

114TH CONGRESS
1ST SESSION

H. R. 2411

To support early learning.

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

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.

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- Sec. 103. Program authorization.
- Sec. 104. Allotments and reservations of funds.
- Sec. 105. State eligibility criteria.
- Sec. 106. State applications.
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- Sec. 108. Additional prekindergarten services.
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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 prekinder-
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 prekinder-
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 prekinder-
8 garten 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 prekinde-
25 rgarten 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(c).

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.

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