

107TH CONGRESS
1ST SESSION

H. R. 2636

To establish a grant program to promote emotional and social development
and school readiness.

IN THE HOUSE OF REPRESENTATIVES

JULY 25, 2001

Mr. KENNEDY of Rhode Island (for himself, Mr. GILMAN, Mr. GEORGE MILLER of California, Mr. KILDEE, Mr. STRICKLAND, Mr. STARK, Mr. DEFAZIO, Mr. SANDERS, Mr. UDALL of New Mexico, Ms. JACKSON-LEE of Texas, Mr. OWENS, Ms. NORTON, Ms. MCKINNEY, Mr. MCGOVERN, Mr. BONIOR, Ms. SCHAKOWSKY, Ms. SOLIS, Mr. HILLIARD, Mr. FORD, Mrs. JONES of Ohio, Mr. CRAMER, Mr. LANGEVIN, Mr. TOM DAVIS of Virginia, Mr. FOLEY, Mr. CUMMINGS, Mr. SANDLIN, Mr. ABERCROMBIE, Mr. SCOTT, Mrs. MINK of Hawaii, Mr. BLAGOJEVICH, Mr. MEEKS of New York, Mr. ALLEN, Mr. KUCINICH, Mr. REYES, Mr. CONYERS, Mr. FATTAH, and Ms. WATSON of California) introduced the following bill; which was referred to the Committee on Education and the Workforce

A BILL

To establish a grant program to promote emotional and
social development and school readiness.

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 “Foundations for
5 Learning Act”.

1 **SEC. 2. FINDINGS.**

2 The Congress finds the following:

3 (1) It has been and continues to be the policy
4 of Congress that all children enter school ready to
5 learn.

6 (2) Success in school is dependent on emotional
7 and social development, including—

8 (A) the development of curiosity, self-direc-
9 tion, and persistence in learning situations;

10 (B) the ability to cooperate, demonstrate
11 caring, and resolve conflict with peers; and

12 (C) the capacity to recognize and regulate
13 one's own emotions and behaviors.

14 (3) Kindergarten teachers report that increas-
15 ing numbers of children are unprepared to cope with
16 the demands of school, not because they do not have
17 the academic tools, but because they lack the social
18 skills and emotional self-regulation necessary to suc-
19 ceed. In a recent survey, 46 percent of kindergarten
20 teachers reported that at least half of their class had
21 difficulty following direction, 34 percent reported
22 half of the class or more had difficulty working as
23 part of a group, and 20 percent said at least half
24 of the class had problems with social skills.

25 (4) The National Academy of Sciences has rec-
26 ommended that resources on par with those focused

1 on literacy and numerical skills should be devoted to
2 strategies promoting young children's emotional,
3 regulatory, and social development. It concluded that
4 enhancement of social and emotional development
5 are as important in early childhood as enhancement
6 of linguistic and cognitive competence.

7 (5) Few early childhood programs, including
8 those supported by the Federal Government such as
9 Head Start, have sufficient capacity adequately to
10 address the emotional and social developmental
11 needs of eligible children with prevention and early
12 intervention services.

13 (6) Extensive research has identified a number
14 of risk factors, including poverty, parental depres-
15 sion and substance abuse, abuse and neglect, home-
16 lessness, low birth weight and other medical prob-
17 lems, and others, the presence of which, particularly
18 when more than one is present, increase a child's
19 likelihood of early school failure.

20 (7) Although a child's development will vary
21 from individual to individual and depends on a mul-
22 titude of biological and environmental factors, early
23 interventions with eligible children and their families
24 can increase the probability of a more favorable de-
25 velopmental and academic trajectory.

1 (8) Research overwhelmingly demonstrates that
2 a child's development is deeply influenced by the re-
3 lationships with parents, the behavior of parents,
4 and the environment in the home. Parents are the
5 most influential adults in their children's lives and
6 are responsible for promoting their children's
7 healthy development. Therefore, any effective at-
8 tempt to improve young children's social and emo-
9 tional development necessarily must involve the fam-
10 ilies of those children.

11 (9) Second only to the immediate family, child
12 care providers shape children's emotional and social
13 development. Sixty-one percent of children under the
14 age of 4 are in regularly scheduled child-care by
15 someone other than a parent, including 44 percent
16 of infants under 1, 53 percent of 1-year-olds, and 57
17 percent of 2-year-olds.

18 (10) The Surgeon General's Conference on
19 Children's Mental Health has recommended the cre-
20 ation of tangible tools for early childhood service
21 providers to help them assess children's social and
22 emotional needs and discuss those issues with fami-
23 lies and make referrals.

