) establish a Federal-State partnership to  
 9             provide access to high-quality public prekindergarten  
 10             programs for all children from low-income and mod-

1 erate-income families to ensure that they enter kin-  
2 dergarten prepared for success;

3 (2) broaden participation in such programs to  
4 include children from additional middle-class fami-  
5 lies;

6 (3) promote access to high-quality kindergarten,  
7 and high-quality early childhood education programs  
8 and settings for children; and

9 (4) increase access to appropriate supports so  
10 children with disabilities and other special popu-  
11 lations can fully participate in high-quality early  
12 education programs.

13 **SEC. 102. DEFINITIONS.**

14 In this subtitle:

15 (1) **CHILD WITH A DISABILITY.**—The term  
16 “child with a disability” has the meaning given the  
17 term in section 602 of the Individuals with Disabil-  
18 ities Education Act (20 U.S.C. 1401).

19 (2) **COMPREHENSIVE EARLY LEARNING ASSESS-**  
20 **MENT SYSTEM.**—The term “comprehensive early  
21 learning assessment system”—

22 (A) means a coordinated and comprehen-  
23 sive system of multiple assessments, each of  
24 which is valid and reliable for its specified pur-

1 pose and for the population with which it will  
2 be used, that—

3 (i) organizes information about the  
4 process and context of young children’s  
5 learning and development to help early  
6 childhood educators make informed in-  
7 structional and programmatic decisions;  
8 and

9 (ii) conforms to the recommendations  
10 of the National Research Council reports  
11 on early childhood; and

12 (B) includes, at a minimum—

13 (i) child screening measures to iden-  
14 tify children who may need follow-up serv-  
15 ices to address developmental, learning, or  
16 health needs in, at a minimum, areas of  
17 physical health, behavioral health, oral  
18 health, child development, vision, and hear-  
19 ing;

20 (ii) child formative assessments;

21 (iii) measures of environmental qual-  
22 ity; and

23 (iv) measures of the quality of adult-  
24 child interactions.

1           (3) DUAL LANGUAGE LEARNER.—The term  
2 “dual language learner” means an individual who is  
3 limited English proficient.

4           (4) EARLY CHILDHOOD EDUCATION PRO-  
5 GRAM.—The term “early childhood education pro-  
6 gram” has the meaning given the term under section  
7 103 of the Higher Education Act of 1965 (20  
8 U.S.C. 1003).

9           (5) ELEMENTARY SCHOOL.—The term “elemen-  
10 tary school” has the meaning given the term in sec-  
11 tion 9101 of the Elementary and Secondary Edu-  
12 cation Act of 1965 (20 U.S.C. 7801).

13           (6) ELIGIBILITY DETERMINATION DATE.—The  
14 term “eligibility determination date” means the date  
15 used to determine eligibility for public elementary  
16 school in the community in which the eligible local  
17 entity involved is located.

18           (7) ELIGIBLE LOCAL ENTITY.—The term “eligi-  
19 ble local entity” means—

20                   (A) a local educational agency, including a  
21 charter school or a charter management organi-  
22 zation that acts as a local educational agency,  
23 or an educational service agency in partnership  
24 with a local educational agency;

1 (B) an entity (including a Head Start pro-  
2 gram or licensed child care setting) that carries  
3 out, administers, or supports an early childhood  
4 education program; or

5 (C) a consortium of entities described in  
6 subparagraph (A) or (B).

7 (8) FULL-DAY.—The term “full-day” means a  
8 day that is—

9 (A) equivalent to a full school day at the  
10 public elementary schools in a State; and

11 (B) not less than 5 hours a day.

12 (9) HIGH-QUALITY PREKINDERGARTEN PRO-  
13 GRAM.—The term “high-quality prekindergarten  
14 program” means a prekindergarten program sup-  
15 ported by an eligible local entity that includes, at a  
16 minimum, the following elements based on nationally  
17 recognized standards:

18 (A) Serves children who—

19 (i) are age 4 or children who are age  
20 3 or 4, by the eligibility determination date  
21 (including children who turn age 5 while  
22 attending the program); or

23 (ii) have attained the legal age for  
24 State-funded prekindergarten.

1 (B) Requires high qualifications for staff,  
2 including that teachers meet the requirements  
3 of 1 of the following clauses:

4 (i) The teacher has a bachelor's de-  
5 gree in early childhood education or a re-  
6 lated field with coursework that dem-  
7 onstrates competence in early childhood  
8 education.

9 (ii) The teacher—

10 (I) has a bachelor's degree in any  
11 field;

12 (II) has demonstrated knowledge  
13 of early childhood education by pass-  
14 ing a State-approved assessment in  
15 early childhood education;

16 (III) while employed as a teacher  
17 in the prekindergarten program, is en-  
18 gaged in on-going professional devel-  
19 opment in early childhood education  
20 for not less than 2 years; and

21 (IV) not more than 4 years after  
22 starting employment as a teacher in  
23 the prekindergarten program, enrolls  
24 in and completes a State-approved ed-  
25 ucator preparation program in which

1 the teacher receives training and sup-  
2 port in early childhood education.

3 (iii) The teacher has bachelor's degree  
4 with a credential, license, or endorsement  
5 that demonstrates competence in early  
6 childhood education.

7 (C) Maintains an evidence-based maximum  
8 class size.

9 (D) Maintains an evidence-based child to  
10 instructional staff ratio.

11 (E) Offers a full-day program.

12 (F) Provides developmentally appropriate  
13 learning environments and evidence-based cur-  
14 ricula that are aligned with the State's early  
15 learning and development standards described  
16 in section 115(1).

17 (G) Offers instructional staff salaries com-  
18 parable to kindergarten through grade 12  
19 teaching staff.

20 (H) Provides for ongoing monitoring and  
21 program evaluation to ensure continuous im-  
22 provement.

23 (I) Offers accessible comprehensive services  
24 for children that include, at a minimum—



1 (i) screenings for vision, hearing, den-  
2 tal, health (including mental health), and  
3 development (including early literacy and  
4 math skill development) and referrals, and  
5 assistance obtaining services, when appro-  
6 priate;

7 (ii) family engagement opportunities  
8 that take into account home language,  
9 such as parent conferences (including par-  
10 ent input about their child's development)  
11 and support services, such as parent edu-  
12 cation, home visiting, and family literacy  
13 services;

14 (iii) nutrition services, including nutri-  
15 tious meals and snack options aligned with  
16 requirements set by the most recent Child  
17 and Adult Care Food Program guidelines  
18 promulgated by the Department of Agri-  
19 culture as well as regular, age-appropriate,  
20 nutrition education for children and their  
21 families;

22 (iv) programs in coordination with  
23 local educational agencies and entities pro-  
24 viding services and supports authorized  
25 under part B, section 619, and part C of

1 the Individuals with Disabilities Education  
2 Act (20 U.S.C. 1419 and 1431 et seq.) to  
3 ensure the full participation of children  
4 with disabilities;

5 (v) physical activity programs aligned  
6 with evidence-based guidelines, such as  
7 those recommended by the Institute of  
8 Medicine, and which take into account and  
9 accommodate children with disabilities;

10 (vi) additional support services, as ap-  
11 propriate, based on the findings of the  
12 needs analysis as described in section 110;  
13 and

14 (vii) on-site coordination, to the max-  
15 imum extent feasible.

16 (J) Provides high-quality professional de-  
17 velopment for all staff, including regular in-  
18 classroom observation for teachers and teacher  
19 assistants by individuals trained in such obser-  
20 vation and which may include evidence-based  
21 coaching.

22 (K) Meets the education performance  
23 standards in effect under section 641A(a)(1)(B)  
24 of the Head Start Act (42 U.S.C.  
25 9836a(a)(1)(B)).

1 (L) Maintains evidence-based health and  
2 safety standards.

3 (M) Maintains disciplinary policies that do  
4 not include expulsion or suspension of partici-  
5 pating children, except only as a last resort in  
6 extraordinary circumstances where there is a  
7 determination of a serious safety threat and  
8 where there are policies to provide appropriate  
9 alternative early educational services to these  
10 children while they are out of school.

11 (10) GOVERNOR.—The term “Governor” means  
12 the chief executive officer of a State.

13 (11) HOMELESS CHILD.—The term “homeless  
14 child” means a child or youth described in section  
15 725(2) of the McKinney-Vento Homeless Assistance  
16 Act (42 U.S.C. 11434a(2)).

17 (12) INSTITUTION OF HIGHER EDUCATION.—  
18 The term “institution of higher education” has the  
19 meaning given the term in section 102 of the Higher  
20 Education Act of 1965 (20 U.S.C. 1002).

21 (13) INDIAN TRIBE; TRIBAL ORGANIZATION.—  
22 The terms “Indian tribe” and “tribal organization”  
23 have the meanings given the terms in 658P of the  
24 Child Care and Development Block Grant of 1990  
25 (42 U.S.C. 9858n).

1           (14) LIMITED ENGLISH PROFICIENT.—The  
2 term “limited English proficient” has the meaning  
3 given the term in section 637 of the Head Start Act  
4 (42 U.S.C. 9832).

5           (15) LOCAL EDUCATIONAL AGENCY; STATE  
6 EDUCATIONAL AGENCY; EDUCATIONAL SERVICE  
7 AGENCY.—The terms “local educational agency”,  
8 “State educational agency”, and “educational service  
9 agency” have the meanings given the terms in sec-  
10 tion 9101 of the Elementary and Secondary Edu-  
11 cation Act of 1965 (20 U.S.C. 7801).

12           (16) MIGRATORY CHILD.—The term “migratory  
13 child” has the meaning given the term in section  
14 1309 of the Elementary and Secondary Education  
15 Act of 1965 (20 U.S.C. 6399).

16           (17) OUTLYING AREA.—The term “outlying  
17 area” means each of the United States Virgin Is-  
18 lands, Guam, American Samoa, the Commonwealth  
19 of the Northern Mariana Islands, and the Republic  
20 of Palau.

21           (18) POVERTY LINE.—The term “poverty line”  
22 means the official poverty line (as defined by the Of-  
23 fice of Management and Budget)—

24                   (A) adjusted to reflect the percentage  
25 change in the Consumer Price Index for All

1           Urban Consumers published by the Bureau of  
2           Labor Statistics of the Department of Labor  
3           for the most recent 12-month period or other  
4           interval for which the data are available; and

5                   (B) applicable to a family of the size in-  
6           volved.

7           (19) SECONDARY SCHOOL.—The term “sec-  
8           ondary school” has the meaning given the term in  
9           section 9101 of the Elementary and Secondary Edu-  
10          cation Act of 1965 (20 U.S.C. 7801).

11          (20) SECRETARY.—The term “Secretary”  
12          means the Secretary of Education.

13          (21) STATE.—Except as otherwise provided in  
14          this subtitle, the term “State” means each of the 50  
15          States, the District of Columbia, the Commonwealth  
16          of Puerto Rico, and each of the outlying areas.

17          (22) STATE ADVISORY COUNCIL ON EARLY  
18          CHILDHOOD EDUCATION AND CARE.—The term  
19          “State Advisory Council on Early Childhood Edu-  
20          cation and Care” means the State Advisory Council  
21          on Early Childhood Education and Care established  
22          under section 642B(b) of the Head Start Act (42  
23          U.S.C. 9837b(b)).

