

107TH CONGRESS  
1ST SESSION

# H. R. 1118

To establish comprehensive early childhood education programs, early childhood education staff development programs, model Federal Government early childhood education programs, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 20, 2001

Mrs. MINK of Hawaii introduced the following bill; which was referred to the Committee on Education and the Workforce

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## A BILL

To establish comprehensive early childhood education programs, early childhood education staff development programs, model Federal Government early childhood education programs, and for other purposes.

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

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the  
5 “Comprehensive Early Childhood Education Act of 2001”.

6 (b) TABLE OF CONTENTS.—The table of contents for  
7 this Act is as follows:

- Sec. 1. Short Title; Table of contents.
- Sec. 2. Findings.
- Sec. 3. Purpose.

- Sec. 4. Authorization of appropriations.
- Sec. 5. Allocation of funds.

#### TITLE I—COMPREHENSIVE EARLY CHILDHOOD EDUCATION PROGRAMS

- Sec. 101. Program authorized.
- Sec. 102. Prime sponsors of early childhood education programs.
- Sec. 103. Early childhood education councils.
- Sec. 104. Comprehensive early childhood education plans.
- Sec. 105. Project applications.
- Sec. 106. Special grants to States.
- Sec. 107. Additional conditions for programs including construction.
- Sec. 108. Use of public facilities for early childhood education programs.
- Sec. 109. Payments.

#### TITLE II—TRAINING, TECHNICAL ASSISTANCE, PLANNING, AND EVALUATION

- Sec. 201. Preservice and inservice training.
- Sec. 202. Technical assistance and planning.
- Sec. 203. Evaluation.
- Sec. 204. Federal standards for early childhood education.
- Sec. 205. Development of uniform minimum code for facilities.

#### TITLE III—MODEL FEDERAL GOVERNMENT CHILD DEVELOPMENT PROGRAMS

- Sec. 301. Program authorized.
- Sec. 302. Payments.

#### TITLE IV—RESEARCH AND DEMONSTRATIONS

- Sec. 401. Declaration of purposes.
- Sec. 402. Research and demonstration projects.
- Sec. 403. Coordination of research.

#### TITLE V—GENERAL PROVISIONS

- Sec. 501. Definitions.
- Sec. 502. Nutrition.
- Sec. 503. Special provisions.
- Sec. 504. Withholding grants.
- Sec. 505. Public information.

### 1 **SEC. 2. FINDINGS.**

2       The Congress makes the following findings—

- 3           (1) comprehensive early childhood education
- 4       programs, including a full range of health and social
- 5       services, are essential to the achievement of the full
- 6       potential of the Nation's children and should be

1       available as a matter of right to all children whose  
2       parents or legal guardians shall request them re-  
3       gardless of economic, social, and family back-  
4       grounds;

5           (2) children with special needs must receive full  
6       consideration in planning any early childhood edu-  
7       cation programs and, pending the availability of  
8       such programs for all children, priority must be  
9       given to preschool children with the greatest eco-  
10      nomic and social need;

11          (3) no mother should be forced to work outside  
12      the home as a condition for availing her children of  
13      early childhood education programs;

14          (4) comprehensive early childhood education  
15      programs not only provide a means of delivering a  
16      full range of essential services to children, but can  
17      also furnish meaningful employment opportunities  
18      for many individuals, including older persons, par-  
19      ents, young persons, and volunteers;

20          (5) it is essential that the planning and oper-  
21      ation of such programs be undertaken as a partner-  
22      ship of parents, community, and State and local gov-  
23      ernment with appropriate assistance from the Fed-  
24      eral Government.

1 **SEC. 3. PURPOSE.**

2 It is the purpose of this Act to provide every child  
3 with a fair and full opportunity to reach his or her full  
4 potential by establishing and expanding comprehensive  
5 early childhood education through programs that—

6 (1) recognize and build upon the experience and  
7 success gained through the Head Start program and  
8 similar efforts;

9 (2) furnish early childhood education services  
10 for those children who need them most, with special  
11 emphasis on preschool programs for economically  
12 disadvantaged children, and for children of working  
13 mothers and single parent families; and

14 (3) provide that decisions on the nature of  
15 funding of such programs be made at the commu-  
16 nity level with the direct participation of parents of  
17 the children and other individuals and organizations  
18 in the community interested in early childhood edu-  
19 cation;

20 (4) provide that the development, conduct, and  
21 overall direction of programs be determined at the  
22 community level; and

23 (5) promote the universal availability of early  
24 childhood education services.

1 **SEC. 4. AUTHORIZATION OF APPROPRIATIONS.**

2 (a) IN GENERAL.—For the purpose of carrying out  
3 this Act, there is authorized to be appropriated  
4 \$4,000,000,000 for the fiscal year beginning October 1,  
5 2001, and such sums as may be necessary in each of the  
6 succeeding fiscal years through 2006. Any amounts appro-  
7 priated for such fiscal year which are not obligated at the  
8 end of such fiscal year may be obligated in the succeeding  
9 fiscal year.

10 (b) OTHER ACTIVITIES.—For the purpose of pro-  
11 viding training, technical assistance, planning, and such  
12 other activities as the Secretary deems necessary and ap-  
13 propriate to prepare for the implementation of this Act,  
14 there is authorized to be appropriated \$100,000,000 for  
15 the fiscal year beginning October 1, 2001.

16 **SEC. 5. ALLOCATION OF FUNDS.**

17 (a) The amounts appropriated for carrying out this  
18 Act for any fiscal year beginning on or after October 1,  
19 2001, shall be made available in the following manner:

20 (1) \$1,000,000,000 shall be used for the pur-  
21 pose of providing assistance under titles I, II, and  
22 IV for early childhood education programs focused  
23 upon young children from low-income families.

24 (2) Not to exceed 10 percent of the remaining  
25 amounts so appropriated shall be used for the pur-

pose of carrying out titles II, III, and IV, as the Secretary deems appropriate; and

(3) The remainder of such amounts shall be used for the purpose of carrying out title I.

(b) RESERVATIONS.—

(1) IN GENERAL.—From the amount available for carrying out comprehensive early childhood education programs under title I of this Act, the Secretary shall reserve the following:

(A) Not less than that proportion of the total amount available for carrying out title I as is equivalent to that proportion which the total number of children of migrant agricultural workers bears to the total number of economically disadvantaged children in the United States, which shall be apportioned among programs serving children of migrant agricultural workers on an equitable basis, and to the extent practicable in proportion to the relative numbers of children served in each such program.

(B) Not less than that proportion of the total amount available for carrying out title I as is equivalent to that proportion which the total number of children on Federal and State Indian reservations bears to the total number of eco-

1           nominically disadvantaged children in the United  
2           States, which shall be apportioned among pro-  
3           grams serving children on Federal and State  
4           Indian reservation on an equitable basis, and to  
5           the extent practicable in proportion to the rel-  
6           ative number of children residing on each such  
7           reservation.

8           (C) Not less than that proportion of the  
9           total amount available for carrying out title I as  
10          is equivalent to that proportion which the total  
11          number of Native Hawaiian children bears to  
12          the total number of economically disadvantaged  
13          children in the United States, which shall be  
14          apportioned among programs serving Native  
15          Hawaiian children on an equitable basis, and to  
16          the extent practicable in proportion to the rel-  
17          ative numbers of children served in each such  
18          program.

19          (D) Not less than 10 percent of the total  
20          amount available for carrying out title I, which  
21          shall be made available for the purposes of sec-  
22          tion 101(b)(2)(I) (relating to special activities  
23          for children with disabilities).

24          (E) Not to exceed 5 percent of the total  
25          amount available for carrying out title I, which

1           shall be made available under section 102(f)(3)  
2           (relating to model programs).

3           (2) REMAINING AMOUNTS.—The remainder of  
4           the amounts available for carrying out title I shall  
5           be allocated by the Secretary on an equitable basis,  
6           and to the extent practicable such funds shall be ap-  
7           portioned in such a manner that—

8                   (A) 50 percent of such remainder shall be  
9                   apportioned among the States and localities  
10                  within each State in proportion to the relative  
11                  numbers of economically disadvantaged children  
12                  in each such State and locality, respectively;

13                  (B) 25 percent of such remainder shall be  
14                  apportioned among the States and localities  
15                  within each State in proportion to the relative  
16                  numbers of children who have not attained six  
17                  years of age in each such State or locality, re-  
18                  spectively;

19                  (C) 25 percent of such remainder shall be  
20                  apportioned among the States and localities  
21                  within each State in proportion to the relative  
22                  numbers of children of working mothers and  
23                  single parents in each such State and locality,  
24                  respectively.