24 (11) A child's healthy emotional and social de-
25 velopment must be assessed in the context of cul-

1 tural influences and consequently any efforts to pro-
2 mote development must be culturally competent.

3 (12) Early interventions for eligible children
4 have demonstrated later savings in public expendi-
5 tures for special education, income support, and
6 criminal justice.

7 **SEC. 3. GRANT PROGRAM AUTHORIZED.**

8 (a) IN GENERAL.—The Secretary of Education, in
9 consultation with the Secretary of Health and Human
10 Services, is authorized to make grants to States to assist
11 eligible children to become ready for school.

12 (b) ALLOTMENTS.—If the amount appropriated
13 under section 9 and not reserved under subsection (c) for
14 a fiscal year exceeds \$200,000,000, the Secretary shall—

15 (1) except as provided in paragraph (2), allo-
16 cate funds to the States based on the ratio of the
17 amount of funds received by a State under part A
18 of title I of the Elementary and Secondary Edu-
19 cation Act of 1965 for the preceding fiscal year to
20 the amount of funds received by all the States under
21 such part for such fiscal year; and

22 (2) allocate not less than 0.40 percent for each
23 State.

1 (c) RESERVATIONS OF FUNDS.—Of the amount ap-
2 propriated under section 9 for a fiscal year, the Secretary
3 shall reserve—

4 (1) one-half of one percent for Indian tribes;

5 (2) one-half of one percent for Native Alaskan
6 regional corporations and Native Hawaiian entities;

7 (3) one percent for the Commonwealth of Puer-
8 to Rico;

9 (4) not more than 3 percent for administrative
10 costs; and

11 (5) not more than 3 percent for technical as-
12 sistance, sharing of best practices, and evaluations
13 described under subsection (e).

14 (d) SPECIAL RULE.—If the amount appropriated
15 under this Act in a fiscal year is less than \$200,000,000,
16 the Secretary, in consultation with the Secretary of Health
17 and Human Services, is authorized to award grants to
18 local coordinating councils, consistent with priorities de-
19 scribed in section 7(b), on a competitive basis, of sufficient
20 size and for a period of sufficient duration to assist eligible
21 children to be ready for school.

22 (e) EVALUATION.—

23 (1) IN GENERAL.—The Secretary shall, on an
24 ongoing basis—

1 (A) evaluate promising strategies being im-
2 plemented in the States pursuant to this Act
3 and the success of those strategies in promoting
4 emotional and social development and school
5 readiness in eligible children, including, at the
6 Secretary's discretion, by the performance of
7 long-term longitudinal studies; and

8 (B) issue reports and provide technical as-
9 sistance based on the knowledge gained from
10 those evaluations.

11 (2) REVIEW EXPENDITURES.—Not less than
12 once every 3 years, the Secretary shall evaluate the
13 expenditure of grants made under this Act in order
14 to assess and report on the range of services being
15 provided, the success of States in meeting the per-
16 formance measures established pursuant to their
17 State plans, and make recommendations regarding
18 changes needed in program design or operations.

19 **SEC. 4. STATE PLANS.**

20 (a) IN GENERAL.—In order to receive a grant under
21 section 3, a State shall submit a State plan to the Sec-
22 retary, at such time and in such form as the Secretary
23 may require, and shall include in the State plan—

24 (1) an assurance that the State shall provide,
25 either directly or through private contributions, non-

1 Federal matching funds equal to not less than 20
2 percent of the amount of the grant with such funds
3 contributed in cash or in kind, fairly evaluated, in-
4 cluding contributions of facilities, staff time, or do-
5 nated equipment;

6 (2) specification of the sources of non-Federal
7 matching funds described in paragraph (1);

8 (3) an assurance that funds received shall sup-
9 plement, not supplant, other public funds expended
10 to promote the emotional, social, and behavioral de-
11 velopment of young children;

12 (4) an assurance that the State and its political
13 subdivisions shall maintain a level of expending
14 funds that equals or exceeds the amount spent for
15 programs described in section 5(b) in the preceding
16 fiscal year;

17 (5) composition of the statewide coordinating
18 council (referred to in this Act as the “SCC”);

19 (6) the name of the agency designated as the
20 lead agency;

21 (7) a description of the population the State in-
22 tends to serve, the manner in which the grant will
23 be expended to improve the emotional and social de-
24 velopment of children served, and measurable per-

1 performance goals consistent with the planned uses of
2 the grant;

3 (8) an assurance that activities conducted with
4 the grant will be undertaken in a culturally com-
5 petent and developmentally appropriate manner; and

6 (9) the manner in which services will be coordi-
7 nated with existing similar services provided by pub-
8 lic and nonprofit entities within the State.