1 **SEC. 103. PROGRAM AUTHORIZATION.**

2 From amounts made available to carry out this sub-  
3 title, the Secretary, in consultation with the Secretary of  
4 Health and Human Services, shall award grants to States  
5 to implement high-quality prekindergarten programs, con-  
6 sistent with the purposes of this subtitle described in sec-  
7 tion 101. For each fiscal year, the funds provided under  
8 a grant by a State shall equal the allotment determined  
9 for the State under section 114.

10 **SEC. 104. ALLOTMENTS AND RESERVATIONS OF FUNDS.**

11 (a) RESERVATION.—From the amount made avail-  
12 able each fiscal year to carry out this subtitle, the Sec-  
13 retary shall—

14 (1) reserve not less than 1 percent and not  
15 more than 2 percent for payments to Indian tribes  
16 and tribal organizations;

17 (2) reserve  $\frac{1}{2}$  of 1 percent for the outlying  
18 areas to be distributed among the outlying areas on  
19 the basis of their relative need, as determined by the  
20 Secretary in accordance with the purposes of this  
21 subtitle;

22 (3) reserve  $\frac{1}{2}$  of 1 percent for eligible local en-  
23 tities that serve children in families who are engaged  
24 in migrant or seasonal agricultural labor; and

25 (4) reserve not more than 1 percent or  
26 \$30,000,000, whichever amount is less, for national

1 activities, including administration, technical assist-  
2 ance, and evaluation.

3 (b) ALLOTMENTS.—

4 (1) IN GENERAL.—From the amount made  
5 available each fiscal year to carry out this subtitle  
6 and not reserved under subsection (a), the Secretary  
7 shall make allotments to States in accordance with  
8 paragraph (2) that have submitted an approved ap-  
9 plication.

10 (2) ALLOTMENT AMOUNT.—

11 (A) IN GENERAL.—Subject to subpara-  
12 graph (B), the Secretary shall allot the amount  
13 made available under paragraph (1) for a fiscal  
14 year among the States in proportion to the  
15 number of children who are age 4 who reside  
16 within the State and are from families with in-  
17 comes at or below 200 percent of the poverty  
18 line for the most recent year for which satisfac-  
19 tory data are available, compared to the num-  
20 ber of such children who reside in all such  
21 States for that fiscal year.

22 (B) MINIMUM ALLOTMENT AMOUNT.—No  
23 State receiving an allotment under subpara-  
24 graph (A) may receive less than  $\frac{1}{2}$  of 1 percent

1 of the total amount allotted under such sub-  
2 paragraph.

3 (3) REALLOTMENT AND CARRY OVER.—

4 (A) IN GENERAL.—If one or more States  
5 do not receive an allotment under this sub-  
6 section for any fiscal year, the Secretary may  
7 use the amount of the allotment for that State  
8 or States, in such amounts as the Secretary de-  
9 termines appropriate, for either or both of the  
10 following:

11 (i) To increase the allotments of  
12 States with approved applications for the  
13 fiscal year, consistent with subparagraph  
14 (B).

15 (ii) To carry over the funds to the  
16 next fiscal year.

17 (B) REALLOTMENT.—In increasing allot-  
18 ments under subparagraph (A)(i), the Secretary  
19 shall allot to each State with an approved appli-  
20 cation an amount that bears the same relation-  
21 ship to the total amount to be allotted under  
22 subparagraph (A)(i), as the amount the State  
23 received under paragraph (2) for that fiscal  
24 year bears to the amount that all States re-  
25 ceived under paragraph (2) for that fiscal year.



1           (4) STATE.—For purposes of this subsection,  
2           the term “State” means each of the 50 States, the  
3           District of Columbia, and the Commonwealth of  
4           Puerto Rico.

5           (c) FLEXIBILITY.—The Secretary may make minimal  
6           adjustments to allotments under this subsection, which  
7           shall neither lead to a significant increase or decrease in  
8           a State’s allotment determined under subsection (b), based  
9           on a set of factors, such as the level of program participa-  
10          tion and the estimated cost of the activities specified in  
11          the State plan under section 116(a)(2).

12          **SEC. 105. STATE ELIGIBILITY CRITERIA.**

13          A State is eligible to receive a grant under this sub-  
14          title if the State demonstrates to the Secretary that the  
15          State—

16                (1) has established or will establish early learn-  
17                ing and development standards that describe what  
18                children from birth to kindergarten entry should  
19                know and be able to do, are universally designed and  
20                developmentally, culturally, and linguistically appro-  
21                priate, are aligned with the State’s challenging aca-  
22                demic content standards and challenging student  
23                academic achievement standards, as adopted under  
24                section 1111(b)(1) of the Elementary and Secondary  
25                Education Act of 1965 (20 U.S.C. 6311(b)(1)), and

1 cover all of the essential domains of school readi-  
2 ness, which address—

3 (A) physical well-being and motor develop-  
4 ment;

5 (B) social and emotional development;

6 (C) approaches to learning, including cre-  
7 ative arts expression;

8 (D) developmentally appropriate oral and  
9 written language and literacy development; and

10 (E) cognition and general knowledge, in-  
11 cluding early mathematics and early scientific  
12 development;

13 (2) has the ability or will develop the ability to  
14 link prekindergarten data with its elementary school  
15 and secondary school data for the purpose of col-  
16 lecting longitudinal information for all children par-  
17 ticipating in the State’s high-quality prekindergarten  
18 program and any other federally funded early child-  
19 hood program that will remain with the child  
20 through the child’s public education through grade  
21 12;

22 (3) offers State-funded kindergarten for chil-  
23 dren who are eligible children for that service in the  
24 State; and

1           (4) has established a State Advisory Council on  
2           Early Childhood Education and Care.

3 **SEC. 106. STATE APPLICATIONS.**

4           (a) IN GENERAL.—To receive a grant under this sub-  
5 title, the Governor of a State, in consultation with the In-  
6 dian tribes and tribal organizations in the State, if any,  
7 shall submit an application to the Secretary at such time,  
8 in such manner, and containing such information as the  
9 Secretary may reasonably require. At a minimum, each  
10 such application shall include—

11           (1) an assurance that the State—

12                   (A) will coordinate with and continue to  
13 participate in the programs authorized under  
14 section 619 and part C of the Individuals with  
15 Disabilities Education Act (20 U.S.C. 1419 and  
16 1431 et seq.), the Child Care and Development  
17 Block Grant Act of 1990 (42 U.S.C. 9858 et  
18 seq.), and the maternal, infant, and early child-  
19 hood home visiting programs funded under sec-  
20 tion 511 of the Social Security Act (42 U.S.C.  
21 711) for the duration of the grant;

22                   (B) will designate a State-level entity (such  
23 as an agency or joint interagency office), se-  
24 lected by the Governor, for the administration  
25 of the grant, which shall coordinate and consult

1 with the State educational agency if the entity  
2 is not the State educational agency; and

3 (C) will establish, or certify the existence  
4 of, program standards for all State prekinde-  
5 garten programs consistent with the definition  
6 of a high-quality prekindergarten program  
7 under section 102;

8 (2) a description of the State's plan to—

9 (A) use funds received under this subtitle  
10 and the State's matching funds to provide high-  
11 quality prekindergarten programs, in accord-  
12 ance with section 117(d), with open enrollment  
13 for all children in the State who—

14 (i) are described in section 102(9)(A);

15 and

16 (ii) are from families with incomes at  
17 or below 200 percent of the poverty line;

18 (B) develop or enhance a system for moni-  
19 toring eligible local entities that are receiving  
20 funds under this subtitle for compliance with  
21 quality standards developed by the State and to  
22 provide program improvement support, which  
23 may be accomplished through the use of a  
24 State-developed system for quality rating and  
25 improvement;

1 (C) if applicable, expand participation in  
2 the State's high-quality prekindergarten pro-  
3 grams to children from families with incomes  
4 above 200 percent of the poverty line;

5 (D) carry out the State's comprehensive  
6 early learning assessment system, or how the  
7 State plans to develop such a system, ensuring  
8 that any assessments are culturally, develop-  
9 mentally, and age-appropriate and consistent  
10 with the recommendations from the study on  
11 Developmental Outcomes and Assessments for  
12 Young Children by the National Academy of  
13 Sciences, consistent with section 649(j) of the  
14 Head Start Act (42 U.S.C. 9844);

15 (E) develop, implement, and make publicly  
16 available the performance measures and targets  
17 described in section 109;

18 (F) increase the number of teachers with  
19 bachelor's degrees in early childhood education,  
20 or with bachelor's degrees in another closely re-  
21 lated field and specialized training and dem-  
22 onstrated competency in early childhood edu-  
23 cation, including how institutions of higher edu-  
24 cation will support increasing the number of  
25 teachers with such degrees and training, includ-

1 ing through the use of assessments of prior  
2 learning, knowledge, and skills to facilitate and  
3 expedite attainment of such degrees;

4 (G) coordinate and integrate the activities  
5 funded under this subtitle with Federal, State,  
6 and local services and programs that support  
7 early childhood education and care, including  
8 programs supported under this subtitle, the El-  
9 elementary and Secondary Education Act of 1965  
10 (20 U.S.C. 6301 et seq.), the Individuals with  
11 Disabilities Education Act (20 U.S.C. 1400 et  
12 seq.), the Head Start Act (42 U.S.C. 9831 et  
13 seq.), the Community Services Block Grant Act  
14 (42 U.S.C. 9901 et seq.), the Child Care and  
15 Development Block Grant Act of 1990 (42  
16 U.S.C. 9858 et seq.), the temporary assistance  
17 for needy families program under part A of title  
18 IV of the Social Security Act (42 U.S.C. 601 et  
19 seq.), the State incentive grant program under  
20 section 14006 of the American Recovery and  
21 Reinvestment Act of 2009 (Public Law 111–5),  
22 federally funded early literacy programs, the  
23 maternal, infant, and early childhood home vis-  
24 iting programs funded under section 511 of the  
25 Social Security Act (42 U.S.C. 711), health im-

1           provements to child care funded under title  
2           XIX of the Social Security Act (42 U.S.C. 1396  
3           et seq.), the program under subtitle B of title  
4           VII of the McKinney-Vento Homeless Assist-  
5           ance Act (42 U.S.C. 11431 et seq.), the Invest-  
6           ing In Innovation program under section 14007  
7           of the American Recovery and Reinvestment  
8           Act of 2009 (Public Law 111–5), programs au-  
9           thorized under part E of title IV of the Social  
10          Security Act (42 U.S.C. 670 et seq.), the Fos-  
11          tering Connections to Success and Increasing  
12          Adoptions Act of 2008 (Public Law 110–351),  
13          grants for infant and toddler care through  
14          Early Head Start-Child Care Partnerships  
15          funded under the heading “Children and Fami-  
16          lies Services Programs—Administration for  
17          Children and Families” in the Department of  
18          Health and Human Services Appropriations  
19          Act, 2014 (title II of division H of Public Law  
20          113–76; 128 Stat. 363), the preschool develop-  
21          ment grants program funded under the heading  
22          “Innovation and Improvement” in the Depart-  
23          ment of Education Appropriations Act, 2015  
24          (title III of division G of Public Law 113–235;  
25          128 Stat. 2492), and any other Federal, State,

1 or local early childhood education programs  
2 used in the State;

3 (H) award subgrants to eligible local enti-  
4 ties, and in awarding such subgrants, facilitate  
5 a delivery system of high-quality prekind-  
6 garten programs that includes diverse pro-  
7 viders, such as providers in community-based,  
8 public school, and private settings, and consider  
9 the system’s impact on options for families;