1 For the purposes of clauses (A), (B), and (C) of this  
2 paragraph, there shall be excluded those children  
3 who are counted under clauses (A), (B), and (C) of  
4 subsection (b)(1) of this section.

5 (3) DETERMINATION.—In determining the  
6 numbers of children for purposes of allocating and  
7 apportioning funds under this section, the Secretary  
8 shall use the most recent satisfactory data available.

9 (c) SPECIAL GRANTS.—Not to exceed 5 percent of  
10 the total funds apportioned for use within a State pursu-  
11 ant to subsection (b)(2) may be made available for grants  
12 to the State to carry out the provisions of section 106 of  
13 this Act.

14 (d) FEDERAL REGISTER.—As soon as practicable  
15 after funds are appropriated to carry out this Act for any  
16 fiscal year, the Secretary shall publish in the Federal Reg-  
17 ister the apportionments required by this section.

18 **TITLE I—COMPREHENSIVE**  
19 **EARLY CHILDHOOD EDU-**  
20 **CATION PROGRAMS**

21 **SEC. 101. PROGRAM AUTHORIZED.**

22 (a) IN GENERAL.—The Secretary of Education shall  
23 provide financial assistance for carrying out early child-  
24 hood education programs under this part to prime spon-  
25 sors and to other public and private nonprofit agencies

1 and organizations pursuant to plans and applications ap-  
2 proved in accordance with the provisions of this title.

3 (b) USE OF FUNDS.—Funds available for this part  
4 may be used (in accordance with approved applications)  
5 for the following services and activities—

6 (1) planning and developing early childhood  
7 education programs, including the operation of pilot  
8 programs to test the effectiveness of new concepts,  
9 programs, and delivery systems;

10 (2) establishing, maintaining, and operating  
11 early childhood education program, which include—

12 (A) comprehensive physical and mental  
13 health, social, and cognitive development serv-  
14 ices necessary for children participating in the  
15 program to profit fully from their educational  
16 opportunities and to attain their maximum po-  
17 tential;

18 (B) food and nutritional services;

19 (C) rental, remodeling, renovation, alter-  
20 ation, construction, or acquisition of facilities,  
21 including mobile facilities, and the acquisition  
22 of necessary equipment and supplies;

23 (D) programs designed (i) to meet the spe-  
24 cial needs of minority groups, Native Ameri-  
25 cans, Alaskan Natives and Native Hawaiians,

1 and migrant children with particular emphasis  
2 on the needs of children with limited English  
3 proficiency for the development of skills in  
4 English and another language spoken in the  
5 home, and (ii) to meet the needs of all children  
6 to understand the history and cultural back-  
7 grounds of the ethnic groups which belong to  
8 their communities and the role of members of  
9 such ethnic groups in the history and cultural  
10 development of the Nation and of the region in  
11 which they reside;

12 (E) full-day, year-round program of daily  
13 activities designed to develop fully each child's  
14 potential;

15 (F) other specially designed health, social,  
16 and educational programs (including after  
17 school, summer, weekend, vacation, and over-  
18 night programs);

19 (G) medical, dental, psychological, edu-  
20 cational, and other appropriate diagnosis, iden-  
21 tification, and treatment of visual, hearing,  
22 speech, nutritional, and other physical, mental,  
23 and emotional barriers to full participation in  
24 child education and development programs, in-

1 including programs for preschool and other chil-  
2 dren who are emotionally disturbed;

3 (H) prenatal and other medical services to  
4 expectant mothers who cannot afford such serv-  
5 ices, designed to help reduce malnutrition, in-  
6 fant and maternal mortality, and the incidence  
7 of mental retardation and other disabling condi-  
8 tions, and postpartum and other medical serv-  
9 ices (including family planning information) to  
10 such recent mothers;

11 (I) incorporation within early childhood  
12 education programs of special activities de-  
13 signed to identify and ameliorate physical, men-  
14 tal, and emotional disabilities and special learn-  
15 ing disabilities;

16 (J) preservice and inservice education and  
17 other training for professional and paraprofes-  
18 sional personnel;

19 (K) dissemination of information in the  
20 functional language of those to be served to as-  
21 sure that parents are well informed of early  
22 childhood education programs available to them  
23 and may participate in such programs;

24 (L) services, including in-home services,  
25 and training in the fundamentals of child devel-

1           opment, for parents, older family members  
2           functioning in the capacity of parents, youth,  
3           and prospective parents;

4           (M) programs designed to extend com-  
5           prehensive prekindergarten early childhood edu-  
6           cation techniques and gains (particularly parent  
7           participation) into kindergarten and early pri-  
8           mary grades (one through three), in cooperation  
9           with local educational agencies, including—

10           (i) the use of former assistant Head  
11           Start teachers or similar early childhood  
12           education teachers as instructional aides  
13           (in addition to those employed by the  
14           schools involved) working closely with  
15           classroom teachers in the kindergarten and  
16           such early primary grades in which are en-  
17           rolled children they taught in Head Start  
18           or other early childhood programs;

19           (ii) providing for full participation of  
20           parents of the children involved in program  
21           planning, implementation, and decision-  
22           making; and

23           (iii) for career development opportuni-  
24           ties and advancement through continuing  
25           education and training for instructional

1 aides involved (including teaching salaries,  
 2 educational stipends for tuition, books, and  
 3 tutoring, career counseling, arrangements  
 4 for academic credit for independent study,  
 5 fieldwork based on their teaching assign-  
 6 ments, and preservice and inservice train-  
 7 ing) and for the classroom teachers and  
 8 principals involved; and

9 (N) such other services and activities as  
 10 the Secretary deems appropriate in furtherance  
 11 of the purposes of this part; and

12 (3) staff and other administrative expenses of  
 13 early childhood education councils established and  
 14 operated in accordance with this title.

15 **SEC. 102. PRIME SPONSORS OF EARLY CHILDHOOD DEVEL-**  
 16 **OPMENT PROGRAMS.**

17 (a) PRIME SPONSORSHIP.—In accordance with the  
 18 provisions of this section, a State, locality, combination of  
 19 localities, Indian tribe on a Federal or State reservation,  
 20 or public or private nonprofit agency or organization,  
 21 meeting the requirements of this Act may be designated  
 22 by the Secretary as prime sponsor for the purpose of en-  
 23 tering into arrangements to carry out early childhood edu-  
 24 cation programs under this part, upon the approval by the

1 Secretary of a prime sponsorship plan, which includes  
2 provisions—

3           (1) describing the prime sponsorship area to be  
4       served;

5           (2) setting forth satisfactory provisions of es-  
6       tablishing and maintaining an Early Childhood Edu-  
7       cation Council which meets the requirements of sec-  
8       tion 103 of this Act;

9           (3) providing that the Early Childhood Edu-  
10      cation Council shall be responsible for developing  
11      and preparing a comprehensive early childhood edu-  
12      cation plan for each fiscal year and any modification  
13      thereof;

14          (4) setting forth arrangements under which the  
15      Early Childhood Education Council will be respon-  
16      sible for planning, supervising, coordinating, moni-  
17      toring, and evaluating early childhood education pro-  
18      grams in the prime sponsorship area;

19          (5) providing adequate assurances that staff  
20      and other administrative expenses for the Early  
21      Childhood Education Council under subsection (b)  
22      paragraph (3) of section 101 will not exceed 5 per-  
23      cent of the total cost of comprehensive early child-  
24      hood education programs administered by the prime  
25      sponsor unless such percentage limitation is in-

1        creased to give special consideration to initial costs  
2        in the first operations year or to other special needs,  
3        in accordance with regulations which the Secretary  
4        shall prescribe; and

5            (6) providing assurances, to the extent nec-  
6        essary to carry out comprehensive early childhood  
7        education programs in the area to be served, of the  
8        capacity to provide, or to enter into arrangements  
9        with appropriate State, local or other agencies for  
10       linkages to provide—

11            (A) coordination with educational agencies  
12        and providers of educational services;

13            (B) health (including family planning) and  
14        mental health services;

15            (C) nutrition services; and

16            (D) training of professional and para-  
17        professional personnel.

