

108TH CONGRESS
2D SESSION

H. R. 4497

To establish or expand prekindergarten early learning programs.

IN THE HOUSE OF REPRESENTATIVES

JUNE 3, 2004

Mr. KIND (for himself, Mr. HINCHEY, Ms. LOFGREN, Mr. OWENS, and Mr. SIMMONS) introduced the following bill; which was referred to the Committee on Education and the Workforce

A BILL

To establish or expand prekindergarten early learning programs.

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 “Providing Resources
5 and Education for Kids Act (Pre-K)”.

6 **SEC. 2. FINDINGS AND PURPOSE.**

7 (a) FINDINGS.—Congress finds the following:

8 (1) Kindergarten teachers estimate that 1 in 3
9 children enters the classroom unprepared to meet
10 the challenges of school.

1 (2) A 1998 report regarding the prevention of
2 reading difficulties in young children found that—

3 (A) preschool children need high quality
4 language and literacy environments in and out
5 of their homes; and

6 (B) children need to arrive in the first
7 grade with strong language and cognitive skills
8 and the motivation to learn to read in order to
9 benefit from classroom instruction.

10 (3) The first 5 years is a very critical time in
11 a child's development, and a child's brain develop-
12 ment is far more susceptible to adverse influences
13 than had been previously realized.

14 (4) High quality prekindergarten programs can
15 affect a child's long-term success in areas such as
16 school achievement, higher earnings as adults, and
17 decreased involvement with the criminal justice sys-
18 tem.

19 (5) Studies of several State prekindergarten ini-
20 tiatives offer convincing evidence of the benefits of
21 early education for children at risk of school failure.
22 These benefits include higher mathematics and read-
23 ing achievement, stronger learning skills, increased
24 creativity, better school attendance, improved health,

1 and greater involvement by parents in their chil-
2 dren's education.

3 (6) Only 1 State, Georgia, currently has a pre-
4 kindergarten initiative that is universally available to
5 all children in the State.

6 (b) PURPOSE.—The purpose of this Act is to improve
7 school readiness for young children by providing grants
8 to States to assist in the creation or expansion of early
9 childhood education programs for children ages 5 and
10 under.

11 **SEC. 2. PROGRAM AUTHORIZED.**

12 (a) IN GENERAL.—The Secretary, in consultation
13 with the Secretary of the Department of Health and
14 Human Services, is authorized to provide grants to State
15 educational agencies, or their equivalent, to allow such
16 agencies to establish or expand prekindergarten early
17 learning programs.

18 (b) ELIGIBILITY.—

19 (1) IN GENERAL.—To be eligible to receive a
20 grant award under this Act, a State shall submit an
21 application to the Secretary at such time and in
22 such form and manner as the Secretary may reason-
23 ably require and include the information described in
24 paragraph (2).

1 (2) APPLICATION.—The application referred to
2 in paragraph (1) shall include, at a minimum—

3 (A) a description of the prekindergarten
4 early learning program that the State will es-
5 tablish;

6 (B) a statement regarding how the State
7 educational agency will administer funds to
8 local educational agencies;

9 (C) a description of the methods to be used
10 to reach out to local educational agencies to
11 promote this new program and ensure that in-
12 formation is distributed on an equitable basis to
13 all local educational agencies;

14 (D) a description of the goals in imple-
15 menting a prekindergarten early learning pro-
16 gram and how such goals will be achieved;

17 (E) a description regarding how public
18 schools and community partnerships may work
19 together to reach the maximum number of chil-
20 dren;

21 (F) a description regarding how the State
22 educational agency will share information with
23 other local educational agencies regarding suc-
24 cessful and innovative programs; and

1 (G) a description of the long-term strate-
2 gies for financing prekindergarten early learn-
3 ing programs.

4 (c) FEDERAL SHARE.—

5 (1) IN GENERAL.—The Federal share of the
6 cost of projects funded under this Act shall not ex-
7 ceed—

8 (A) 50 percent for the first fiscal year;

9 (B) 45 percent for the second fiscal year;

10 (C) 40 percent for the third fiscal year;

11 (D) 30 percent for the fourth fiscal year;

12 and

13 (E) 25 percent for the fifth fiscal year and
14 each subsequent year.

15 (2) SUPPLEMENT, NOT SUPPLANT.—A State
16 educational agency or local educational agency shall
17 use funds received under this Act only to supplement
18 the amount of funds that would, in the absence of
19 such Federal funds, be made available from non-
20 Federal sources for the education of children partici-
21 pating in programs assisted under this Act, and not
22 to supplant such funds.

23 **SEC. 3. DISTRIBUTION OF FUNDS.**

24 (a) RESERVATION FOR OUTLYING AREAS.—From the
25 amount made available under section 7 to carry out this

1 Act, the Secretary shall reserve a total of 1 percent to
2 provide assistance to the outlying areas on the basis of
3 their respective need for such assistance according to such
4 criteria as the Secretary determines will best carry out the
5 purpose of this Act.