10 (I) in the case of a State that does not  
11 have a funding mechanism for subgranting  
12 funds to implement high-quality prekind-  
13 garten, use objective criteria in awarding sub-  
14 grants to eligible local entities that will imple-  
15 ment high-quality prekindergarten programs,  
16 including actions the State will take to ensure  
17 that eligible local entities will coordinate with  
18 local educational agencies or other early learn-  
19 ing providers, as appropriate, to carry out ac-  
20 tivities to provide children served under this  
21 subtitle with a successful transition from pre-  
22 school into kindergarten, which activities shall  
23 include—

24 (i) aligning curricular objectives and  
25 instruction;



- 1 (ii) providing staff professional devel-  
2 opment, including opportunities for joint-  
3 professional development on early learning  
4 and kindergarten through grade 3 stand-  
5 ards, assessments, and curricula;
- 6 (iii) coordinating family engagement  
7 and support services; and
- 8 (iv) encouraging the shared use of fa-  
9 cilities and transportation, as appropriate;
- 10 (J) use the State early learning and devel-  
11 opment standards described in section 105(1)  
12 to address the needs of dual language learners,  
13 including by incorporating benchmarks related  
14 to English language development;
- 15 (K) identify barriers, and propose solutions  
16 to overcome such barriers, which may include  
17 seeking assistance under section 116, in the  
18 State to effectively use and integrate Federal,  
19 State, and local public funds and private funds  
20 for early childhood education that are available  
21 to the State on the date on which the applica-  
22 tion is submitted;
- 23 (L) support articulation agreements (as  
24 defined in section 486A of the Higher Edu-  
25 cation Act of 1965 (20 U.S.C. 1093a)) between

1 public 2-year and public 4-year institutions of  
2 higher education and other credit-bearing pro-  
3 fessional development in the State for early  
4 childhood teacher preparation programs and  
5 closely related fields;

6 (M) ensure that the higher education pro-  
7 grams in the State have the capacity to prepare  
8 a workforce to provide high-quality prekind-  
9 garten programs;

10 (N) support workforce development, in-  
11 cluding State and local policies that support  
12 prekindergarten instructional staff's ability to  
13 earn a degree, certification, or other specializa-  
14 tions or qualifications, including policies on  
15 leave, substitutes, and child care services, in-  
16 cluding non-traditional hour child care;

17 (O) hold eligible local entities accountable  
18 for use of funds;

19 (P) ensure that the State's early learning  
20 and development standards are integrated into  
21 the instructional and programmatic practices of  
22 high-quality prekindergarten programs and re-  
23 lated programs and services, such as those pro-  
24 vided to children under section 619 and part C

1 of the Individuals with Disabilities Education  
2 Act (20 U.S.C. 1419 and 1431 et seq.);

3 (Q) increase the number of children in the  
4 State who are enrolled in high-quality kinder-  
5 garten programs and carry out a strategy to  
6 implement such a plan;

7 (R) coordinate the State's activities sup-  
8 ported by grants under this subtitle with activi-  
9 ties in State plans required under the Elemen-  
10 tary and Secondary Education Act of 1965 (20  
11 U.S.C. 6301 et seq.), the Individuals with Dis-  
12 abilities Education Act (20 U.S.C. 1400 et  
13 seq.), the Head Start Act (42 U.S.C. 9831 et  
14 seq.), the Child Care and Development Block  
15 Grant Act of 1990 (42 U.S.C. 9858 et seq.),  
16 and the Adult Education and Family Literacy  
17 Act (20 U.S.C. 9201 et seq.);

18 (S) encourage eligible local entities to co-  
19 ordinate with community-based learning re-  
20 sources, such as libraries, arts and arts edu-  
21 cation programs, appropriate media programs,  
22 family literacy programs, public parks and  
23 recreation programs, museums, nutrition edu-  
24 cation programs, and programs supported by

1 the Corporation for National and Community  
2 Service;

3 (T) work with eligible local entities, in con-  
4 sultation with elementary school principals, to  
5 ensure that high-quality prekindergarten pro-  
6 grams have sufficient and appropriate facilities  
7 to meet the needs of children eligible for pre-  
8 kindergarten;

9 (U) support local early childhood coordi-  
10 nating entities, such as local early childhood  
11 councils, if applicable, and help such entities to  
12 coordinate early childhood education programs  
13 with high-quality prekindergarten programs to  
14 ensure effective and efficient delivery of early  
15 childhood education program services;

16 (V) support shared services administering  
17 entities, if applicable;

18 (W) ensure that the provision of high-qual-  
19 ity prekindergarten programs will not lead to a  
20 diminution in the quality or supply of services  
21 for infants and toddlers or disrupt the care of  
22 infants and toddlers in the geographic area  
23 served by the eligible local entity, which may in-  
24 clude demonstrating that the State will direct  
25 funds to provide high-quality early childhood

1 education and care to infants and toddlers in  
2 accordance with section 117(d);

3 (X) encourage or promote socioeconomic,  
4 racial, and ethnic diversity in the classrooms of  
5 high-quality prekindergarten programs, as ap-  
6 plicable; and

7 (Y) ensure that all high-quality prekindergarten  
8 programs the State supports under this  
9 Act will conduct criminal history background  
10 checks that meet the requirements of subsection  
11 (b) on employees and applicants for employ-  
12 ment with unsupervised access to children; and

13 (3) an inventory of the State's higher education  
14 programs that prepare individuals for work in a  
15 high-quality prekindergarten program, including—

16 (A) certification programs;

17 (B) associate degree programs;

18 (C) baccalaureate degree programs;

19 (D) masters degree programs; and

20 (E) other programs that lead to a speciali-  
21 zation in early childhood education, or a related  
22 field.

23 (b) CRIMINAL HISTORY BACKGROUND CHECKS.—

1           (1) IN GENERAL.—The criminal history back-  
2           ground checks required under subsection (a)(2)(Y)  
3           shall include—

4                   (A) a search of the State criminal registry  
5                   or repository in the State in which the employee  
6                   resides and previously resided;

7                   (B) a search of the State-based child abuse  
8                   and neglect registries and databases in the  
9                   State in which the employee resides and pre-  
10                  viously resided;

11                  (C) a Federal Bureau of Investigation fin-  
12                  gerprint check using the Integrated Automated  
13                  Fingerprint Identification System; and

14                  (D) a search of the National Sex Offender  
15                  Registry established under section 119 of the  
16                  Adam Walsh Child Protection and Safety Act of  
17                  2006 (42 U.S.C. 16919).

18           (2) PROHIBITION OF EMPLOYMENT.—To be eli-  
19           gible to receive a grant under this subtitle, a State  
20           shall prohibit an individual with unsupervised access  
21           to children from employment with a program sup-  
22           ported with grant funds under this subtitle if the in-  
23           dividual has been convicted of a violent felony or any  
24           violent or sexual crime against a minor, as defined  
25           by the State.

1           (3) UPDATED CHECKS.—To be eligible to re-  
2           ceive a grant under this subtitle, each criminal his-  
3           tory background check conducted on an employee as  
4           required under subsection (a)(2)(Y) shall be periodi-  
5           cally repeated or updated one time at least every five  
6           years.

7           (4) SUBMISSION OF REQUESTS FOR BACK-  
8           GROUND CHECKS.—

9           (A) IN GENERAL.—A high-quality pre-  
10           kindergarten program shall submit a request, to  
11           the appropriate State agency designated by a  
12           State, for a criminal background check de-  
13           scribed in subsection (b)(1), for each individual  
14           employee with unsupervised access to children.

15           (B) PROSPECTIVE EMPLOYEES.—In the  
16           case of an individual who is a prospective em-  
17           ployee with unsupervised access to children on  
18           or after the date of the enactment of this Act,  
19           the provider shall submit such a request—

20                   (i) prior to the date the individual be-  
21                   comes an employee; and

22                   (ii) not less than once during each 5-  
23                   year period following the first submission  
24                   date under this paragraph for that staff  
25                   member.

1 (5) BACKGROUND CHECK RESULTS.—

2 (A) BACKGROUND CHECK RESULTS.—The  
3 State shall carry out the request of a high-quality  
4 prekindergarten program for a criminal  
5 background check as expeditiously as possible,  
6 but not to exceed 45 days after the date on  
7 which such request was submitted, and shall  
8 provide the results of the criminal background  
9 check to such program and to the employee  
10 staff member.

11 (B) PRIVACY.—

12 (i) IN GENERAL.—The State shall  
13 provide the results of the criminal back-  
14 ground check to the high-quality pre-  
15 kindergarten program in a statement that  
16 indicates whether an employee is eligible or  
17 ineligible for employment without revealing  
18 any disqualifying crime or other related in-  
19 formation regarding the individual.

20 (ii) INELIGIBLE EMPLOYEE.—If the  
21 employee is ineligible for such employment  
22 due to the background check, the State  
23 will, when providing the results of the  
24 background check, include information re-



1           lated to each disqualifying crime, in a re-  
2           port to the employee.

3           (iii) PUBLIC RELEASE OF RESULTS.—

4           No State shall publicly release or share the  
5           results of individual background checks,  
6           except States may release aggregated data  
7           by crime from background check results,  
8           as long as such data does not contain per-  
9           sonally identifiable information.

10          (6) APPEALS.—

11           (A) IN GENERAL.—The State shall provide  
12           for a process by which an employee may appeal  
13           the results of a criminal background check con-  
14           ducted under this section to challenge the accu-  
15           racy or completeness of the information con-  
16           tained in such employee's criminal background  
17           report.

18           (B) APPEALS PROCESS.—The State shall  
19           ensure that—

20           (i) each employee shall be given notice  
21           of the opportunity to appeal;

22           (ii) an employee will receive instruc-  
23           tions about how to complete the appeals  
24           process if the employee wishes to challenge  
25           the accuracy or completeness of the infor-

1           mation contained in such employee’s crimi-  
2           nal background report; and

3           (iii) the appeals process is completed  
4           in a timely manner for each employee not  
5           to exceed 45 days.

6           (C) COSTS.—An employee who has suc-  
7           cessfully challenged the findings contained in  
8           such employee’s criminal background check re-  
9           port in the appeals process under this para-  
10          graph shall be allowed to seek compensation for  
11          any reasonable costs incurred from such appeal.

12          (7) REVIEW.—

13          (A) IN GENERAL.—The State shall estab-  
14          lish a timely review process not to exceed 45  
15          days through which the State may determine  
16          that an employee identified in paragraph (2) is  
17          eligible for employment with the high-quality  
18          prekindergarten program.