18        (b) LOCAL APPROVAL.—The Secretary shall approve  
19        a prime sponsorship plan submitted by a locality which  
20        is a city, country, or other unit of general local govern-  
21        ment, if the Secretary determines that the plan so sub-  
22        mitted meets the requirements of subsection (a) and in-  
23        cludes adequate provisions for carrying out comprehensive  
24        early childhood education programs in area of such local-  
25        ity. In the event that an area under the jurisdiction of



1 a unit of general local government, a city, county, or other  
2 unit of local government, includes any common geo-  
3 graphical area with that covered by another such unit of  
4 general local government, the Secretary shall designate to  
5 serve such area the unit of general local government which  
6 the Secretary determines has the capability of more effec-  
7 tively carrying out the purposes of this title with respect  
8 to such area and which has submitted a plan which meets  
9 the requirements of this section and includes adequate  
10 provisions for carrying out comprehensive early childhood  
11 education programs in such area.

12 (c) FAILURE TO MEET REQUIREMENTS.—

13 (1) IN GENERAL.—In the event that the Sec-  
14 retary determines that a locality fails to meet the re-  
15 quirements for designation as a prime sponsor under  
16 subsection (b) for the reason that it lacks the capa-  
17 bility of meeting the requirements of paragraph (5)  
18 (concerning the limitation in administrative expenses  
19 for Early Childhood Education Councils) or para-  
20 graph (6) (concerning the capacity to provide or to  
21 enter into arrangements for linkages to provide serv-  
22 ices related to early childhood education) of sub-  
23 section (a), the Secretary shall take steps to encour-  
24 age the submission of a prime sponsorship plan, cov-  
25 ering the area of such locality, by a combination of

1       localities which are adjoining and possess a suffi-  
2       cient commonality of interest.

3               (2) MEETING REQUIREMENTS.—The Secretary  
4       shall approve a prime sponsorship plan submitted by  
5       a combination of localities if the Secretary deter-  
6       mines that the plan so submitted meets the require-  
7       ments of subsection (a) and includes adequate provi-  
8       sions for carrying out comprehensive early childhood  
9       education programs in the area covered by the com-  
10      bination of such localities.

11       (d) APPROVAL OF PLAN.—The Secretary shall ap-  
12      prove a prime sponsorship plan submitted by an Indian  
13      tribe on a Federal or State reservation if the Secretary  
14      determines that the plan so submitted meets the require-  
15      ments of subsection (a) and includes adequate provisions  
16      for carrying out comprehensive early childhood education  
17      programs in the area to be served.

18       (e) APPROVAL FOR SPECIAL CIRCUMSTANCES.—In  
19      the event that the Secretary determines, with respect to  
20      the area of a particular locality, that a prime sponsorship  
21      plan meeting the requirements of this section has not been  
22      submitted by a locality or combination of localities cov-  
23      ering such areas, or by an Indian tribe on a Federal or  
24      State reservation, or in the event that prime sponsorship  
25      designation has been withdrawn in accordance with sub-

1 section (h), the Secretary may, with respect to the impend-  
2 ing fiscal year when no such prime sponsorship designa-  
3 tion will be in effect, approve a plan submitted by the  
4 State which meets the requirements of subsection (a) and  
5 includes adequate provisions for carrying out comprehen-  
6 sive early childhood education programs in each such area.

7 (f) AGENCY APPROVAL.—The Secretary may approve  
8 a prime sponsorship plan submitted by a public or private  
9 nonprofit agency, including but not limited to a commu-  
10 nity action agency, single purpose Head Start agency,  
11 community development corporation, parent cooperative,  
12 organization of migrant agricultural workers, organization  
13 of Native Americans, Alaskan Natives or Native Hawai-  
14 ians, employer organizations, or public or private edu-  
15 cational agency or institution if the Secretary determines  
16 that the plan so submitted meets the requirements of sub-  
17 section (a) of this section and includes—

18 (1) provisions setting forth arrangements for  
19 serving children in a neighborhood or other area  
20 possessing a commonality of interest in the area of  
21 any locality with respect to which there is not prime  
22 sponsorship designation in effect, or with respect to  
23 any portion of an area where the prime sponsor is  
24 found not to be satisfactorily implementing early  
25 childhood education program which adequately

1 meets the purposes of this part, or for making avail-  
2 able special services, in accordance with criteria es-  
3 tablished by the Secretary, designed to meet the  
4 needs of economically disadvantaged or preschool  
5 children;

6 (2) arrangements for providing comprehensive  
7 early childhood education programs on a full-day  
8 year-round; or

9 (3) arrangements for carrying out model pro-  
10 grams especially designed to be responsive to the  
11 needs of economically disadvantaged, minority  
12 groups, or limited English proficient preschool chil-  
13 dren.

14 (g) COMMENTS AND RECOMMENDATIONS.—The Gov-  
15 ernor of the State shall in accordance with regulations  
16 which the Secretary shall prescribe, be given a reasonable  
17 opportunity to review and offer recommendations to any  
18 applicant submitting a plan for prime sponsorship des-  
19 ignation under this section, and to submit comments to  
20 the Secretary with respect to any plan so submitted.

21 (h) DISAPPROVAL.—A prime sponsorship plan sub-  
22 mitted under this section may be disapproved or a prior  
23 designation of a prime sponsor may be withdrawn only if  
24 the Secretary, in accordance with regulations prescribed  
25 by the Secretary, has provided—

1           (1) written notice of intention to disapprove  
2           such plan, including a statement of the reasons,

3           (2) a reasonable time in which to submit correc-  
4           tive amendments to such plan or undertake other  
5           necessary corrective action, and

6           (3) an opportunity for a public hearing upon  
7           which basis an appeal to the Secretary may be taken  
8           as of right.

9           (i) APPEALS.—

10           (1) IN GENERAL.—If any party is dissatisfied  
11           with the Secretary's final action under subsection  
12           (h) with respect to the disapproval of its plan sub-  
13           mitted under this section or the withdrawal of its  
14           prime sponsorship designation, such party may,  
15           within sixty days after notice of such action, file  
16           with the United States court of appeals for the cir-  
17           cuit in which such party is located a petition for re-  
18           view of that action. A copy of the petition shall be  
19           forthwith transmitted by the clerk of the court to  
20           the Secretary. The Secretary thereupon shall file in  
21           the court the record of the proceeding on which the  
22           Secretary based his/her action, as provided in section  
23           2112 of title 28, United States Code.

24           (2) COURT JUDGMENT.—The court shall have  
25           jurisdiction to affirm the action of the Secretary or

1 to set it aside, in whole or in part. The judgment of  
2 the court shall be subject to review by the Supreme  
3 Court of the United States upon certiorari or certifi-  
4 cation as provided in section 1254 of title 28, United  
5 States Code.

6 **SEC. 103. EARLY CHILDHOOD EDUCATION COUNCILS.**

7 (a) MEMBERSHIP.—Each prime sponsor designed  
8 under section 102 shall establish and maintain an Early  
9 Childhood Education Council consisting of not less than  
10 ten members comprised as follows:

11 (1) PARENTS.—Not less than half of the mem-  
12 bers of such Council shall be parents of children  
13 served in early childhood education programs under  
14 this Act.

15 (2) REMAINING MEMBERS.—The remaining  
16 members of such Council shall be appointed by the  
17 chief executive officer or officers of the prime spon-  
18 sor to represent the public, but—

19 (A) not less than half of such members  
20 shall be persons who are broadly representative  
21 of the general public, including government  
22 agencies, public and private agencies and orga-  
23 nizations in such field as economic opportunity,  
24 health, education, welfare, employment and  
25 training, business or financial organizations or

1 institutions, labor unions, and employers, and  
2 who are approved by the parent members de-  
3 scribed in paragraph (1); and

4 (B) the remaining members the number of  
5 which shall be either equal to or one less than  
6 the number of members appointed under clause  
7 (A), shall be persons who are particularly  
8 skilled by virtue of training or experience in  
9 early childhood education, child development,  
10 child health, child welfare, or other child serv-  
11 ices, except that the Secretary may waive the  
12 requirements of this clause (B) to the extent  
13 that the Secretary determines, in accordance  
14 with regulations prescribed by the Secretary,  
15 that such person are not available to the area  
16 to be served.