9 (b) APPROVAL.—The Secretary shall approve an ap-
10 plication by a State under this Act unless the Secretary
11 determines that—

12 (1) the matching requirement of section 4(1) is
13 not met;

14 (2) the performance measures set forth in the
15 State plan are not satisfactory; or

16 (3) the State plan is otherwise inconsistent with
17 the purposes of this Act.

18 **SEC. 5. USES OF FUNDS.**

19 (a) PERMISSIBLE USES OF FUNDS.—A State that re-
20 ceives funds under this Act may use such funds in a man-
21 ner intended to benefit eligible children, for the following:

22 (1) SCREENING.—To use valid, reliable, and ap-
23 propriate measures, procedures, or methods to
24 screen children suspected of developmental delays or
25 being eligible for services under this Act to deter-

1 mine if a child has 2 or more characteristics de-
2 scribed in section 8(2) and, when appropriate, to de-
3 velop a comprehensive plan to address the emotional
4 and social development of eligible children.

5 (2) FAMILY SUPPORT INITIATIVES.—

6 (A) PARENTING EDUCATION.—To provide
7 individualized, intensive parenting skills train-
8 ing and support, including opportunities for
9 family-to-family support, to parents of eligible
10 children.

11 (B) FAMILY SUPPORT.—To provide appro-
12 priate family support services designed to help
13 parents increase their capacity to foster their
14 children's emotional, social, and behavioral de-
15 velopment.

16 (C) REGULAR AND INTENSIVE HOME VIS-
17 ITS.—To provide regular and intensive home
18 visits to families with eligible children, including
19 infants, or increase the capacity of existing
20 home visitation programs to provide interven-
21 tions or services that assist families in pro-
22 moting the emotional and social development of
23 young children.

24 (3) CONSULTATIONS AND SUPPORT TO PRO-
25 VIDERS OF EARLY CHILDHOOD SERVICES.—

1 (A) PROFESSIONAL DEVELOPMENT.—To
2 provide professional development to child care
3 workers, Early Head Start, Head Start, pre-
4 school, and kindergarten teachers and other
5 providers of early childhood services to help
6 them foster the healthy emotional, social, and
7 behavioral development of children in their care
8 or with whom they have regular contact.

9 (B) PROGRAMMATIC CONSULTATION.—To
10 provide programmatic consultations to child
11 care providers, Early Head Start and Head
12 Start providers, preschools, and kindergartens
13 and other providers of early childhood services
14 to assist them in creating an environment and
15 interventions or supports most conducive to the
16 healthy emotional, social, and behavioral devel-
17 opment of young children in their care or with
18 whom they have regular contact.

19 (C) FAMILY CONSULTATIONS.—To provide
20 child- or family-centered consultations to child
21 care providers, Early Head Start and Head
22 Start providers, preschools, and kindergartens
23 and other providers of early childhood services
24 to help them address the emotional, social, and
25 behavioral developmental needs of eligible chil-

1 dren in their care or with whom they have reg-
2 ular contact.

3 (D) **HIRING PRACTICES.**—To assist child
4 care providers, Early Head Start and Head
5 Start providers, preschools, and kindergartens
6 and other providers of early childhood services
7 in hiring qualified mental health or behavioral
8 health specialists.

9 (4) **SERVICES TO ELIGIBLE CHILDREN AND**
10 **THEIR FAMILIES.**—

11 (A) **EARLY INTERVENTIONS.**—To deliver
12 and coordinate a continuum of early interven-
13 tion services, crisis intervention services, screen-
14 ing and other appropriate, reliable, and valid
15 assessments, referrals, and other classroom and
16 home-based interventions that promote the emo-
17 tional and social development and school readi-
18 ness of eligible children by identifying and ad-
19 dressing the unique needs of the children and
20 their families.

21 (B) **MENTAL HEALTH.**—To provide mental
22 health services to eligible children and, when
23 necessary to promote the child’s healthy devel-
24 opment, their families, provided that such serv-
25 ices cannot be paid for by other sources.

1 (C) COORDINATION.—To coordinate and
2 facilitate access by eligible children and their
3 families to the services available through—

4 (i) part C or section 619 of part B of
5 the Individuals with Disabilities Education
6 Act (20 U.S.C. 1431 et seq.);

7 (ii) the medicaid program under title
8 XIX of the Social Security Act (42 U.S.C.
9 1396 et seq.);

10 (iii) State children’s health insurance
11 program under title XXI of the Social Se-
12 curity Act (42 U.S.C. 1397aa et seq.); and

13 (iv) other community resources, in-
14 cluding mental health, physical health, sub-
15 stance abuse, educational, domestic vio-
16 lence, child welfare, and social services.