19          (B) FACTORS.—The review process shall  
20          be an individualized assessment consistent with  
21          title VII of the Civil Rights Act of 1964 (42  
22          U.S.C. 2000e et seq.) and the U.S. Equal Em-  
23          ployment Opportunity Commission Enforcement  
24          Guidance on the Consideration of Arrest and  
25          Conviction Records in Employment Decisions,

1 and may include consideration of the following  
2 factors—

3 (i) nature and seriousness of the of-  
4 fense;

5 (ii) circumstances under which the of-  
6 fense was committed;

7 (iii) lapse of time since the offense  
8 was committed or the individual was re-  
9 leased from prison;

10 (iv) individual's age at the time of the  
11 offense;

12 (v) social conditions which may have  
13 fostered the offense;

14 (vi) relationship of the nature of the  
15 offense to the position sought;

16 (vii) number of criminal convictions;

17 (viii) honesty and transparency of the  
18 candidate in admitting the conviction  
19 record;

20 (ix) individual's work history, includ-  
21 ing evidence that the individual performed  
22 the same or similar work, post-conviction,  
23 with the same or different employer, with  
24 no known incidents of criminal conduct;

1           (x) evidence of rehabilitation as dem-  
2           onstrated by the individual's good conduct  
3           while in correctional custody and/or the  
4           community; counseling or psychiatric treat-  
5           ment received; acquisition of additional  
6           academic or vocational schooling; success-  
7           ful participation in correctional work-re-  
8           lease programs and the recommendations  
9           of persons who have or have had the appli-  
10          cant under their supervision;

11          (xi) whether the individual is bonded  
12          under Federal, State, or local bonding pro-  
13          gram; and

14          (xii) any other factor that may lead to  
15          the conclusion that the individual does not  
16          pose a risk to children.

17          (C) LIMITATION.—This paragraph shall  
18          not apply to an employee who has been con-  
19          victed of a serious violent or sexual felony  
20          against a child, as determined by the State.

21          (8) NO PRIVATE RIGHT OF ACTION.—Nothing  
22          in this section shall be construed to create a private  
23          right of action if a high-quality prekindergarten pro-  
24          gram has acted in accordance with this section.

1           (9) FEES FOR BACKGROUND CHECKS.—Fees  
2           that a State may charge for the costs of processing  
3           applications and administering a criminal back-  
4           ground check as required by this section shall not  
5           exceed the actual costs to the State for the pro-  
6           cessing and administration.

7           (10) CONSTRUCTION.—

8                   (A) DISQUALIFICATION FOR OTHER  
9                   CRIMES.—Nothing in this section shall be con-  
10                  strued to prevent a State from disqualifying in-  
11                  dividuals as an employee based on their convic-  
12                  tion for crimes not specifically listed in this sec-  
13                  tion that bear upon the fitness of an individual  
14                  to provide care for and have responsibility for  
15                  the safety and well-being of children.

16                   (B) RIGHTS AND REMEDIES.—Nothing in  
17                  this section shall be construed to alter or other-  
18                  wise affect the rights and remedies provided for  
19                  an employee residing in a State that disqualifies  
20                  individuals as an employee for crimes not spe-  
21                  cifically provided for under this section.

22           (11) REPORTING.—Not later than one year  
23           after the date of the enactment of this Act, the Sec-  
24           retary of Education shall report to Congress on—

1 (A) any information available about num-  
2 bers of individuals restricted or disqualified  
3 from being an employee on the basis of a crimi-  
4 nal record identified in the background check,  
5 pursuant to this section in total, and for each  
6 type of conviction, disaggregated by race, gen-  
7 der, national origin, and ethnicity;

8 (B) the identity of each State's agency  
9 with jurisdiction over the background check re-  
10 sults and appeals process described in para-  
11 graph (6);

12 (C) the identity of each State's agency  
13 with jurisdiction over the individualized assess-  
14 ment, as described in paragraph (7);

15 (D) the numbers of individuals approved  
16 for consideration as an employee by the individ-  
17 ualized assessment, as described in paragraph  
18 (7) in total, and for each type of conviction,  
19 disaggregated by race, gender, national origin,  
20 and ethnicity; and

21 (E) the numbers of successful and unsuc-  
22 cessful appeals to the accuracy and complete-  
23 ness of records or information, in total, by  
24 State, and by type of conviction, disaggregated  
25 by race, gender, national origin, and ethnicity.

1 **SEC. 107. STATE USE OF FUNDS.**

2 (a) RESERVATION FOR QUALITY IMPROVEMENT AC-  
3 TIVITIES.—

4 (1) IN GENERAL.—A State that receives a  
5 grant under this subtitle may reserve for, not more  
6 than the first 4 years such State receives such a  
7 grant, not more than 20 percent of the grant funds  
8 for quality improvement activities that support the  
9 elements of high-quality prekindergarten programs.  
10 Such quality improvement activities may include  
11 supporting teachers, center directors, and principals  
12 in a State’s high-quality prekindergarten program,  
13 licensed or regulated child care, or Head Start pro-  
14 grams to enable such teachers or directors to earn  
15 a baccalaureate degree in early childhood education,  
16 or closely related field, through activities which may  
17 include—

18 (A) expanding or establishing scholarships,  
19 counseling, and compensation initiatives to  
20 cover the cost of tuition, fees, materials, trans-  
21 portation, and release time for such teachers;

22 (B) providing ongoing professional develop-  
23 ment opportunities, including regular in-class-  
24 room observation by individuals trained in such  
25 observation, for such teachers, directors, prin-  
26 cipals, and teachers assistants to enable such

1 teachers, directors, principals, and teachers as-  
2 sistants to carry out the elements of high-qual-  
3 ity prekindergarten programs, which may in-  
4 clude activities that address—

5 (i) promoting children’s development  
6 across all of the essential domains of early  
7 learning and development;

8 (ii) developmentally appropriate cur-  
9 ricula and teacher-child interaction;

10 (iii) effective family engagement;

11 (iv) providing culturally competent in-  
12 struction;

13 (v) working with a diversity of chil-  
14 dren and families, including children with  
15 special needs and dual language learners;

16 (vi) childhood nutrition and physical  
17 education programs;

18 (vii) supporting the implementation of  
19 evidence-based curricula;

20 (viii) social and emotional develop-  
21 ment; and

22 (ix) incorporating age-appropriate  
23 strategies of positive behavioral interven-  
24 tions and supports; and



1 (C) providing families with increased op-  
2 portunities to learn how best to support their  
3 children’s physical, cognitive, social, and emo-  
4 tional development during the first five years of  
5 life.

6 (2) NOT SUBJECT TO MATCHING.—The amount  
7 reserved under paragraph (1) shall not be subject to  
8 the matching requirements under section 110.

9 (3) COORDINATION.—A State that reserves an  
10 amount under paragraph (1) shall coordinate the  
11 use of such amount with activities funded under sec-  
12 tion 658G of the Child Care and Development Block  
13 Grant Act of 1990 (42 U.S.C. 9858e) and the Head  
14 Start Act (42 U.S.C. 9831 et seq.).

15 (4) CONSTRUCTION.—A State may not use  
16 funds reserved under this subsection to meet the re-  
17 quirement described in section 102(9)(G).

18 (b) SUBGRANTS FOR HIGH-QUALITY PREKINDER-  
19 GARTEN PROGRAMS.—A State that receives a grant under  
20 this subtitle shall award subgrants of sufficient size to eli-  
21 gible local entities to enable such eligible local entities to  
22 implement high-quality prekindergarten programs for chil-  
23 dren who—

24 (1) are described in section 102(9)(A);

25 (2) reside within the State; and

1           (3) are from families with incomes at or below  
2           200 percent of the poverty line.

3           (c) ADMINISTRATION.—A State that receives a grant  
4 under this subtitle may reserve not more than 1 percent  
5 of the grant funds for administration of the grant, and  
6 may use part of that reservation for the maintenance of  
7 the State Advisory Council on Early Childhood Education  
8 and Care.

9           (d) EARLY CHILDHOOD EDUCATION AND CARE PRO-  
10 GRAMS FOR INFANTS AND TODDLERS.—

11           (1) USE OF ALLOTMENT FOR INFANTS AND  
12 TODDLERS.—An eligible State may apply to use, and  
13 the appropriate Secretary may grant permission for  
14 the State to use, not more than 15 percent of the  
15 funds made available through a grant received under  
16 this subtitle to award subgrants to early childhood  
17 education programs to provide, consistent with the  
18 State’s early learning and development guidelines for  
19 infants and toddlers, high-quality early childhood  
20 education and care to infants and toddlers who re-  
21 side within the State and are from families with in-  
22 comes at or below 200 percent of the poverty line.

23           (2) APPLICATION.—To be eligible to use the  
24 grant funds as described in paragraph (1), the State  
25 shall submit an application to the appropriate Sec-

1       retary at such time, in such manner, and containing  
2       such information as the Secretary may require. Such  
3       application shall, at a minimum, include a descrip-  
4       tion of how the State will—

5               (A) designate a lead agency which shall ad-  
6       minister such funds;

7               (B) ensure that such lead agency, in co-  
8       ordination with the State’s Advisory Council on  
9       Early Childhood Education and Care, will col-  
10      laborate with other agencies in administering  
11      programs supported under this subsection for  
12      infants and toddlers in order to obtain input  
13      about the appropriate use of such funds and en-  
14      sure coordination with programs for infants and  
15      toddlers funded under the Child Care and De-  
16      velopment Block Grant Act of 1990 (42 U.S.C.  
17      9858 et seq.), the Head Start Act (42 U.S.C.  
18      9831 et seq.) (including any Early Learning  
19      Quality Partnerships established in the State  
20      under section 645B of the Head Start Act, as  
21      added by section 202), the Race to the Top and  
22      Early Learning Challenge program under sec-  
23      tion 14006 of Public Law 111–5 (123 Stat.  
24      283), the maternal, infant, and early childhood  
25      home visiting programs funded under section

1           511 of the Social Security Act (42 U.S.C. 711),  
2           part C of the Individuals with Disabilities Edu-  
3           cation Act (20 U.S.C. 1431 et seq.), and grants  
4           for infant and toddler care through Early Head  
5           Start-Child Care Partnerships funded under the  
6           heading “Children and Families Services Pro-  
7           grams—Administration for Children and Fami-  
8           lies” in the Department of Health and Human  
9           Services Appropriations Act, 2014 (title II of  
10          division H of Public Law 113–76; 128 Stat.  
11          363);

12           (C) ensure that infants and toddlers who  
13          benefit from amounts made available under this  
14          subsection will transition to and have the oppor-  
15          tunity to participate in a high-quality pre-  
16          kindergarten program supported under this  
17          subtitle;

18           (D) in awarding subgrants, give preference  
19          to early childhood education programs that  
20          have a written formal plan with baseline data,  
21          benchmarks, and timetables to increase access  
22          to and full participation in high-quality pre-  
23          kindergarten programs for children with special  
24          needs, including children with developmental  
25          delays or disabilities, children who are dual lan-

1 guage learners, homeless children, children who  
2 are in foster care, children of migrant families,  
3 children eligible for free or reduced-price lunch  
4 under the Richard B. Russell National School  
5 Lunch Act (42 U.S.C. 1751 et seq.), or children  
6 in the child welfare system; and

7 (E) give priority to activities carried out  
8 under this subsection that will increase access  
9 to high-quality early childhood education pro-  
10 grams for infants and toddlers in local areas  
11 with significant concentrations of low-income  
12 families that do not currently benefit from such  
13 programs.

14 (3) ELIGIBLE PROVIDERS.—A State may use  
15 the grant funds as described in paragraph (1) to  
16 serve infants and toddlers only by working with  
17 early childhood education program providers that—

18 (A) offer full-day, full-year care, or other-  
19 wise meet the needs of working families; and

20 (B) meet high-quality standards, such as—

21 (i) Early Head Start program per-  
22 formance standards under the Head Start  
23 Act (42 U.S.C. 9831 et seq.); or

24 (ii) high-quality, demonstrated, valid,  
25 and reliable program standards that have

1           been established through a national entity  
2           that accredits early childhood education  
3           programs.