17 (b) PROCEDURES.—In accordance with procedures  
18 with the Secretary shall establish pursuant to regulations,  
19 each prime sponsor designed under section 102 shall pro-  
20 vide, with respect to the Early Childhood Education Coun-  
21 cil established and maintained by such prime sponsor,  
22 that—

23 (1) the parent members described in paragraph  
24 (1) of subsection (a) of this section shall be chosen  
25 by the membership of Head Start policy committees

1 where they exist, and, at the earliest practicable  
2 time, by project policy committees established pursu-  
3 ant to section 105(a)(2) of this Act;

4 (2) not less than one-fourth of the total mem-  
5 bership of such Council shall be persons broadly rep-  
6 resentative of the economically disadvantaged;

7 (3) the terms of office and any other policies  
8 and procedures of an organizational nature, includ-  
9 ing nomination and election procedures, are appro-  
10 priate in accordance with the purposes of this Act;

11 (4) such Council shall have responsibility for  
12 approving basic goals, policies, actions, and proce-  
13 dures for the prime sponsor, including policies with  
14 respect to planning, general supervision and over-  
15 sight, overall coordination, personnel, budgeting,  
16 funding of projects, and monitoring and evaluation  
17 of projects; and

18 (5) such Council shall, upon its own initiatives  
19 or upon request of a project applicant or any other  
20 party in interest, conduct public hearings before act-  
21 ing upon applications for financial assistance sub-  
22 mitted by project applicants under this Act.



1 **SEC. 104. COMPREHENSIVE EARLY CHILDHOOD EDU-**  
2 **CATION PLANS.**

3 (a) ASSISTANCE.—Financial assistance under this  
4 part may be provided by the Secretary for any fiscal year  
5 to a prime sponsor designated pursuant to section 102  
6 only pursuant to a comprehensive early childhood edu-  
7 cation plan which is submitted by such prime sponsor and  
8 approved by the Secretary in accordance with the provi-  
9 sions of this part. Any such plan shall set forth a com-  
10 prehensive program providing early childhood education  
11 services in the prime sponsorship area which—

12 (1) identifies all early childhood education  
13 needs and goals within the area and describes the  
14 purposes for which the financial assistance will be  
15 used;

16 (2) meets the needs of children in the prime  
17 sponsorship area, to the extent that available funds  
18 can be reasonably expected to have an effective im-  
19 pact, including infant care and before and after  
20 school programs for children in school with priority  
21 to children who have not attained six years of age;

22 (3) gives priority to meeting the special needs  
23 of economically disadvantaged children by providing  
24 that not less than 65 percent of the total cost of  
25 programs receiving financial assistance under section

1       4(b) shall be for early childhood education programs  
2       for economically disadvantaged children;

3           (4) gives priority thereafter to providing early  
4       childhood education programs and services to chil-  
5       dren of single parents and working mothers not cov-  
6       ered under paragraph (3);

7           (5) provides procedures for the approval of  
8       project applications submitted in accordance with  
9       section 105;

10          (6) provides, in the case of a prime sponsor lo-  
11       cated within or adjacent to a metropolitan area, for  
12       coordination with other prime sponsors located with-  
13       in such metropolitan area, and arrangements for co-  
14       operative funding where appropriate, and particu-  
15       larly for such coordination where appropriate meet  
16       the needs for early childhood education services of  
17       children of parents working or participating in train-  
18       ing or otherwise occupied during the day within a  
19       prime sponsorship area other than that in which  
20       they reside;

21          (7) provides that, to the extent feasible, each  
22       program within the prime sponsorship area will in-  
23       clude children from a range of socioeconomic back-  
24       grounds;

1           (8) provides comprehensive services (A) to meet  
2           the special needs of minority group children of mi-  
3           grant agricultural workers with particular emphasis  
4           on the needs of children from bilingual families for  
5           development of skills in English and in the other  
6           language spoken in the home, and (B) to meet the  
7           need of all children to understand the history and  
8           cultural background of minority groups which belong  
9           to the communities and the role of members of such  
10          minority groups in the history and cultural develop-  
11          ment of the Nation and the region in which they re-  
12          side;

13          (9) provides equitably for the early childhood  
14          education needs of children from each minority  
15          group or significant segment of the economically dis-  
16          advantaged residing within the area covered;

17          (10) provides, to the extent possible, for coordi-  
18          nation of early childhood education programs so as  
19          to keep family units intact or in close proximity dur-  
20          ing the day;

21          (11) provides for the regular and frequent dis-  
22          semination of information in the functional language  
23          of those to be served, to assure that parents and in-  
24          terested persons in the community are fully informed

1 of the activities of the Early Childhood Education  
2 Council and of delegate agencies;

3 (12) provides that, to the extent possible, unem-  
4 ployed or low-income persons residing in commu-  
5 nities served by such projects will receive jobs pro-  
6 viding career ladder opportunities, including in-home  
7 and part-time jobs, and opportunities for training in  
8 programs assisted under title II of this Act;

9 (13) assures that procedures and mechanisms  
10 for coordination have been developed in cooperation  
11 with preschool program administrators and adminis-  
12 trators of local educational agencies and non-public  
13 schools, at the local level, to provide continuity be-  
14 tween programs for preschool and elementary school  
15 children and to coordinate programs conducted  
16 under this part and programs conducted pursuant to  
17 the Head Start Act (42 U.S.C. 9831–9852) and the  
18 Elementary and Secondary Education Act of 1965,  
19 as amended;

20 (14) establishes arrangements in the area  
21 served for the coordination of programs conducted  
22 under the auspices of or with the support of busi-  
23 ness or financial institutions or organizations, indus-  
24 try, labor, employee and labor-management organi-  
25 zations, and other community groups;

1           (15) contains any arrangements for the delega-  
2           tion, under the supervision of the Early Childhood  
3           Education Council, to any public or private non-  
4           profit agencies, institutions, or organizations, of re-  
5           sponsibilities for the delivery of programs, services,  
6           and activities for which financial assistance is pro-  
7           vided under this title, or for any planning or evalua-  
8           tion services to be made available with respect to  
9           programs under this title; and

10          (16) contains plans for regularly conducting  
11          surveys and analyses of needs for early childhood  
12          education programs in the prime sponsorship area  
13          and for submitting to the Secretary a comprehensive  
14          annual report and evaluation in such form and con-  
15          taining such information as the Secretary shall re-  
16          quire by regulation.

17          (b) PLAN AND PLAN MODIFICATIONS.—No com-  
18          prehensive early childhood education plan or modification  
19          thereof submitted by a prime sponsorship under this sec-  
20          tion shall be approved by the Secretary unless the Sec-  
21          retary determines, in accordance with regulations pre-  
22          scribed by the Secretary, that—

23                (1) each community action agency or single  
24                purpose Head Start agency in the area to be served  
25                previously responsible for the administration of pro-

1       grams under this part or under the Head Start Act  
2       (42 U.S.C. 9831–9852) has had an opportunity to  
3       submit comments to the prime sponsor and to the  
4       Secretary;

5           (2) the local educational agency for the area to  
6       be served, and other appropriate educational and  
7       training agencies and institutions, have had an op-  
8       portunity to submit comments to the prime sponsor  
9       and to the Secretary; and

10          (3) the Governor of the State has had an op-  
11       portunity to submit comments to the prime sponsor  
12       and to the Secretary.

13       (c) DISAPPROVAL.—A comprehensive early childhood  
14       education plan submitted under this section may be dis-  
15       approved or a prior approval withdrawn only if the Sec-  
16       retary, in accordance with regulations prescribed by the  
17       Secretary, had provided—

18           (1) written notice of intention to disapprove  
19       such plan, including a statement of the reasons,

20           (2) reasonable time to submit corrective amend-  
21       ments to such plan or undertake for a public hearing  
22       upon which basis an appeal to the Secretary may be  
23       taken as of right.

24       (d) JOINT SUBMISSIONS.—In order to contribute to  
25       the effective administration of this Act, the Secretary shall

1 establish appropriate procedures to permit prime sponsors  
2 to submit jointly a single comprehensive early childhood  
3 education plan for the areas served by such prime spon-  
4 sors.