17 (D) PROGRAM PARTICIPATION.—To facili-
18 tate participation in Head Start, Early Head
19 Start, or child care and preschool programs of-
20 fering substantially the same range of services
21 as Head Start or Early Head Start for eligible
22 children by removing ancillary barriers to ac-
23 cess such as transportation difficulties and the
24 absence of programs during nontraditional work
25 times.

1 (E) ANCILLARY SERVICES.—To provide
2 ancillary services such as transportation or
3 child care in order to facilitate the delivery of
4 any other services or activities authorized by
5 this Act.

6 (5) DEVELOPMENT OF COMMUNITY RE-
7 SOURCES.—

8 (A) CURRICULUMS.—To develop social and
9 emotional competencies curricula for use in
10 early childhood settings.

11 (B) PARTNERSHIPS.—To develop or en-
12 hance early childhood community partnerships
13 and build towards a community system of care
14 that brings together child-serving agencies and
15 or organizations to provide individualized sup-
16 ports for eligible children and their families.

17 (C) EVALUATION.—To evaluate the suc-
18 cess of strategies and services provided pursu-
19 ant to this Act in promoting young children's
20 successful entry to school and maintain data
21 systems required for effective evaluations.

22 (6) ADMINISTRATIVE COSTS.—To pay for costs
23 of administering the activities authorized by this
24 Act, provided such expenditures shall not exceed 4

1 percent of the grant received by a local coordinating
2 council.

3 (b) LIMITATION.—A State may use funds under this
4 Act to pay only for services that—

5 (1) the State is currently not providing under—

6 (A) the medicaid program under title XIX
7 of the Social Security Act (42 U.S.C. 1396 et
8 seq.);

9 (B) the State children’s health insurance
10 program under title XXI of the Social Security
11 Act (42 U.S.C. 1397aa et seq.);

12 (C) early intervention services under part
13 C or section 619 of part B of the Individuals
14 with Disabilities Education Act (20 U.S.C.
15 1431 et seq.); and

16 (D) State and local mental health pro-
17 grams; and

18 (2) cannot be paid for by other Federal, State,
19 or local sources, excluding Head Start or Early
20 Head Start, or by private insurance.

21 (c) PROVISION OF SERVICES.—All services provided
22 pursuant to this Act—

23 (1) shall be provided in the most culturally
24 competent manner practicable;

1 (2) if a charge is imposed for such services,
2 shall be based on a sliding scale based on ability to
3 pay and shall not be imposed on any child of a fam-
4 ily whose income is below 200 percent of the poverty
5 line (as such term is defined in section 673(2) of the
6 Community Services Block Grant Act (42 U.S.C.
7 9902(2)));

8 (3) shall be provided by or under the super-
9 vision of qualified professionals with expertise in
10 early childhood development; and

11 (4) shall be intended to benefit eligible children.

12 **SEC. 6. STATE ADMINISTRATION.**

13 (a) LEAD AGENCY.—

14 (1) IN GENERAL.—The chief executive officer of
15 the State shall name a lead agency to administer a
16 program established pursuant to this Act.

17 (2) DUTIES.—The lead agency shall—

18 (A) in consultation with the SCC, establish
19 performance goals consistent with the purposes
20 described in its State plan;

21 (B) if administering a statewide program,
22 adhere to the priorities described in section 5;

23 (C) monitor and evaluate the success of ac-
24 tivities funded under this Act in meeting its
25 performance goals and the long-term impact of

1 such activities on success in school of eligible
2 children;

3 (D) submit an annual report to the Sec-
4 retary regarding the State's progress in meeting
5 the performance goals, a description of any bar-
6 riers encountered in serving eligible children,
7 and other pertinent results of its monitoring
8 and evaluation; and

9 (E) provide subgrants in accordance with
10 section 7 if not administering a statewide pro-
11 gram.

12 (3) FUNDS.—In any fiscal year the lead
13 agency—

14 (A) shall reserve 2 percent of allotted
15 funds under this Act for evaluation and tech-
16 nical assistance; and

17 (B) may use not more than 4 percent of
18 allotted funds under this Act for administrative
19 costs.

20 (b) SCC.—

21 (1) IN GENERAL.—The chief executive officer of
22 a State shall appoint individuals to serve on a SCC.

23 (2) REPRESENTATIVES.—Individuals who serve
24 on a SCC shall include representation from parents,
25 early childhood providers, early childhood mental

1 health providers, the State educational agency, the
 2 State mental health agency, State child care agency
 3 (including child care resource and referral staff), the
 4 State Head Start association, the State agency re-
 5 sponsible for administering part C of the Individuals
 6 with Disabilities Education Act (20 U.S.C. 1431 et
 7 seq.), the State preschool agency, the State child
 8 welfare agency and any other individual or group the
 9 chief executive officer considers appropriate.