4           (4) FEDERAL ADMINISTRATION.—

5           (A) IN GENERAL.—The Secretary of Edu-  
6           cation shall bear responsibility for obligating  
7           and disbursing funds to support activities under  
8           this subsection and ensuring compliance with  
9           applicable laws and administrative require-  
10          ments, subject to paragraph (3).

11          (B) INTERAGENCY AGREEMENT.—The Sec-  
12          retary of Education and the Secretary of  
13          Health and Human Services shall jointly ad-  
14          minister activities supported under this sub-  
15          section on such terms as such Secretaries shall  
16          set forth in an interagency agreement. The Sec-  
17          retary of Health and Human Services shall be  
18          responsible for any final approval of a State’s  
19          application under this subsection that addresses  
20          the use of funds designated for services to in-  
21          fants and toddlers.

22          (C) APPROPRIATE SECRETARY.—In this  
23          subsection, the term “appropriate Secretary”  
24          used with respect to a function, means the Sec-

1           retary designated for that function under the  
2           interagency agreement.

3 **SEC. 108. ADDITIONAL PREKINDERGARTEN SERVICES.**

4           (a) PREKINDERGARTEN FOR 3-YEAR-OLDS.—Each  
5 State that certifies to the Secretary that the State pro-  
6 vides universally available, voluntary, high-quality pre-  
7 kindergarten programs for 4-year-old children who reside  
8 within the State and are from families with incomes at  
9 or below 200 percent of the poverty line may use the  
10 State’s allocation under section 104(b) to provide high-  
11 quality prekindergarten programs for 3-year-old children  
12 who reside within the State and are from families with  
13 incomes at or below 200 percent of the poverty line.

14           (b) SUBGRANTS.—In each State that has a city,  
15 county, or local educational agency that provides univer-  
16 sally available high-quality prekindergarten programs for  
17 4-year-old children who reside within the State and are  
18 from families with incomes at or below 200 percent of the  
19 poverty line the State may use amounts from the State’s  
20 allocation under section 104(b) to award subgrants to eli-  
21 gible local entities to enable such eligible local entities to  
22 provide high-quality prekindergarten programs for 3-year-  
23 old children who are from families with incomes at or  
24 below 200 percent of the poverty line and who reside in  
25 such city, county or local educational agency.

1 **SEC. 109. PERFORMANCE MEASURES AND TARGETS.**

2 (a) IN GENERAL.—A State that receives a grant  
3 under this subtitle shall develop, implement, and make  
4 publicly available the performance measures and targets  
5 for the activities carried out with grant funds. Such meas-  
6 ures shall, at a minimum, track the State’s progress in—

7 (1) increasing school readiness across all do-  
8 mains for all categories of children, as described in  
9 section 113(b)(7), including children with disabilities  
10 and dual language learners;

11 (2) narrowing school readiness gaps between  
12 minority and nonminority children, and low-income  
13 children and more advantaged children, in prepara-  
14 tion for kindergarten entry;

15 (3) decreasing placement for children in ele-  
16 mentary school in special education programs and  
17 services as described in part B of the Individuals  
18 with Disabilities Education Act (20 U.S.C. 1411 et  
19 seq.);

20 (4) increasing the number of programs meeting  
21 the criteria for high-quality prekindergarten pro-  
22 grams across all types of local eligible entities, as de-  
23 fined by the State and in accordance with section  
24 102;

25 (5) decreasing the need for grade-to-grade re-  
26 tention in elementary school;



1           (6) if applicable, ensuring that high-quality pre-  
2           kindergarten programs do not experience instances  
3           of chronic absence among the children who partici-  
4           pate in such programs;

5           (7) increasing the number and percentage of  
6           low-income children in high-quality early childhood  
7           education programs that receive financial support  
8           through funds provided under this subtitle; and

9           (8) providing high-quality nutrition services,  
10          nutrition education, physical activity, and obesity  
11          prevention programs.

12          (b) PROHIBITION OF MISDIAGNOSIS PRACTICES.—A  
13          State shall not, in order to meet the performance meas-  
14          ures and targets described in subsection (a), engage in  
15          practices or policies that will lead to the misdiagnosis or  
16          under-diagnosis of disabilities or developmental delays  
17          among children who are served through programs sup-  
18          ported under this subtitle.

19          **SEC. 110. MATCHING REQUIREMENTS.**

20          (a) MATCHING FUNDS.—

21                (1) IN GENERAL.—Except as provided in para-  
22                graph (2), a State that receives a grant under this  
23                subtitle shall provide matching funds from non-Fed-  
24                eral sources, as described in subsection (c), in an  
25                amount equal to—

1 (A) 10 percent of the Federal funds pro-  
2 vided under the grant in the first year of grant  
3 administration;

4 (B) 10 percent of the Federal funds pro-  
5 vided under the grant in the second year of  
6 grant administration;

7 (C) 20 percent of the Federal funds pro-  
8 vided under the grant in the third year of grant  
9 administration;

10 (D) 30 percent of the Federal funds pro-  
11 vided under the grant in the fourth year of  
12 grant administration;

13 (E) 40 percent of the Federal funds pro-  
14 vided under the grant in the fifth year of grant  
15 administration;

16 (F) 50 percent of the Federal funds pro-  
17 vided under the grant in the sixth year of grant  
18 administration;

19 (G) 75 percent of the Federal funds pro-  
20 vided under the grant in the seventh year of  
21 grant administration; and

22 (H) 100 percent of the Federal funds pro-  
23 vided under the grant in the eighth and fol-  
24 lowing years of grant administration.

1           (2) REDUCED MATCH RATE.—A State that  
2           meets the requirements under subsection (b) may  
3           provide matching funds from non-Federal sources at  
4           a reduced rate. The full reduced matching funds  
5           rate shall be in an amount equal to—

6                   (A) 5 percent of the Federal funds pro-  
7                   vided under the grant in the first year of grant  
8                   administration;

9                   (B) 5 percent of the Federal funds pro-  
10                   vided under the grant in the second year of  
11                   grant administration;

12                   (C) 10 percent of the Federal funds pro-  
13                   vided under the grant in the third year of grant  
14                   administration;

15                   (D) 20 percent of the Federal funds pro-  
16                   vided under the grant in the fourth year of  
17                   grant administration;

18                   (E) 30 percent of the Federal funds pro-  
19                   vided under the grant in the fifth year of grant  
20                   administration;

21                   (F) 40 percent of the Federal funds pro-  
22                   vided under the grant in the sixth year of grant  
23                   administration;

1 (G) 50 percent of the Federal funds pro-  
2 vided under the grant in the seventh year of  
3 grant administration;

4 (H) 75 percent of the Federal funds pro-  
5 vided under the grant in the eighth year of  
6 grant administration; and

7 (I) 100 percent of the Federal funds pro-  
8 vided under the grant in the ninth and fol-  
9 lowing years of the grant administration.

10 (b) REDUCED MATCH RATE ELIGIBILITY.—A State  
11 that receives a grant under this subtitle may provide  
12 matching funds from non-Federal sources at the full re-  
13 duced rate under subsection (a)(2) if the State—

14 (1)(A) offers enrollment in high-quality pre-  
15 kindergarten programs to not less than half of chil-  
16 dren in the State who are—

17 (i) age 4 on the eligibility determination  
18 date; and

19 (ii) from families with incomes at or below  
20 200 percent of the poverty line; and

21 (B) has a plan for continuing to expand access  
22 to high-quality prekindergarten programs for such  
23 children in the State; and

24 (2) has a plan to expand access to high-quality  
25 prekindergarten programs to children from moderate

1 income families whose income exceeds 200 percent of  
2 the poverty line.

3 (c) NON-FEDERAL RESOURCES.—

4 (1) IN CASH.—A State shall provide the match-  
5 ing funds under this section in cash with non-Fed-  
6 eral resources which may include State funding,  
7 local funding, or contributions from philanthropy or  
8 other private sources, or a combination thereof.

9 (2) FUNDS TO BE CONSIDERED AS MATCHING  
10 FUNDS.—A State may include, as part of the State’s  
11 matching funds under this section, not more than 10  
12 percent of the amount of State funds designated for  
13 State prekindergarten programs or to supplement  
14 Head Start programs under the Head Start Act (42  
15 U.S.C. 9831 et seq.) as of the date of enactment of  
16 this Act, but may not include any funds that are at-  
17 tributed as matching funds, as part of a non-Federal  
18 share, or as a maintenance of effort requirement, for  
19 any other Federal program.

20 (d) MAINTENANCE OF EFFORT.—

21 (1) IN GENERAL.—If a State reduces its com-  
22 bined fiscal effort per student or the aggregate ex-  
23 penditures within the State to support early child-  
24 hood education programs for any fiscal year that a  
25 State receives a grant authorized under this subtitle

1 relative to the previous fiscal year, the Secretary  
2 shall reduce support for such State under this sub-  
3 title by the same amount as the decline in State and  
4 local effort for such fiscal year.

5 (2) WAIVER.—The Secretary may waive the re-  
6 quirements of paragraph (1) if—

7 (A) the Secretary determines that a waiver  
8 would be appropriate due to a precipitous de-  
9 cline in the financial resources of a State as a  
10 result of unforeseen economic hardship or a  
11 natural disaster that has necessitated across-  
12 the-board reductions in State services, including  
13 early childhood education programs; or

14 (B) due to the circumstances of a State re-  
15 quiring reductions in specific programs, includ-  
16 ing early childhood education, if the State pre-  
17 sents to the Secretary a justification and dem-  
18 onstration why other programs could not be re-  
19 duced and how early childhood programs in the  
20 State will not be disproportionately harmed by  
21 such State action.

22 (e) SUPPLEMENT NOT SUPPLANT.—Grant funds re-  
23 ceived under this subtitle shall be used to supplement and  
24 not supplant other Federal, State, and local public funds

1 expended on public prekindergarten programs in the  
2 State.

3 **SEC. 111. ELIGIBLE LOCAL ENTITY APPLICATIONS.**

4 (a) IN GENERAL.—An eligible local entity desiring to  
5 receive a subgrant under section 107(b) shall submit an  
6 application to the State, at such time, in such manner,  
7 and containing such information as the State may reason-  
8 ably require.

9 (b) CONTENTS.—Each application submitted under  
10 subsection (a) shall include the following:

11 (1) PARENT AND FAMILY ENGAGEMENT.—A de-  
12 scription of how the eligible local entity plans to en-  
13 gage the parents and families of the children such  
14 entity serves and ensure that parents and families of  
15 eligible children, as described in clauses (i) and (ii)  
16 of section 106(a)(2)(A), are aware of the services  
17 provided by the eligible local entity, which shall in-  
18 clude a plan to—

19 (A) carry out meaningful parent and fam-  
20 ily engagement, through the implementation  
21 and replication of evidence-based or promising  
22 practices and strategies, which shall be coordi-  
23 nated with parent and family engagement strat-  
24 egies supported under the Individuals with Dis-  
25 abilities Education Act (20 U.S.C. 1400 et seq.)