5 **SEC. 105. PROJECT APPLICATIONS.**

6 (a) ASSISTANCE TO PROJECT APPLICANT.—Finan-  
7 cial assistance under this Act may be provided to a project  
8 applicant for any fiscal year only pursuant to a project  
9 application which is submitted by a public or private agen-  
10 cy and which provides that—

11 (1) funds will be provided for carrying out any  
12 early childhood education program under this part  
13 only to a qualified public or private agency or orga-  
14 nization, including but not limited to a community  
15 action agency, single purpose Head Start agency,  
16 community development corporation, parent coopera-  
17 tive, organization of migrant agricultural workers,  
18 organization of Native Americans, Alaskan Natives,  
19 and Native Hawaiians, private organization inter-  
20 ested in early childhood education, employer or busi-  
21 ness organization, labor union, employee or labor  
22 management organization, or public or private edu-  
23 cational agency or institution;

1           (2) project policy committees shall be estab-  
2       lished and maintained, consisting of not less than  
3       ten members, composed so that—

4           (A) not less than half of the members of  
5       each such committee shall be parents of chil-  
6       dren served in such projects, and

7           (B) the remaining members of such com-  
8       mittee shall be comprised—

9           (i) of persons who are representative  
10       of the community and who shall be ap-  
11       proved by the parent members, and

12          (ii) of persons, the number of which  
13       shall be not less than one-third nor more  
14       than one-half of the number of members  
15       appointed under clause (i), who are par-  
16       ticularly skilled by virtue of training or ex-  
17       perience in early childhood education, child  
18       health, child welfare, or other child serv-  
19       ices, except that the Secretary may waive  
20       the requirement of this clause (ii) to the  
21       extent that he/she determines, in accord-  
22       ance with regulations prescribed by the  
23       Secretary, that such persons are not avail-  
24       able to the area to be served;



1           (3) provision will be made for direct participa-  
2           tion of such policy committees in the development  
3           and preparation of project applications under this  
4           part;

5           (4) adequate provision will be made for training  
6           and other administrative expenses of such policy  
7           committee (including necessary expenses to enable  
8           low-income members to participate in council or  
9           committee meetings);

10          (5) project policy committees shall have respon-  
11          sibility for approving basic goals, policies, actions,  
12          and procedures for the project applicant, including  
13          policies with respect to planning, overall conduct,  
14          personnel, budgeting, location of centers and facili-  
15          ties, and direction and evaluation of projects;

16          (6) programs assisted under this title will pro-  
17          vide for such comprehensive health, nutritional, edu-  
18          cation, social, and other services, as are necessary  
19          for the full cognitive, emotional and physical devel-  
20          opment of each participating child;

21          (7) adequate provision will be made for the reg-  
22          ular and frequent dissemination of information in  
23          the functional language of those to be served, to as-  
24          sure that parents and interested persons are fully in-  
25          formed of project activities.

1           (8)(A) no charge for services provided under an  
2           early childhood education program will be made with  
3           respect to any child who is economically disadvan-  
4           taged, except to the extent that payment will be  
5           made by a third party (including a public agency)  
6           which is authorized or required to pay for such serv-  
7           ices; and

8           (B) such charges will be made with respect to  
9           a child who is not economically disadvantaged in ac-  
10          cordance with an appropriate fee schedule which  
11          shall be established by the Secretary by regulation  
12          and which is based upon the ability of the family to  
13          pay for such services, including the extent to which  
14          any third party (including a public agency) is au-  
15          thorized or required to make payments for such  
16          services;

17          (9) children will in no case be excluded from the  
18          programs operated pursuant to this part because of  
19          their participation in non-public preschool or school  
20          programs or because of the intention of their par-  
21          ents to enroll them in non-public schools when they  
22          attain school age;

23          (10) program will, to the extent appropriate,  
24          employ paraprofessional aides and volunteers, espe-  
25          cially parents, older children, students, older per-

1 sons, and persons preparing for careers in early  
2 childhood education programs;

3 (11) there are assurances satisfactory to the  
4 Secretary that the non-Federal share requirements  
5 will be met; and

6 (12) provisions will be made for such fiscal con-  
7 trol and fund accounting procedures as the Sec-  
8 retary shall prescribe to assure proper disbursement  
9 of and accounting for Federal funds.

10 (b) PROJECT APPLICATION APPROVAL.—A project  
11 application submitted in accordance with subsection (a) of  
12 this section may be approved by the Secretary if deter-  
13 mined that it meets the purpose of this title.

14 **SEC. 106. SPECIAL GRANTS TO STATES.**

15 Upon application submitted by any State, the Sec-  
16 retary is authorized to provide financial assistance for use  
17 by such State for carrying out activities for the purposes  
18 of—

19 (1) identifying early childhood education goals  
20 and needs within the State;

21 (2) assisting in the establishing of Early Child-  
22 hood Education Councils and strengthening the ca-  
23 pability of such Councils to effectively plan, super-  
24 vise, coordinate, monitor, and evaluate early child-  
25 hood education programs;

1           (3) encouraging the cooperation and participa-  
2           tion of State agencies in providing early childhood  
3           education and related services, including health,  
4           family planning, mental health, nutrition, and fam-  
5           ily, social and rehabilitative services where requested  
6           by appropriate prime sponsors in the development  
7           and implementation of comprehensive early child-  
8           hood education plans;

9           (4) encouraging the full utilization of resources  
10          and facilities for early childhood education programs  
11          within the State;

12          (5) disseminating the results of research on  
13          early childhood education programs;

14          (6) conducting programs for the exchange of  
15          personnel involved in early childhood education pro-  
16          grams within the State;

17          (7) assisting public and private nonprofit agen-  
18          cies and organizations in the acquisition or improve-  
19          ment of facilities for early childhood education pro-  
20          grams;

21          (8) assessing State and local licensing codes as  
22          they relate to early childhood education programs  
23          within the State; and

24          (9) developing information useful in reviewing  
25          prime sponsorship plans under section 102(g) and of

1 Comprehensive Early Childhood Education Plans  
2 under section 104(b)(3).

3 **SEC. 107. ADDITIONAL CONDITIONS FOR PROGRAMS IN-**  
4 **CLUDING CONSTRUCTION.**

5 (a) CONSTRUCTION.—Applications for financial as-  
6 sistance for projects, including construction, may be ap-  
7 proved only if the Secretary determines that construction  
8 of such facilities is essential to the provision of adequate  
9 early childhood education services, and that rental, ren-  
10 ovation, remodeling, or leasing of adequate facilities is not  
11 practicable.

12 (b) RECOVERY OF FUNDS.—If any facility assisted  
13 under this title shall cease to be used for the purpose for  
14 which it was constructed, the United States shall be enti-  
15 tled to recover from the applicant or other owner of the  
16 facility an amount which bears to the then value of the  
17 facility (or so much thereof as constituted an approved  
18 project) the same ratio as the amount of such Federal  
19 funds bore to the cost of the facility financed with the  
20 aid of such funds, unless the Secretary determines in ac-  
21 cordance with regulations that there is good cause for re-  
22 leasing the applicant or other owner from the obligation  
23 to do so. Such value shall be determined by agreement  
24 of the parties or by action brought in the United States

1 district court for the district in which the facility is situ-  
2 ated.

3 (c) DAVIS-BACON APPLICATION.—All laborers and  
4 mechanics employed by contractors or subcontractors on  
5 all construction, remodeling, renovation, or alteration  
6 projects assisted under this part shall be paid wages at  
7 rates not less than those prevailing on similar construction  
8 in the locality as determined by the Secretary of Labor  
9 in accordance with the Davis-Bacon Act, as amended (40  
10 U.S.C. 276a–276a–5).

11 (d) GRANTS.—Any Federal assistance for construc-  
12 tion shall be in the form of grants, and shall not be paid  
13 to other than public or private nonprofit agencies and or-  
14 ganizations. Not more than 15 percent of the total finan-  
15 cial assistance provided to a prime sponsor under this part  
16 shall be used for construction of facilities.