6 (b) STATE DISTRIBUTION.—The Secretary shall allo-
7 cate the remainder of the amount made available under
8 section 7 (after the reservation in subsection (a)) among
9 eligible State educational agencies as follows:

10 (1) 50 percent of such amount which bears the
11 same ratio as the number of children ages 5 and
12 under, inclusive, in the State bears to the number of
13 such children in all States.

14 (2) 50 percent of such amount shall be distrib-
15 uted according to each State's share of allocations
16 under part A of title I of the Elementary and Sec-
17 ondary Education Act of 1965.

18 (c) ADMINISTRATIVE FUNDS.—Of the amount made
19 available to a State educational agency under subsection
20 (b), such agency may use not more than 5 percent of such
21 amount for administrative purposes.

22 **SEC. 4. LOCAL ACTIVITIES.**

23 (a) LOCAL APPLICATION.—To be eligible to receive
24 a grant award under this Act, a local educational agency

1 shall submit an application to the State educational agen-
2 cy that includes—

3 (1) a description of its proposed prekinderg-
4 arten early learning program;

5 (2) the goals and standards for such a pro-
6 gram;

7 (3) a description of how the agency may work
8 in conjunction with child care providers outside of
9 the public schools to provide community-based kin-
10 dergarten early learning programs; and

11 (4) any other information the State educational
12 agency may reasonably require.

13 (b) GENERAL USES OF FUNDS.—A local educational
14 agency that receives a grant award under this Act shall
15 use such funds to establish or expand a prekindergarten
16 early learning program for children ages 5 and under in
17 accordance with subsection (c).

18 (c) REQUIREMENTS.—Each local educational agency
19 that receives funds under this Act for a prekindergarten
20 early learning program shall—

21 (1) make available transportation for children
22 to participate in such programs; and

23 (2) ensure that the ratio of children to staff for
24 a prekindergarten early learning program does not
25 exceed 18:2.

1 (d) PERMISSIBLE USES OF FUNDS.—A local edu-
2 cational agency that receives funds under this Act may
3 use such funds—

4 (1) for professional development for prekindergarten
5 teachers and teacher assistants;

6 (2) to provide health care services, such as primary
7 preventative health and safety programs and
8 health screening programs, and to promote enrollment
9 in health insurance programs;

10 (3) to work in conjunction with child care providers
11 outside of the public schools to provide community-based
12 prekindergarten early learning programs; and
13

14 (4) to increase salaries for child care providers
15 who work in prekindergarten early learning programs;
16

17 (5) to provide funds to community partnerships.

18 **SEC. 5. ACCOUNTABILITY.**

19 (a) LOCAL REPORTS.—Each local educational agency
20 that receives a grant award under this Act shall submit
21 a report to the State educational agency every 2 years
22 that—

23 (1) describes the agency’s activities;

1 (2) reports the number of children being served
2 by new or expanded prekindergarten early learning
3 programs;

4 (3) describes any improvements in student
5 achievement and school readiness; and

6 (4) describes how the agency has reached the
7 goals set forth in its application under section
8 4(a)(1) in providing early learning programs for
9 children ages 5 and under.

10 (b) STATE REPORTS.—Each State educational agen-
11 cy that receives a grant award under this Act shall submit
12 to the Secretary, not less than once every 2 years, a de-
13 tailed summary of the information submitted under sub-
14 section (a). Such report shall also include a description
15 regarding—

16 (1) how the State educational agency adminis-
17 tered funds to the local educational agencies;

18 (2) the measures taken and the effectiveness of
19 such efforts of the State educational agency in
20 reaching out to local educational agencies to promote
21 the program and ensuring information was distrib-
22 uted on an equitable basis;

23 (3) how the State educational agency shared in-
24 formation with other local educational agencies re-
25 garding successful and innovative programs; and

1 (4) the status of the State educational agency
2 in developing long-term strategies for financing pre-
3 K early learning programs.

4 **SEC. 6. DEFINITIONS.**

5 For purposes of this Act:

6 (1) The term “community partnership” means
7 an alliance between a local educational agency and
8 1 or more of the following entities:

9 (A) Child care agency.

10 (B) Special education provider.

11 (C) Community-based organization.

12 (2) The term “outlying area” means the Com-
13 monwealth of Puerto Rico and the United States
14 Virgin Islands.

15 (3) The term “Secretary” means the Secretary
16 of Education.

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

19 **SEC. 7. AUTHORIZATION OF APPROPRIATIONS.**

20 There are authorized to be appropriated to carry out
21 this Act such sums as may be necessary for each of fiscal
22 years 2005 through 2009.

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