1 and part A of title I and title V of the Elemen-  
2 tary and Secondary Education Act of 1965 (20  
3 U.S.C. 6311 et seq.; 7201 et seq.) and strate-  
4 gies in the Head Start Parent, Family, and  
5 Community Engagement Framework, if appli-  
6 cable, to—

7 (i) provide parents and family mem-  
8 bers with the skills and opportunities nec-  
9 essary to become engaged and effective  
10 partners in their children’s education, par-  
11 ticularly the families of dual language  
12 learners and children with disabilities,  
13 which may include access to family literacy  
14 services;

15 (ii) improve child development; and

16 (iii) strengthen relationships among  
17 prekindergarten staff and parents and  
18 family members; and

19 (B) participate in community outreach to  
20 encourage families with eligible children to par-  
21 ticipate in the eligible local entity’s high-quality  
22 prekindergarten program, including—

23 (i) homeless children;

24 (ii) dual language learners;

25 (iii) children in foster care;



- 1 (iv) children with disabilities; and  
2 (v) migrant children.

3 (2) COORDINATION AND ALIGNMENT.—A de-  
4 scription of how the eligible local entity will—

5 (A) coordinate, if applicable, the eligible  
6 local entity’s activities with—

7 (i) Head Start agencies (consistent  
8 with section 642(e)(5) of the Head Start  
9 Act (42 U.S.C. 9837(e)(5))), if the local  
10 entity is not a Head Start agency;

11 (ii) local educational agencies, if the  
12 eligible local entity is not a local edu-  
13 cational agency;

14 (iii) providers of services under part C  
15 of the Individuals with Disabilities Edu-  
16 cation Act (20 U.S.C. 1431 et seq.);

17 (iv) programs carried out under sec-  
18 tion 619 of the Individuals with Disabil-  
19 ities Education Act (20 U.S.C. 1419); and

20 (v) if feasible, other entities carrying  
21 out early childhood education programs  
22 and services within the area served by the  
23 local educational agency;

24 (B) develop a process to promote con-  
25 tinuity of developmentally appropriate instruc-

1 tional programs and shared expectations with  
2 local elementary schools for children’s learning  
3 and development as children transition to kin-  
4 dergarten;

5 (C) organize, if feasible, and participate in  
6 joint training, when available, including transi-  
7 tion-related training for school staff and early  
8 childhood education program staff;

9 (D) establish comprehensive transition  
10 policies and procedures, with applicable elemen-  
11 tary schools and principals, for the children  
12 served by the eligible local entity that support  
13 the school readiness of children transitioning to  
14 kindergarten, including the transfer of early  
15 childhood education program records, with pa-  
16 rental consent;

17 (E) conduct outreach to parents, families,  
18 and elementary school teachers and principals  
19 to discuss the educational, developmental, and  
20 other needs of children entering kindergarten;

21 (F) help parents, including parents of chil-  
22 dren who are dual language learners, under-  
23 stand and engage with the instructional and  
24 other services provided by the kindergarten in

1           which such child will enroll after participation  
2           in a high-quality prekindergarten program; and  
3           (G) develop and implement a system to in-  
4           crease program participation of underserved  
5           populations of eligible children, especially home-  
6           less children, children eligible for a free or re-  
7           duced-price lunch under the Richard B. Russell  
8           National School Lunch Act (42 U.S.C. 1751 et  
9           seq.), parents of children who are dual language  
10          learners, and parents of children with disabili-  
11          ties.

12          (3) FULL PARTICIPATION OF CHILDREN FROM  
13          SPECIAL POPULATIONS.—A description of how the  
14          eligible local entity will meet the diverse needs of  
15          children in the community to be served, including  
16          children with disabilities, children whose native lan-  
17          guage is not English, children with other special  
18          needs, children in the State foster care system, and  
19          homeless children. Such description shall dem-  
20          onstrate, at a minimum, how the entity plans to—

21                 (A) ensure the eligible local entity’s high-  
22                 quality prekindergarten program is accessible  
23                 and appropriate for children with disabilities  
24                 and dual language learners;

1 (B) establish effective procedures for en-  
2 suring use of evidence-based practices in assess-  
3 ment and instruction, including use of data for  
4 progress monitoring of child performance and  
5 provision of technical assistance support for  
6 staff to ensure fidelity with evidence-based  
7 practices;

8 (C) establish effective procedures for time-  
9 ly referral of children with disabilities to the  
10 State or local agency described in subparagraph  
11 (B);

12 (D) ensure that the eligible local entity's  
13 high-quality prekindergarten program works  
14 with appropriate entities to address the elimi-  
15 nation of barriers to immediate and continuous  
16 enrollment for homeless children; and

17 (E) ensure access to and continuity of en-  
18 rollment in high-quality prekindergarten pro-  
19 grams for migratory children, if applicable, and  
20 homeless children, including through policies  
21 and procedures that require—

22 (i) outreach to identify migratory chil-  
23 dren and homeless children;

24 (ii) immediate enrollment, including  
25 enrollment during the period of time when

1 documents typically required for enroll-  
2 ment, including health and immunization  
3 records, proof of eligibility, and other docu-  
4 ments, are obtained;

5 (iii) continuous enrollment and par-  
6 ticipation in the same high-quality pre-  
7 kindergarten program for a child, even if  
8 the child moves out of the program's serv-  
9 ice area, if that enrollment and participa-  
10 tion are in the child's best interest, includ-  
11 ing by providing transportation when nec-  
12 essary;

13 (iv) professional development for high-  
14 quality prekindergarten program staff re-  
15 garding migratory children and homeless-  
16 ness among families with young children;  
17 and

18 (v) in serving homeless children, col-  
19 laboration with local educational agency li-  
20 aisons designated under section  
21 722(g)(1)(J)(ii) of the McKinney-Vento  
22 Homeless Assistance Act (42 U.S.C.  
23 11432(g)(1)(J)(ii)), and local homeless  
24 service providers.

1           (4) ACCESSIBLE COMPREHENSIVE SERVICES.—  
2           A description of how the eligible local entity plans to  
3           provide accessible comprehensive services, described  
4           in section 102(9)(I), to the children the eligible local  
5           entity serves. Such description shall provide informa-  
6           tion on how the entity will—

7                   (A) conduct a data-driven community as-  
8                   sessment in coordination with members of the  
9                   community, including parents and community  
10                  organizations, or use a recently conducted data-  
11                  driven assessment, which—

12                           (i) may involve an external partner  
13                           with expertise in conducting such needs  
14                           analysis, to determine the most appro-  
15                           priate social or other support services to  
16                           offer through the eligible local entity’s on-  
17                           site comprehensive services to children who  
18                           participate in high-quality prekindergarten  
19                           programs; and

20                           (ii) shall consider the resources avail-  
21                           able at the school, local educational agen-  
22                           cy, and community levels to address the  
23                           needs of the community and improve child  
24                           outcomes; and

1           (B) have a coordinated system to facilitate  
2           the screening, referral, and provision of services  
3           related to health, nutrition, mental health, dis-  
4           ability, and family support for children served  
5           by the eligible local entity.

6           (5) WORKFORCE.—A description of how the eli-  
7           gible local entity plans to support the instructional  
8           staff of such entity’s high-quality prekindergarten  
9           program, which shall, at a minimum, include a plan  
10          to provide high-quality professional development, or  
11          facilitate the provision of high-quality professional  
12          development through an external partner with exper-  
13          tise and a demonstrated track record of success,  
14          based on scientifically valid research, that will im-  
15          prove the knowledge and skills of high-quality pre-  
16          kindergarten teachers and staff through activities,  
17          which may include—

18                (A) acquiring content knowledge and learn-  
19                ing teaching strategies needed to provide effec-  
20                tive instruction that addresses the State’s early  
21                learning and development standards described  
22                under section 105(1), including professional  
23                training to support the social and emotional de-  
24                velopment of children;

1 (B) enabling high-quality prekindergarten  
2 teachers and staff to pursue specialized training  
3 in early childhood development;

4 (C) enabling high-quality prekindergarten  
5 teachers and staff to acquire the knowledge and  
6 skills to provide instruction and appropriate  
7 language and support services to increase the  
8 English language skills of dual language learn-  
9 ers;

10 (D) enabling high-quality prekindergarten  
11 teachers and staff to acquire the knowledge and  
12 skills to provide developmentally appropriate in-  
13 struction for children with disabilities;

14 (E) promoting classroom management;

15 (F) providing high-quality induction and  
16 support for incoming high-quality prekindergarten  
17 teachers and staff in high-quality pre-  
18 kindergarten programs, including through the  
19 use of mentoring programs and coaching that  
20 have a demonstrated track record of success;

21 (G) promoting the acquisition of relevant  
22 credentials, including in ways that support ca-  
23 reer advancement through career ladders; and

24 (H) enabling high-quality prekindergarten  
25 teachers and staff to acquire the knowledge and



1 skills to provide culturally competent instruc-  
2 tion for children from diverse backgrounds.

3 **SEC. 112. REQUIRED SUBGRANT ACTIVITIES.**

4 (a) IN GENERAL.—An eligible local entity that re-  
5 ceives a subgrant under section 107(b) shall use subgrant  
6 funds to implement the elements of a high-quality pre-  
7 kindergarten program for the children described in section  
8 107(b).

9 (b) COORDINATION.—

10 (1) LOCAL EDUCATIONAL AGENCY PARTNER-  
11 SHIPS WITH LOCAL EARLY CHILDHOOD EDUCATION  
12 PROGRAMS.—A local educational agency that re-  
13 ceives a subgrant under this subtitle shall provide an  
14 assurance that the local educational agency will  
15 enter into strong partnerships with local early child-  
16 hood education programs, including programs sup-  
17 ported through the Head Start Act (42 U.S.C. 9831  
18 et seq.).

19 (2) ELIGIBLE LOCAL ENTITIES THAT ARE NOT  
20 LOCAL EDUCATIONAL AGENCIES.—An eligible local  
21 entity that is not a local educational agency that re-  
22 ceives a subgrant under this subtitle shall provide an  
23 assurance that such entity will enter into strong  
24 partnerships with local educational agencies.

1 **SEC. 113. REPORT AND EVALUATION.**

2 (a) IN GENERAL.—Each State that receives a grant  
3 under this subtitle shall prepare an annual report, in such  
4 manner and containing such information as the Secretary  
5 may reasonably require.