17 **SEC. 108. USE OF PUBLIC FACILITIES FOR CHILD DEVELOP-**  
18 **MENT PROGRAMS.**

19 (a) REPORT.—The Secretary, after consultation with  
20 other appropriate officials of the Federal Government,  
21 shall within sixteen months after enactment of this title  
22 report to the Congress with respect to the extent to which  
23 facilities owned or leased by Federal departments, agen-  
24 cies, and independent authorities could be made available  
25 to public and private nonprofit agencies and organizations,

1 through appropriate arrangements, for use as facilities for  
2 early childhood education programs under this title during  
3 times and periods when not utilized fully for their usual  
4 purposes, together with his/her recommendations (includ-  
5 ing recommendations for changes in legislation) or pro-  
6 posed actions for such use.

7 (b) REVIEW.—The Secretary may require, as a condi-  
8 tion to the receipt of assistance under this title, that any  
9 prime sponsor under this title agree to conduct a review  
10 and provide the Secretary with a report as to the extent  
11 to which facilities owned or leased by such prime sponsor,  
12 or by other agencies in the prime sponsorship area, could  
13 be made available, through appropriate arrangements, for  
14 use as facilities for early childhood education programs  
15 under this title, during times and periods when not utilized  
16 for their usual purposes, together with the prime sponsor's  
17 proposed actions for such use.

18 **SEC. 109. PAYMENTS.**

19 (a) FEDERAL SHARE.—In accordance with this sec-  
20 tion, the Secretary shall pay from the applicable allocation  
21 or apportionment under section 4 the Federal share of the  
22 costs of programs, services, and activities, in accordance  
23 with plans or applications which have been approved as  
24 provided in this part.

25 (b) PAYMENT.—

1           (1) IN GENERAL.—Except as provided in para-  
2           graphs (2) and (3), the Secretary shall pay an  
3           amount not in excess of 90 percent of the cost of  
4           carrying out programs, services, and activities under  
5           this part. The Secretary may, in accordance with  
6           such regulations prescribed by the Secretary, ap-  
7           prove assistance in excess of such percentage if the  
8           Secretary determines that such action is required to  
9           provide adequately for the early childhood education  
10          needs of economically disadvantaged children.

11          (2) CHILDREN OF MIGRANT AGRICULTURAL  
12          WORKERS.—The Secretary shall pay an amount  
13          equal to 100 percent of the costs of providing early  
14          childhood education programs for children of mi-  
15          grant agricultural workers and their families under  
16          this title.

17          (3) INDIAN CHILDREN.—The Secretary shall  
18          pay an amount equal to 100 percent of the costs of  
19          providing early childhood education programs for  
20          children on Federal or State Indian reservations  
21          under this title.

22          (4) NATIVE HAWAIIAN CHILDREN.—The Sec-  
23          retary shall pay an amount equal to 100 percent of  
24          the costs of providing early childhood education pro-  
25          grams for Native Hawaiian children under this title.



1       (c) NON-FEDERAL SHARE.—The non-Federal share  
2 of the costs of programs, services, and activities assisted  
3 under this part may be provided through public or private  
4 funds and may be in the form of cash, goods, services,  
5 or facilities (or portions thereof that area used for pro-  
6 gram purposes), reasonably evaluated, and employee and  
7 employer contributions.

8       (d) FEES.—Fees collected for services pursuant to  
9 section 105(a)(8) shall be deemed financial assistance for  
10 purposes of section 104(a)(3).

11       (e) EXPRESS AMOUNTS.—If, with respect to any fis-  
12 cal year, a prime sponsor or project applicant provides  
13 non-Federal contributions for any program, service, or ac-  
14 tivity exceeding its requirements, such excess may be ap-  
15 plied toward meeting the requirements for such contribu-  
16 tions for the subsequent fiscal year under this part.

17       (f) NO REDUCTION OF FUNDS.—No State or locality  
18 shall reduce its expenditures for early childhood education  
19 or child care programs by reason of assistance under this  
20 part.

1 **TITLE II—TRAINING, TECHNICAL**  
2 **ASSISTANCE, PLANNING, AND**  
3 **EVALUATION**

4 **SEC. 201. PRESERVICE AND INSERVICE TRAINING.**

5       The Secretary is authorized to make payments to  
6 provide financial assistance to enable individuals employed  
7 or preparing for employment in early childhood education  
8 program assisted under this Act, including volunteers, to  
9 participate in programs of preservice or inservice training  
10 for professional and nonprofessional personnel, to be con-  
11 ducted by any agency carrying out an early childhood edu-  
12 cation program, or any institution of higher education, in-  
13 cluding a community college, or by any combination there-  
14 of.

15 **SEC. 202. TECHNICAL ASSISTANCE AND PLANNING.**

16       The Secretary shall, directly or through grant or con-  
17 tract, make technical assistance available to prime spon-  
18 sors and to project applicants participating or seeking to  
19 participate in programs assisted under this title on a con-  
20 tinuing basis to assist them in planning, developing, and  
21 carrying out early childhood education programs.

22 **SEC. 203. EVALUATION.**

23       (a) EVALUATION.—The Secretary shall make an eval-  
24 uation of Federal involvement in early childhood education  
25 activities and services, which shall include—

1           (1) enumeration and description of all Federal  
2           activities which affect early childhood education;

3           (2) analysis of expenditures of Federal funds  
4           for such activities and services;

5           (3) determination of the effectiveness of such  
6           activities and services;

7           (4) the extent to which preschool, minority  
8           group, and economically disadvantaged children and  
9           their parents have participated in programs under  
10          this title; and

11          (5) such recommendations to Congress as the  
12          Secretary may deem appropriate.

13          (b) REPORT.—The results of the evaluation required  
14          by subsection (a) of this section shall be reported to Con-  
15          gress not later than two years after enactment of this title.

16          (c) EVALUATION.—The Secretary shall establish such  
17          procedures as may be necessary to conduct an annual eval-  
18          uation of Federal involvement in early childhood education  
19          programs, and shall report the results of each such evalua-  
20          tion to Congress.

21          (d) AVAILABILITY OF INFORMATION.—Prime spon-  
22          sors and project applicants assisted under this Act and  
23          departments and agencies of the Federal Government  
24          shall, upon request by the Secretary, make available, con-  
25          sistent with other provisions of law, such information as

1 the Secretary determines is necessary for purposes of  
2 making the evaluation required under subsection (c) of  
3 this section.

4 (e) CONTRACTS.—The Secretary may enter into con-  
5 tracts with public or private agencies, organizations, or in-  
6 dividuals to carry out the provisions of this section.

7 (f) RESERVATION.—The Secretary shall reserve for  
8 the purposes of this section not less than 1 percent, and  
9 may reserve for such purposes not more than 2 percent,  
10 of the amounts available under paragraphs (2) and (3)  
11 of section 5(a) of this Act for any fiscal year.

12 **SEC. 204. FEDERAL STANDARDS FOR EARLY CHILDHOOD**  
13 **EDUCATION SERVICES.**

14 (a) PROGRAM STANDARDS.—The Secretary shall,  
15 after consultation with other Federal agencies and with  
16 the Committee established pursuant to subsection (c) of  
17 this section, promulgate a common set of program stand-  
18 ards which shall be applicable to all programs providing  
19 early childhood education services with Federal assistance  
20 under this Act, to be known as the Federal Standards for  
21 Early Childhood Education. If the Secretary disapproves  
22 the Committee's recommendations, the Secretary shall  
23 state the reasons therefor.

24 (b) COMMITTEE APPOINTMENTS.—The Secretary  
25 shall, within sixty days after enactment of this title, ap-

1 point a Special Committee on Federal Standards for Early  
2 Childhood Education, which shall include parents of chil-  
3 dren enrolled in early childhood education programs, rep-  
4 resentatives of public and private agencies administering  
5 early childhood education programs, and organization spe-  
6 cialists, and others interested in the development of chil-  
7 dren. Not less than one-half of the membership of the  
8 Committee shall consist of parents of children partici-  
9 pating in programs conducted under title I of this Act.  
10 Such Committee shall participate in the development of  
11 Federal Standards for Early Childhood Education and  
12 modifications thereof as provided in subsection (a).

13 **SEC. 205. DEVELOPMENT OF UNIFORM MINIMUM CODE FOR**  
14 **FACILITIES.**

15 (a) UNIFORM MINIMUM CODE.—The Secretary shall,  
16 within sixty days after enactment of this bill appoint a  
17 special committee to develop a uniform minimum code for  
18 facilities, to be used in licensing early childhood education  
19 facilities. Such standards shall deal principally with those  
20 matters essential to the health, safety, and physical com-  
21 fort of the children and the relationship of such matters  
22 to the Federal Standards for Early Childhood Education.