10 (3) EXISTING COUNCIL.—If a comparable coun-
 11 cil or entity exists, the chief executive officer may
 12 designate such council or entity to serve as the SCC.

13 (4) ROLE OF SCC.—The SCC shall establish
 14 guidelines for State administration of the program,
 15 prepare a State plan in accordance with section 4,
 16 and advise the lead agency.

17 **SEC. 7. LOCAL ADMINISTRATION.**

18 (a) IN GENERAL.—If the lead agency and SCC deter-
 19 mine that the program should be administered at a local
 20 level, the lead agency shall accept applications from local
 21 coordinating councils.

22 (b) PRIORITY.—The lead agency shall give priority
 23 to applications from local coordinating councils that—

24 (1) demonstrate broad collaboration among rel-
 25 evant local agencies and organizations and others in

1 the development of the application and in the
2 planned implementation;

3 (2) involve parents in planning and administra-
4 tion;

5 (3) propose projects targeted to eligible children
6 for whom multiple risk factors apply and who are
7 most in need of services to promote emotional and
8 social development;

9 (4) can be replicated;

10 (5) demonstrate cultural competency;

11 (6) integrate planning and services with exist-
12 ing early childhood and school readiness programs;

13 (7) provide access to a full spectrum of early
14 intervention services and mental health treatments
15 for children and their families; and

16 (8) demonstrate sufficient professional capacity
17 in the community to implement successfully planned
18 activities.

19 (c) SUFFICIENT SIZE.—A subgrant made available
20 under this section shall be of sufficient size, scope, and
21 quality to enable a local coordinating council to carry out
22 the purposes of this Act effectively.

23 **SEC. 8. DEFINITIONS.**

24 In this Act:

1 (1) The term “young children” means children
2 from zero to age 6.

3 (2) The term “eligible children” means young
4 children to whom 2 or more of the following charac-
5 teristics apply:

6 (A) Low birth weight.

7 (B) Cognitive deficit or developmental dis-
8 ability.

9 (C) Parental substance abuse.

10 (D) Custodial parent with less than sec-
11 ondary school diploma.

12 (E) Parental depression or other mental
13 illness.

14 (F) Abuse, maltreatment, or neglect.

15 (G) Family income below 200 percent of
16 the Federal poverty line (as such term is de-
17 fined in section 673(2) of the Community Serv-
18 ices Block Grant Act (42 U.S.C. 9902(2))).

19 (H) Early behavioral and peer relationship
20 problems.

21 (I) Exposure to violence.

22 (J) Homelessness.

23 (K) Removed from child care, Head Start,
24 or preschool for behavioral reasons or at risk of
25 being so removed.

1 (3) The term “local coordinating council”
2 means a group composed of some combination of
3 parents, early childhood providers, early childhood
4 mental health providers, community mental health
5 centers, local schools, and local agencies involved in
6 early childhood emotional, social, and behavioral de-
7 velopment and school readiness including local coun-
8 cils established under the Early Learning Opportuni-
9 ties Act of 2000, or other existing local councils fo-
10 cusing on children and families.

11 (4) The term “provider of early childhood serv-
12 ices” means a public or private entity that has reg-
13 ular contact with young children, including child
14 welfare agencies, child care providers, Head Start
15 and Early Head Start providers, preschools, kinder-
16 gartens, mental health professionals, family courts,
17 homeless shelters, libraries, and primary care pro-
18 viders.

19 (5) The term “parent” means the biological or
20 adoptive parent, foster parent, grandparent, or other
21 family member or legal guardian having physical
22 custody of the child.

23 (6) The term “family member of a child”
24 means a person related to the child by blood, mar-

riage, or adoption who shares a primary residence with the child or shares custody of the child.

(7) The term “early intervention services” means services that—

(A) are provided to—

(i) eligible children who have not been diagnosed with a mental health disorder; or

(ii) if necessary to promote such children’s emotional and social development, their families;

(B) promote healthy emotional and social development by remedying or permitting children to overcome risk factors or develop protective factors against such risks; and

(C) connect children and their families to other community resources and services as appropriate.

(8) The term “Secretary” means the Secretary of Education.

(9) The term “State” means each of the 50 States and the District of Columbia.

SEC. 9. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to carry out this Act \$250,000,000 for fiscal year 2002, \$300,000,000

- 1 for fiscal year 2003, and such sums as may be necessary
- 2 thereafter.