6 (b) CONTENTS.—A report prepared under subsection  
7 (a) shall contain, at a minimum—

8 (1) a description of the manner in which the  
9 State has used the funds made available through the  
10 grant and a report of the expenditures made with  
11 the funds;

12 (2) a summary of the State's progress toward  
13 providing access to high-quality prekindergarten pro-  
14 grams for children eligible for such services, as de-  
15 termined by the State, from families with incomes at  
16 or below 200 percent of the poverty line, including  
17 the percentage of funds spent on children from fami-  
18 lies with incomes—

19 (A) at or below 100 percent of the poverty  
20 line;

21 (B) at or below between 101 and 150 per-  
22 cent of the poverty line; and

23 (C) at or below between 151 and 200 per-  
24 cent of the poverty line;

1           (3) an evaluation of the State’s progress toward  
2 achieving the State’s performance targets, described  
3 in section 109;

4           (4) data on the number of high-quality pre-  
5 kindergarten program teachers and staff in the  
6 State (including teacher turnover rates and teacher  
7 compensation levels compared to teachers in elemen-  
8 tary schools and secondary schools), according to the  
9 setting in which such teachers and staff work (which  
10 settings shall include, at a minimum, Head Start  
11 programs, public prekindergarten, and child care  
12 programs) who received training or education during  
13 the period of the grant and remained in the early  
14 childhood education program field;

15           (5) data on the kindergarten readiness of chil-  
16 dren in the State;

17           (6) a description of the State’s progress in ef-  
18 fectively using Federal, State, and local public funds  
19 and private funds, for early childhood education;

20           (7) the number and percentage of children in  
21 the State participating in high-quality prekindergarten  
22 programs, disaggregated by race, ethnicity,  
23 family income, child age, disability, whether the chil-  
24 dren are homeless children, and whether the children  
25 are dual language learners;

1           (8) data on the availability, affordability, and  
2           quality of infant and toddler care in the State;

3           (9) the number of operational minutes per week  
4           and per year for each eligible local entity that re-  
5           ceives a subgrant;

6           (10) the local educational agency and zip code  
7           in which each eligible local entity that receives a  
8           subgrant operates;

9           (11) information, for each of the local edu-  
10          cational agencies described in paragraph (10), on  
11          the percentage of the costs of the public early child-  
12          hood education programs that is funded from Fed-  
13          eral, from State, and from local sources, including  
14          the percentages from specific funding programs;

15          (12) data on the number and percentage of  
16          children in the State participating in public kinder-  
17          garten programs, disaggregated by race, family in-  
18          come, child age, disability, whether the children are  
19          homeless children, and whether the children are dual  
20          language learners, with information on whether such  
21          programs are offered—

22                   (A) for a full day; and

23                   (B) at no cost to families;

24          (13) data on the number of individuals in the  
25          State who are supported with scholarships, if appli-

1 cable, to meet the baccalaureate degree requirement  
2 for high-quality prekindergarten programs, as de-  
3 fined in section 102; and

4 (14) information on—

5 (A) the rates of expulsion, suspension, and  
6 similar disciplinary action, of children in the  
7 State participating in high-quality prekindergarten  
8 programs, disaggregated by race, eth-  
9 nicity, family income, child age, and disability;

10 (B) the State's progress in establishing  
11 policies on effective behavior management strat-  
12 egies and training that promote positive social  
13 and emotional development to eliminate expul-  
14 sions and suspensions of children participating  
15 in high-quality prekindergarten programs; and

16 (C) the State's policies on providing early  
17 learning services to children in the State par-  
18 ticipating in high-quality prekindergarten pro-  
19 grams who have been suspended.

20 (c) SUBMISSION.—A State shall submit the annual  
21 report prepared under subsection (a), at the end of each  
22 fiscal year, to the Secretary, the Secretary of Health and  
23 Human Services, and the State Advisory Council on Early  
24 Childhood Education and Care.

1 (d) COOPERATION.—An eligible local entity that re-  
2 ceives a subgrant under this subtitle shall cooperate with  
3 all Federal and State efforts to evaluate the effectiveness  
4 of the program the entity implements with subgrant funds.

5 (e) NATIONAL REPORT.—The Secretary shall compile  
6 and summarize the annual State reports described under  
7 subsection (c) and shall prepare and submit an annual re-  
8 port to Congress that includes a summary of such State  
9 reports.

10 **SEC. 114. PROHIBITION OF REQUIRED PARTICIPATION OR**  
11 **USE OF FUNDS FOR ASSESSMENTS.**

12 (a) PROHIBITION ON REQUIRED PARTICIPATION.—A  
13 State receiving a grant under this subtitle shall not re-  
14 quire any child to participate in any Federal, State, local,  
15 or private early childhood education program, including a  
16 high-quality prekindergarten program.

17 (b) PROHIBITION ON USE OF FUNDS FOR ASSESS-  
18 MENT.—A State receiving a grant under this subtitle and  
19 an eligible local entity receiving a subgrant under this sub-  
20 title shall not use any grant or subgrant funds to carry  
21 out any of the following activities:

22 (1) An assessment that provides rewards or  
23 sanctions for individual children, teachers, or prin-  
24 cipals.

1           (2) An assessment that is used as the primary  
2 or sole method for assessing program effectiveness.

3           (3) Evaluating children, other than for the pur-  
4 poses of—

5                 (A) improving instruction or the classroom  
6 environment;

7                 (B) targeting professional development;

8                 (C) determining the need for health, men-  
9 tal health, disability, or family support services;

10                (D) program evaluation for the purposes of  
11 program improvement and parent information;

12 and

13                (E) improving parent and family engage-  
14 ment.

15 **SEC. 115. COORDINATION WITH HEAD START PROGRAMS.**

16         (a) INCREASED ACCESS FOR YOUNGER CHILDREN.—

17 Not later than 1 year after the date of enactment of this  
18 Act, the Secretary and the Secretary of Health and  
19 Human Services shall develop a process—

20                (1) for use in the event that Head Start pro-  
21 grams funded under the Head Start Act (42 U.S.C.  
22 9831 et seq.) operate in States or regions that have  
23 achieved sustained universal, voluntary access to 4-  
24 year-old children who reside within the State and  
25 who are from families with incomes at or below 200

1 percent of the poverty line to high-quality prekindergarten programs; and

2  
3 (2) for how such Head Start programs will  
4 begin converting slots for children who are age 4 on  
5 the eligibility determination date to children who are  
6 age 3 on the eligibility determination date, or, when  
7 appropriate, converting Head Start programs into  
8 Early Head Start programs to serve infants and toddlers.  
9

10 (b) COMMUNITY NEED AND RESOURCES.—The process described in subsection (a) shall—

11  
12 (1) be carried out on a case-by-case basis and  
13 shall ensure that sufficient resources and time are  
14 allocated for the development of such a process so  
15 that no child or cohort is excluded from currently  
16 available services; and

17 (2) ensure that any conversion shall be based  
18 on community need and not on the aggregate number of children served in a State or region that has  
19 achieved sustained, universal, voluntary access to  
20 high-quality prekindergarten programs.  
21

22 (c) PUBLIC COMMENT AND NOTICE.—Not fewer than  
23 90 days after the development of the proposed process described in subsection (a), the Secretary and the Secretary  
24 of Health and Human Services shall publish a notice de-  
25



1 scribing such proposed process for conversion in the Fed-  
2 eral Register providing at least 90 days for public com-  
3 ment. The Secretaries shall review and consider public  
4 comments prior to finalizing the process for conversion of  
5 Head Start slots and programs.

6 (d) REPORTS TO CONGRESS.—Concurrently with  
7 publishing a notice in the Federal Register as described  
8 in subsection (c), the Secretaries shall provide a report  
9 to the Committee on Education and the Workforce of the  
10 House of Representatives and the Committee on Health,  
11 Education, Labor, and Pensions of the Senate that pro-  
12 vides a detailed description of the proposed process de-  
13 scribed in subsection (a), including a description of the  
14 degree to which Head Start programs are providing State-  
15 funded high-quality prekindergarten programs as a result  
16 of the grant opportunity provided under this subtitle in  
17 States where Head Start programs are eligible for conver-  
18 sion described in subsection (a).

19 **SEC. 116. TECHNICAL ASSISTANCE IN PROGRAM ADMINIS-**  
20 **TRATION.**

21 In providing technical assistance to carry out activi-  
22 ties under this subtitle, the Secretary shall coordinate that  
23 technical assistance, in appropriate cases, with technical  
24 assistance provided by the Secretary of Health and  
25 Human Services to carry out the programs authorized

1 under the Head Start Act (42 U.S.C. 9831 et seq.), the  
2 Child Care and Development Block Grant Act of 1990 (42  
3 U.S.C. 9858 et seq.), and the maternal, infant and early  
4 childhood home visiting programs assisted under section  
5 511 of the Social Security Act (42 U.S.C. 711).

6 **SEC. 117. AUTHORIZATION OF APPROPRIATIONS.**

7 There are authorized to be appropriated to carry out  
8 this subtitle—

9 (1) \$1,300,000,000 for fiscal year 2016;

10 (2) \$3,250,000,000 for fiscal year 2017;

11 (3) \$5,780,000,000 for fiscal year 2018;

12 (4) \$7,580,000,000 for fiscal year 2019;

13 (5) \$8,960,000,000 for fiscal year 2020; and

14 (6) such sums as may be necessary for each of  
15 fiscal years 2021 through 2025.

16 **Subtitle B—Prekindergarten**  
17 **Development Grants**

18 **SEC. 121. PREKINDERGARTEN DEVELOPMENT GRANTS.**

19 (a) IN GENERAL.—The Secretary of Education, in  
20 consultation with the Secretary of Health and Human  
21 Services, shall award competitive grants to States, local  
22 educational agencies, or other local government entities  
23 that wish to increase their capacity and build the infra-  
24 structure within the State to offer high-quality prekin-  
25 dergarten programs.

1 (b) ELIGIBILITY OF STATES.—A State that is not re-  
2 ceiving funds under section 105 may compete for grant  
3 funds under this subtitle if the State provides an assur-  
4 ance that the State will, through the support of grant  
5 funds awarded under this subtitle, meet the eligibility re-  
6 quirements of section 105 not later than 3 years after the  
7 date the State first receives grant funds under this sub-  
8 title.

9 (c) GRANT DURATION.—The Secretary shall award  
10 grants under this subtitle for a period of not more than  
11 3 years. Such grants shall not be renewed.

12 (d) APPLICATION.—

13 (1) IN GENERAL.—A Governor, or chief execu-  
14 tive officer of a State, a local educational agency, or  
15 another local government entity that desires to re-  
16 ceive a grant under this subtitle shall submit an ap-  
17 plication to the Secretary of Education at such time,  
18 in such manner, and accompanied by such informa-  
19 tion as the Secretary may reasonably require, includ-  
20 ing, if applicable, a description of how the State  
21 plans to become eligible for grants under section 105  
22 by not later than 3 years after the date the State  
23 first receives grant funds under this subtitle.

24 (2) DEVELOPMENT OF STATE APPLICATION.—

25 In developing an application for a grant under this

1 subtitle, a State shall consult with the State Advi-  
2 sory Council on Early Childhood Education and  
3 Care and incorporate their recommendations, where  
4 applicable.

5 (e) MATCHING REQUIREMENT.—

6 (1) IN GENERAL.—To be eligible to receive a  
7 grant under this subtitle, a State, local educational  
8 agency, or other local government entity shall con-  
9 tribute for the activities for which the grant was  
10 awarded non-Federal matching funds in an amount  
11 equal to not less than 20 percent of the amount of  
12 the grant.

13 (2) NON-FEDERAL FUNDS.—To satisfy the re-  
14 quirement of paragraph (1), a State, local edu-  
15 cational agency, or other local government entity  
16 may use—

17 (A) non-Federal resources in the form of  
18 State funding, local funding, or contributions  
19 from philanthropy or other private sources, or  
20 a combination of such resources; or

21 (B) in-kind contributions.

22 (3) FINANCIAL HARDSHIP WAIVER.—The Sec-  
23 retary may waive paragraph (1) or reduce the  
24 amount of matching funds required under that para-  
25 graph for a State, local educational agency, or other

1 local government entity that has submitted an appli-  
2 cation for a grant under this subsection if the State,  
3 local educational agency, or other local government  
4 entity demonstrates, in the application, a need for  
5 such a waiver or reduction due to extreme financial  
6 hardship, as determined by the Secretary.

7 (f) SUBGRANTS.—

8 (1) IN GENERAL.—A State, local educational  
9 agency, or other local government entity awarded a  
10 grant under this subtitle may use the grant funds to  
11 award subgrants to eligible local entities, as defined  
12 in section 102, to carry out the activities under the  
13 grant.