23 (b) MEMBERSHIP.—The special committee appointed  
24 under this section shall include parents of children partici-  
25 pating in child development programs and representatives

1 of State and local licensing agencies, public health offi-  
2 cials, fire prevention officials, the construction industry  
3 and unions, public and private agencies or organizations  
4 administering early childhood education programs, and  
5 national agencies or organizations interested in the devel-  
6 opment of children. Not less than one-third of the mem-  
7 bership of the committee shall consist of parents of chil-  
8 dren enrolled in such programs.

9       (c) PUBLIC HEARINGS.—Within one year after its  
10 appointment, the special committee shall complete a pro-  
11 posed uniform minimum code for facilities and shall hold  
12 public hearings on the proposed code prior to submitting  
13 its final recommendation to the Secretary for approval.

14       (d) PROMULGATION OF STANDARDS.—After consid-  
15 ering the recommendations submitted by the special com-  
16 mittee in accordance with subsection (c), the Secretary  
17 shall promulgate standards which shall be applicable to  
18 all facilities receiving Federal financial assistance under  
19 this Act or in which programs receiving Federal financial  
20 assistance under this Act are operated. If the Secretary  
21 disapproves the committee's recommendations, the Sec-  
22 retary shall state the reasons therefor. The Secretary shall  
23 also distribute such standards and urge their adoption by  
24 States and local governments. The Secretary may from

1 time to time modify the uniform code for facilities in ac-  
2 cordance with procedures set forth in this section.

3 **TITLE III—MODEL FEDERAL**  
4 **GOVERNMENT EARLY CHILD-**  
5 **HOOD EDUCATION PRO-**  
6 **GRAMS**

7 **SEC. 301. PROGRAM AUTHORIZED.**

8 (a) MODEL PROGRAMS.—The Secretary is authorized  
9 to provide financial assistance for the purpose of estab-  
10 lishing and operating model early childhood education pro-  
11 grams (including the lease, rental, or construction of nec-  
12 essary facilities and the acquisition of necessary equip-  
13 ment and supplies) for the children of civilian employees  
14 of the Federal Government.

15 (b) AGENCY COMMITTEE.—Civilian employees of any  
16 Federal agency or group of such agencies employing eighty  
17 working parents of young children who desire to partici-  
18 pate in a program eligible for assistance under this part  
19 shall—

20 (1) designate or create for such purpose an  
21 agency committee, the membership of which shall be  
22 broadly representative of the working parents inter-  
23 ested in utilizing these services who are employed by  
24 the agency or agencies; and

1           (2) submit to the Secretary a plan approved by  
2           the official in charge of such agency or agencies,  
3           which—

4                   (A) provides that the early childhood edu-  
5                   cation program shall be administered under the  
6                   direction of the agency committee;

7                   (B) provides that the program will meet  
8                   the Federal Standards for Early Childhood  
9                   Education approved pursuant to section 204  
10                  and the uniform minimum code for facilities ap-  
11                  proved pursuant to section 205.

12                  (C) provides a means of determining pri-  
13                  ority of eligibility among parents wishing to use  
14                  the service program;

15                  (D) provides for a scale of fees based upon  
16                  the parents' financial status; and

17                  (E) provides for competent management,  
18                  staffing, and facilities for such program.

19           (c) OFFICIAL PLAN APPROVAL.—The Secretary shall  
20           not make payments under this section unless the Secretary  
21           has received approval of the plan from the official in  
22           charge of the agency whose employees will be served by  
23           the early childhood education program.



1 **SEC. 302. PAYMENTS.**

2 (a) IN GENERAL.—Not more than 80 percent of the  
3 total cost of the early childhood education program under  
4 this part shall be paid from Federal funds available under  
5 this title.

6 (b) PUBLIC OR PRIVATE FUNDS.—The share of the  
7 total cost not available under paragraph (a) may be pro-  
8 vided through public or private funds and may be in the  
9 form of cash, goods, services, or facilities (or portions  
10 thereof that are used for program purposes), reasonable  
11 evaluated, fees collected from parents, and union and em-  
12 ployer contributions.

13 (c) EXCESS AMOUNTS.—If, with respect to any fiscal  
14 year, a program under this part provides contributions ex-  
15 ceeding its requirements under this section, such excess  
16 may be used to meet the requirements of such contribu-  
17 tions for the subsequent fiscal year.

18 **TITLE IV—RESEARCH AND**  
19 **DEMONSTRATIONS**

20 **SEC. 401. DECLARATION OF PURPOSES.**

21 The purposes of this part are to focus national re-  
22 search efforts to attain a fuller understanding of the proc-  
23 ess of early child development and the effects of organized  
24 programs upon these processes; to develop effective pro-  
25 grams for research into child development; and to assure  
26 that the result of research and development efforts are re-

1 fledged in the conduct of programs affecting children  
2 through the improvement and expansion of early childhood  
3 education and related programs.

4 **SEC. 402. RESEARCH AND DEMONSTRATION PROJECTS.**

5 (a) RESEARCH AND DEMONSTRATION PROJECTS.—

6 In order to further the purposes of this part, the Secretary  
7 shall carry out a program of research and demonstration  
8 projects, which shall include but not be limited to—

9 (1) research to determine the nature of child  
10 development processes and the impact of various in-  
11 fluences upon them, to develop techniques to meas-  
12 ure and evaluate child development, to develop  
13 standards to evaluate professional and paraprofes-  
14 sional early childhood education personnel, to deter-  
15 mine how early childhood development and education  
16 and related programs conducted in either home or  
17 institutional settings affect child development proc-  
18 esses;

19 (2) research to test alternative methods of pro-  
20 viding early childhood education and related services,  
21 and to develop and test innovative approaches to  
22 achieve maximum development of children and pro-  
23 grams for training adolescent youth in child develop-  
24 ment;

1           (3) evaluation of research findings and the de-  
2       velopment of these findings and the effective applica-  
3       tion thereof; and

4           (4) dissemination and application of research  
5       and development efforts and demonstration projects  
6       to early childhood education and related programs,  
7       using regional demonstration centers and advisory  
8       services where feasible.

9       (b) **AUTHORITY.**—In order to carry out the program  
10     provided for in subsection (a), the Secretary is authorized  
11     to make grants to or enter into contracts or other arrange-  
12     ments with public or private nonprofit agencies (including  
13     other Government agencies), organizations, and institu-  
14     tions, and to enter into contracts with private agencies,  
15     organizations, institutions, and individuals.

16     **SEC. 403. COORDINATION OF RESEARCH.**

17       (a) **FUND TRANSFERS.**—Funds available to any Fed-  
18     eral department or agency for the purposes stated in sec-  
19     tion 401 or the activities stated in section 402(a) shall  
20     be available for transfer, with the approval of the head  
21     of the department or agency involved, in whole or in part,  
22     to the Secretary for such use as is consistent with the pur-  
23     poses for which such funds were provided, and the funds  
24     so transferred shall be expendable by the Secretary for the  
25     purpose for which the transfer was made.

1       (b) COORDINATION.—The Secretary shall coordinate  
2 all early childhood education research, training, and devel-  
3 opment efforts conducted with the Federal Government  
4 and, to the extent feasible, by other agencies, organiza-  
5 tions, and individuals.

6       (c) ANNUAL MEETINGS.—Representatives from the  
7 National Institute for Early Childhood Development, the  
8 Federal agencies administering the Social Security Act  
9 and the Elementary and Secondary Education Act, the  
10 Department of Health and Human Services Administra-  
11 tion for Children and Families, the Department of Labor,  
12 and other appropriate agencies, shall meet at least annu-  
13 ally and at such more frequent times as they may deem  
14 necessary, in order to assure coordination of child develop-  
15 ment and early childhood education and related activities  
16 under their respective jurisdictions and to carry out the  
17 provisions of this title so as to assure—

18           (1) maximum utilization of available resources  
19 through the prevention of duplication of activities;

20           (2) a division of labor, insofar as is compatible  
21 with the purposes of each of the agencies or authori-  
22 ties specified in this paragraph, to assure maximum  
23 progress toward the achievement of the purposes of  
24 this title; and

1           (3) recommendation of priorities for federally  
2 funded research and development activities related  
3 to the purposes of this title and those stated in sec-  
4 tion 3.

