

108TH CONGRESS
2D SESSION

H. R. 5084

To authorize the Secretary of Education to make formula grants to States to ensure that families have access to high-quality, voluntary preschool education, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 15, 2004

Ms. SOLIS introduced the following bill; which was referred to the Committee on Education and the Workforce

A BILL

To authorize the Secretary of Education to make formula grants to States to ensure that families have access to high-quality, voluntary preschool education, 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.**

4 This Act may be cited as the “Smart from the Start
5 Preschool Education for America Act of 2004”.

1 **SEC. 2. FORMULA GRANTS TO STATES FOR PRESCHOOL**
2 **EDUCATION.**

3 (a) PURPOSE.—The purpose of this Act is to help
4 America’s families obtain high-quality, voluntary preschool
5 education, thereby providing to each child the best possible
6 start in life and an equal opportunity to succeed.

7 (b) GRANTS.—For the activities described in sub-
8 section (c), the Secretary of Education, in consultation
9 with the Secretary of Health and Human Services, shall
10 make a grant each fiscal year to each State that submits
11 an application in accordance with subsection (e).

12 (c) AUTHORIZED ACTIVITIES.—A funding agreement
13 for a grant under this Act is that the State involved will
14 expend the grant only for providing families in the State
15 with access to high-quality, voluntary preschool education.

16 (d) PROGRAM QUALITY STANDARDS.—

17 (1) IN GENERAL.—A funding agreement for a
18 grant under this Act is that the State involved will
19 meet or exceed the requirements of each of the pro-
20 gram quality standards described in paragraph (2).

21 (2) STANDARDS.—For purposes of this Act, the
22 Secretary shall develop program quality standards
23 based on the recommendations of an independent
24 panel of experts convened by the National Academy
25 of Sciences.

1 (e) APPLICATION.—A grant application is in accord-
2 ance with this Act if the application—

3 (1) includes each funding agreement described
4 in this Act;

5 (2) with respect to such agreements, provides
6 assurances of compliance satisfactory to the Sec-
7 retary; and

8 (3) is in such form, is made in such manner,
9 and contains such agreements, assurances, and in-
10 formation as the Secretary determines to be nec-
11 essary to carry out this Act.

12 (f) DETERMINATION OF AMOUNT OF GRANTS.—

13 (1) AMOUNTS RESERVED.—

14 (A) TERRITORIES AND POSSESSIONS.—The
15 Secretary shall reserve not to exceed one half of
16 1 percent of the amount appropriated to carry
17 out this Act in each fiscal year for payments to
18 the outlying areas to be allotted in accordance
19 with their respective needs.

20 (B) INDIAN TRIBES.—The Secretary shall
21 reserve not less than 1 percent, and not more
22 than 2 percent, of the amount appropriated to
23 carry out this Act in each fiscal year for pay-
24 ments to Indian tribes and tribal organizations
25 with applications approved under this section.

1 (2) STATE ALLOTMENT.—

2 (A) IN GENERAL.—From the amounts ap-
3 propriated to carry out this Act for each fiscal
4 year remaining after reservations under para-
5 graph (1), the Secretary shall allot to each
6 State (except those described in paragraph (1))
7 an amount equal to the sum of—

8 (i) an amount that bears the same
9 ratio to 50 percent of such remainder as
10 the product of the young child factor of the
11 State and the allotment percentage of the
12 State bears to the sum of the cor-
13 responding products for all States; and

14 (ii) an amount that bears the same
15 ratio to 50 percent of such remainder as
16 the product of the school lunch factor of
17 the State and the allotment percentage of
18 the State bears to the sum of the cor-
19 responding products for all States.

20 (B) YOUNG CHILD FACTOR.—The term
21 “young child factor” means the ratio of the
22 number of children in the State under 5 years
23 of age to the number of such children in all
24 States as provided by the most recent annual
25 estimates of population in the States by the

1 Census Bureau of the Department of Com-
2 merce.

3 (C) SCHOOL LUNCH FACTOR.—The term
4 “school lunch factor” means the ratio of the
5 number of children in the State who are receiv-
6 ing free or reduced price lunches under the
7 school lunch program established under the
8 Richard B. Russell National School Lunch Act
9 (42 U.S.C. 1751 et seq.) to the number of such
10 children in all the States as determined annu-
11 ally by the Department of Agriculture.

12 (D) ALLOTMENT PERCENTAGE.—

13 (i) IN GENERAL.—The allotment per-
14 centage for a State is determined by divid-
15 ing the per capita income of all individuals
16 in the United States, by the per capita in-
17 come of all individuals in the State.

18 (ii) LIMITATION.—If an allotment per-
19 centage determined under clause (i)—

20 (I) exceeds 1.2 percent, then the
21 allotment percentage of that State
22 shall be considered to be 1.2 percent;
23 and

1 (II) is less than 0.8 percent, then
2 the allotment percentage of the State
3 shall be considered to be 0.8 percent.

4 (iii) PER CAPITA INCOME.—For pur-
5 poses of clause (i), per capita income shall
6 be—

7 (I) determined at 2-year inter-
8 vals;

9 (II) applied for the 2-year period
10 beginning on October 1 of the first
11 fiscal year beginning on the date such
12 determination is made; and

13 (III) equal to the average of the
14 annual per capita incomes for the
15 most recent period of 3 consecutive
16 years for which satisfactory data are
17 available from the Department of
18 Commerce at the time such deter-
19 mination is made.

20 (g) DEFINITIONS.—In this Act:

21 (1) The term “Indian tribe” has the meaning
22 given to such term in section 4 of the Indian Self-
23 Determination and Education Assistance Act (25
24 U.S.C. 450b).

25 (2) The term “outlying area” includes—

1 (A) American Samoa, the Commonwealth
2 of the Northern Mariana Islands, Guam, and
3 the United States Virgin Islands; and

4 (B) the freely associated states of the Re-
5 public of the Marshall Islands, the Federated
6 States of Micronesia, and the Republic of Palau
7 until an agreement for the extension of United
8 States education assistance under the Compact
9 of Free Association for each of the freely asso-
10 ciated states becomes effective after the date of
11 the enactment of this Act.

12 (3) The term “Secretary” means the Secretary
13 of Education.

14 (4) Subject to subsection (f)(2)(A), the term
15 “State” means each of the 50 States, the District of
16 Columbia, the Commonwealth of Puerto Rico, each
17 of the outlying areas, and any Indian tribe or tribal
18 organization.

19 (5) The term “tribal organization”—

20 (A) has the meaning given to such term in
21 section 4 of the Indian Self-Determination and
22 Education Assistance Act (25 U.S.C. 450b);
23 and

24 (B) includes a Native Hawaiian Organiza-
25 tion, as defined in section 7207 of the Elemen-

1 tary and Secondary Education Act of 1965 (20
2 U.S.C. 7517), and a private nonprofit organiza-
3 tion established for the purpose of serving
4 youth who are Indians or Native Hawaiians.

5 (h) AUTHORIZATION OF APPROPRIATIONS.—There is
6 authorized to be appropriated to carry out this Act
7 \$5,000,000,000 for the period of fiscal years 2005
8 through 2009.

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