14 (2) SUBGRANTEES.—An eligible local entity  
15 awarded a subgrant under paragraph (1) shall com-  
16 ply with the requirements of this subtitle relating to  
17 grantees, as appropriate.

18 (g) AUTHORIZATION OF APPROPRIATIONS.—There  
19 are authorized to be appropriated to carry out this sec-  
20 tion—

21 (1) \$750,000,000 for fiscal year 2016; and

22 (2) such sums as may be necessary for each of  
23 fiscal years 2017 through 2025.

1       **TITLE II—EARLY LEARNING**  
2       **QUALITY PARTNERSHIPS**

3       **SEC. 201. PURPOSES.**

4       The purposes of this title are to—

5           (1) increase the availability of, and access to,  
6       high-quality early childhood education and care pro-  
7       gramming for infants and toddlers;

8           (2) support a higher quality of, and increase ca-  
9       pacity for, that programming in both child care cen-  
10      ters and family child care homes;

11          (3) encourage the provision of comprehensive,  
12      coordinated full-day services and supports for in-  
13      fants and toddlers; and

14          (4) increase access to appropriate supports so  
15      children with disabilities and other special popu-  
16      lations can fully participate in high-quality early  
17      education programs.

18      **SEC. 202. EARLY LEARNING QUALITY PARTNERSHIPS.**

19      The Head Start Act is amended—

20          (1) by amending section 645A(e) (42 U.S.C.  
21      9840a(e)) to read as follows:

22          “(e) SELECTION OF GRANT RECIPIENTS.—The Sec-  
23      retary shall award grants under this section on a competi-  
24      tive basis to applicants meeting the criteria in subsection  
25      (d) (giving priority to entities with a record of providing

1 early, continuous, and comprehensive childhood develop-  
2 ment and family services and entities that agree to partner  
3 with a center-based or family child care provider to carry  
4 out the activities described in section 645B).”; and

5 (2) by inserting after section 645A (42 U.S.C.  
6 9840a) the following:

7 **“SEC. 645B. EARLY LEARNING QUALITY PARTNERSHIPS.**

8 “(a) IN GENERAL.—The Secretary shall make grants  
9 to Early Head Start agencies to partner with center-based  
10 or family child care providers, particularly those that re-  
11 ceive support under the Child Care and Development  
12 Block Grant of 1990 (42 U.S.C. 9858 et seq.), that agree  
13 to meet program performance standards that are de-  
14 scribed in section 641A(a)(1) and Early Head Start  
15 standards described in 645A are applicable to the ages of  
16 children served with funding and technical assistance from  
17 the Early Head Start agency.

18 “(b) SELECTION OF GRANT RECIPIENTS.—

19 “(1) IN GENERAL.—Except as provided in para-  
20 graphs (2) and (3), the Secretary shall award grants  
21 under this section in a manner consistent with sec-  
22 tion 645A(e).

23 “(2) COMPETITIVE PRIORITY.—In awarding  
24 grants under this section, the Secretary shall give  
25 priority to applicants—

1           “(A) that propose to create strong align-  
2           ment of programs with maternal, infant and  
3           early childhood home visiting programs assisted  
4           under section 511 of the Social Security Act  
5           (42 U.S.C. 711), State-funded prekindergarten  
6           programs, programs carried out under the  
7           Child Care and Development Block Grant Act  
8           of 1990 (42 U.S.C. 9858 et seq.), and other  
9           programs supported under this Act, to create a  
10          strong continuum of high-quality services for  
11          children from birth to school entry; and

12          “(B) that seek to work with child care pro-  
13          viders across settings, including center-based  
14          and home-based programs.

15          “(3) ALLOCATION.—

16          “(A) RESERVATION.—From funds appro-  
17          priated to carry out this section, the Secretary  
18          shall reserve—

19                  “(i) not less than 3 percent of such  
20                  funds for Indian Head Start programs  
21                  that serve young children;

22                  “(ii) not less than 4.5 percent for mi-  
23                  grant and seasonal Head Start programs  
24                  that serve young children; and



1                   “(iii) not less than .2 percent for pro-  
2                   grams funded under clause (iv) or (v) of  
3                   section 640(a)(2)(B).

4                   “(B) ALLOCATION AMONG STATES.—The  
5                   Secretary shall allocate funds appropriated to  
6                   carry out this section and not reserved under  
7                   subparagraph (A) among the States proportion-  
8                   ally based on the number of young children  
9                   from families whose income is below the poverty  
10                  line residing in such States.

11                  “(c) ELIGIBILITY OF CHILDREN.—

12                  “(1) Partnerships formed through assistance  
13                  provided under this section may serve children  
14                  through age 3; and

15                  “(2) the standards applied to children in sub-  
16                  section (a) shall be consistent with those applied to  
17                  3-year-old children under this subchapter.

18                  “(d) PARTNERSHIPS.—An Early Head Start agency  
19                  that receives a grant under this section shall—

20                  “(1) enter into a contractual relationship with  
21                  a center-based or family child care provider to raise  
22                  the quality of such provider’s programs so that the  
23                  provider meets the program performance standards  
24                  described in subsection (a) through activities that  
25                  may include—

1           “(A) expanding the center-based or family  
2 child care provider’s programs through financial  
3 support;

4           “(B) providing training, technical assist-  
5 ance, and support to the provider in order to  
6 help the provider meet the program perform-  
7 ance standards, which may include supporting  
8 program and partner staff in earning a child  
9 development associate credential, associate’s de-  
10 gree, or baccalaureate degree in early childhood  
11 education or a closely related field for working  
12 with infants and toddlers; and

13           “(C) blending funds received under the  
14 Child Care and Development Block Grant of  
15 1990 (42 U.S.C. 9858 et seq.) and the Early  
16 Head Start program carried out under section  
17 645A in order to provide high-quality child  
18 care, for a full day, that meets the program  
19 performance standards;

20           “(2) develop and implement a proposal to re-  
21 cruit and enter into the contract with a center-based  
22 or family child care provider, particularly a provider  
23 that serves children who receive assistance under the  
24 Child Care and Development Block Grant of 1990  
25 (42 U.S.C. 9858 et seq.);

1           “(3) create a clear and realizable timeline to in-  
2           crease the quality and capacity of a center-based or  
3           family child care provider so that the provider meets  
4           the program performance standards described in  
5           subsection (a); and

6           “(4) align activities and services provided  
7           through funding under this section with the Head  
8           Start Child Outcomes Framework.

9           “(e) STANDARDS.—Prior to awarding grants under  
10          this section, the Secretary shall establish standards to en-  
11          sure that the responsibility and expectations of the Early  
12          Head Start Agency and the partner child care providers  
13          are clearly defined.

14          “(f) DESIGNATION RENEWAL.—A partner child care  
15          provider that receives assistance through a grant provided  
16          under this section shall be exempt, for a period of 18  
17          months, from the designation renewal requirements under  
18          section 641(e).

19          “(g) SURVEY OF EARLY HEAD START AGENCIES AND  
20          REPORT TO CONGRESS.—Within one year of the effective  
21          date of this section, the Secretary shall conduct a survey  
22          of Early Head Start agencies to determine the extent of  
23          barriers to entering into Early Learning Quality Partner-  
24          ship agreements on Early Head Start agencies and on  
25          child care providers, and submit this information, with

1 suggested steps to overcome such barriers, in a report to  
2 the Committee on Education and the Workforce of the  
3 House of Representatives and the Committee on Health,  
4 Education, Labor, and Pensions of the Senate, including  
5 a detailed description of the degree to which Early Head  
6 Start agencies are utilizing the funds provided.

7 “(h) AUTHORIZATION OF APPROPRIATIONS.—There  
8 are authorized to be appropriated to carry out this sec-  
9 tion—

10 “(1) \$1,430,376,000 for fiscal year 2016; and

11 “(2) such sums as may be necessary for each  
12 of fiscal years 2017 through 2025.”.

13 **TITLE III—AUTHORIZATIONS OF**  
14 **APPROPRIATIONS FOR THE**  
15 **EDUCATION OF CHILDREN**  
16 **WITH DISABILITIES**

17 **SEC. 301. PRESCHOOL GRANTS.**

18 Section 619(j) of the Individuals with Disabilities  
19 Education Act (20 U.S.C. 1419(j)) is amended to read  
20 as follows:

21 “(j) AUTHORIZATION OF APPROPRIATIONS.—There  
22 are authorized to be appropriated to carry out this section  
23 \$418,000,000 for fiscal year 2016.”.

1 **SEC. 302. INFANTS AND TODDLERS WITH DISABILITIES.**

2 Section 644 of the Individuals with Disabilities Edu-  
3 cation Act (20 U.S.C. 1444) is amended to read as follows:

4 **“SEC. 644. AUTHORIZATION OF APPROPRIATIONS.**

5 “For the purpose of carrying out this part, there are  
6 authorized to be appropriated \$508,000,000 for fiscal year  
7 2016.”.

8 **TITLE IV—MATERNAL, INFANT,**  
9 **AND EARLY CHILDHOOD**  
10 **HOME VISITING PROGRAM**

11 **SEC. 401. SENSE OF THE HOUSE OF REPRESENTATIVES.**

12 It is the sense of the House of Representatives that—

13 (1) from the prenatal period to the first day of  
14 kindergarten, children’s development rapidly pro-  
15 gresses at a pace exceeding that of any subsequent  
16 stage of life;

17 (2) as reported by the National Academy of  
18 Sciences in 2001, striking disparities exist in what  
19 children know and can do that are evident well be-  
20 fore they enter kindergarten; these differences are  
21 strongly associated with social and economic cir-  
22 cumstances, and they are predictive of subsequent  
23 academic performance;

24 (3) research has consistently demonstrated that  
25 investments in high-quality programs that serve in-  
26 fants and toddlers better positions those children for

1 success in elementary, secondary, and postsecondary  
2 education as well as helping children develop the  
3 critical physical, emotional, social, and cognitive  
4 skills that they will need for the rest of their lives;

5 (4) in 2011, there were 11,000,000 infants and  
6 toddlers living in the United States and 49 percent  
7 of these children came from low-income families liv-  
8 ing with incomes at or below 200 percent of the  
9 Federal poverty guidelines;

10 (5) the Maternal, Infant, and Early Childhood  
11 Home Visiting (MIECHV) program was authorized  
12 by Congress to facilitate collaboration and partner-  
13 ship at the Federal, State, and community levels to  
14 improve health and development outcomes for at-risk  
15 children, including those from low-income families,  
16 through evidence-based home visiting programs;

17 (6) MIECHV is an evidence-based policy initia-  
18 tive and its authorizing legislation requires that at  
19 least 75 percent of funds dedicated to the program  
20 must support programs to implement evidence-based  
21 home visiting models, which includes the home-based  
22 model of Early Head Start; and

23 (7) Congress should continue to provide re-  
24 sources to MIECHV to support the work of States

1 to help at-risk families voluntarily receive home vis-  
2 its from nurses and social workers to—

3 (A) promote maternal, infant, and child  
4 health;

5 (B) improve school readiness and achieve-  
6 ment;

7 (C) prevent potential child abuse or neglect  
8 and injuries;

9 (D) support family economic self-suffi-  
10 ciency;

11 (E) reduce crime or domestic violence; and

12 (F) improve coordination or referrals for  
13 community resources and supports.

○