## 5 **TITLE V—GENERAL PROVISIONS**

### 6 **SEC. 501. DEFINITIONS.**

7       As used in this Act, the term—

8           (1) “children” means individuals who have not  
9 attained the age of 8;

10          (2) “children with disabilities” any such child  
11 as defined in section 602 of the Individuals With  
12 Disabilities Education Act;

13          (3) “early childhood education programs”  
14 means programs provided on a full-day basis which  
15 provide the educational, nutritional, social, medical,  
16 psychological, and physical services needed for young  
17 children to attain their full potential;

18          (4) “economically disadvantaged children”  
19 means any child of a family having an annual in-  
20 come below the lower living standards budget (ad-  
21 justed for regional and metropolitan, urban, and  
22 rural differences, and family size), as determined an-  
23 nually by the Bureau of Labor Statistics of the De-  
24 partment of Labor;

1           (5) “institution of higher education” means any  
2           such institution as defined in section 1201 of the  
3           Higher Education Act of 1965.

4           (6) “limited English proficiency” means such  
5           individual as defined in section 7003(a) of the Bilin-  
6           gual Education Act.

7           (7) “local educational agency” means any such  
8           agency as defined in section 1471 of the Elementary  
9           and Secondary Education Act of 1965;

10          (8) “locality” means any city or other munici-  
11          pality or any county or other political subdivision of  
12          a State having general governmental powers, or any  
13          combination thereof;

14          (9) “minority group” means persons who are  
15          African-American, Native American, Alaskan Native,  
16          Native Hawaiian, Hispanic American, Asian Amer-  
17          ican, Pacific Island American, Arab Americans, Per-  
18          sian Americans and, as determined by the Secretary,  
19          or children who are from environments in which a  
20          dominant language is other than English.

21          (10) “parent” means any person who has day-  
22          to-day parental responsibility for any child;

23          (11) “program” includes any program, service,  
24          or activity, which is conducted full or part-time, day  
25          or night, in early childhood education facilities, in

1 schools, in neighborhood centers, or in homes, or  
2 which provides early childhood education for children  
3 whose parents are working or receiving education or  
4 training;

5 (12) “Secretary” means the Secretary of Edu-  
6 cation;

7 (13) “single parent” means any person who has  
8 sole day-to-day responsibility for any child;

9 (14) “State” means each of the fifty States, the  
10 District of Columbia, and the Commonwealth of  
11 Puerto Rico, Guam, American Samoa, the Virgin Is-  
12 lands, the Commonwealth of the Northern Mariana  
13 Islands, and Palau (until the effective date of the  
14 Compact of Free Association with the Government  
15 of Palau); and

16 (15) “working mother” means any mother who  
17 requires child care services under this Act in order  
18 to undertake or continue full or part-time work,  
19 training, or education outside the home.

20 **SEC. 502. NUTRITION SERVICES.**

21 In accordance with the purposes of this Act, the Sec-  
22 retary of Education shall establish procedures to assure  
23 that adequate nutrition services will be provided in early  
24 childhood education programs under this Act. Such serv-  
25 ices shall make use of the Special Food Services Program

1 for children as defined under the National School Lunch  
2 Act of 1946 and the Child Nutrition Act of 1966 to the  
3 fullest extent appropriate and consistent with the provi-  
4 sions of such Acts.

5 **SEC. 503. SPECIAL PROVISIONS.**

6 (a) GENERAL AUTHORITY.—The Secretary may  
7 make such grants, contracts, or agreements, establish  
8 such procedures, policies, rules, and regulations, and make  
9 such payments, in installments and in advance or by way  
10 of reimbursement, or otherwise allocate or expend funds  
11 made available under this title, including necessary adjust-  
12 ments in payments on account of overpayment or under-  
13 payment. Subject to the provisions of section 504, the Sec-  
14 retary may also withhold funds otherwise payable under  
15 this Act in order to recover any amounts expended in the  
16 current or immediately prior fiscal year in violation of any  
17 provision of this title or any term or condition of assist-  
18 ance under this title.

19 (b) REGULATIONS.—The Secretary shall prescribe  
20 regulations to assure that programs under this title have  
21 adequate internal administrative controls, accounting re-  
22 quirements, personnel standards, evaluation procedures,  
23 and other policies as may be necessary to promote the ef-  
24 fective use of funds.



1       (c) PROHIBITION ON DISCRIMINATION.—The Sec-  
2 retary shall not provide financial assistance for any pro-  
3 gram under this Act unless the grant, contract, or agree-  
4 ment with respect thereto specifically provides that no per-  
5 son with responsibilities in the operation of such program  
6 will discriminate with respect to any program participant  
7 or any applicant for participation in such program because  
8 of race, creed, color, national origin, sex, sexual orienta-  
9 tion, political affiliation, or beliefs.

10       (d) PROHIBITION ON POLITICAL ACTIVITIES.—The  
11 Secretary shall not provide financial assistance for any  
12 program under this Act which involves political activities;  
13 and neither the program, the funds provided therefor, nor  
14 personnel employed in the administration thereof, shall be,  
15 in any way or to any extent, engaged in the conduct of  
16 political activities.

17       (e) PROHIBITION ON SECTARIAN INSTRUCTION.—  
18 The Secretary shall not provide financial assistance for  
19 any program under this Act unless the Secretary deter-  
20 mines that no funds will be used for, and no person will  
21 be employed under the program on, the construction, oper-  
22 ation, or maintenance of so much of any facility as is for  
23 use for sectarian instruction or as a place for religious  
24 worship.

1       (f) PROHIBITION ON MEDICAL OR PSYCHOLOGICAL  
2 EXAMINATION.—A child participating in a program as-  
3 sisted under this Act shall not be required to undergo  
4 medical or psychological examination (except to the extent  
5 related to learning ability), or treatment, if the child's par-  
6 ent or guardian objects thereto.

7 **SEC. 504. WITHHOLDING OF GRANTS.**

8       Whenever the Secretary, after reasonable notice and  
9 opportunity for a hearing to any prime sponsor or project  
10 applicant, finds—

11           (1) that there has been a failure to comply sub-  
12 stantially with any requirement set forth in the plan  
13 of any such prime sponsor approved under section  
14 104;

15           (2) that there has been a failure to comply sub-  
16 stantially with any requirement set forth in the ap-  
17 plication of any such project applicant approved pur-  
18 suant section 105; or

19           (3) that in the operation of any program or  
20 project carried out by any such prime sponsor or  
21 project applicant under this Act there is a failure to  
22 comply substantially with any applicable provision of  
23 this Act or regulation promulgated thereunder; the  
24 Secretary shall notify such prime sponsor or project  
25 applicant of his/her findings and that no further

1        payments may be made to such sponsor or applicant  
2        under this Act until the Secretary is satisfied that  
3        there is no longer any such failure to comply, or the  
4        noncompliance will be promptly corrected. The Sec-  
5        retary may authorize the continuation of payments  
6        with respect to any project assisted under this Act  
7        which is being carried out pursuant to such plan or  
8        application and which is not involved in the non-  
9        compliance.

10    **SEC. 505. PUBLIC INFORMATION.**

11        (a) PUBLIC ACCESS.—Applications for designation as  
12        prime sponsors, comprehensive early childhood education  
13        plans, project applications, and all written material per-  
14        taining thereto shall be made readily available without  
15        charge on the public by the prime sponsor, the applicant,  
16        and the Secretary.

17        (b) NO EXPERIMENTATION.—The Secretary is di-  
18        rected to establish appropriate procedures to ensure that  
19        no child shall be the subject of any research or experimen-  
20        tation under this Act other than routine testing and nor-  
21        mal program evaluation unless the parent or guardian of  
22        such child is informed of such research or experimentation  
23        and is given an opportunity as of right to except such child  
24        therefrom.

1       (c) CONSTRUCTION.—Nothing in this Act shall be  
2 construed or applied in such a manner as to infringe upon  
3 or usurp the moral and legal rights and responsibilities  
4 of parents or guardians with respect to the moral, mental,  
5 emotional, or physical development of their children. Nor  
6 shall any section of this Act be construed or applied in  
7 such a manner as to permit any invasion of privacy other-  
8 wise protected by law, or to abridge any legal remedies  
9 for any such invasion which is otherwise provided by law.

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