

110TH CONGRESS  
1ST SESSION

# H. R. 4060

To assist States in establishing a universal prekindergarten program to ensure that all children 3, 4, and 5 years old have access to a high-quality full-day, full-calendar-year prekindergarten education.

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## IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 1, 2007

Mr. KUCINICH (for himself, Mr. RUSH, Ms. SCHAKOWSKY, Mr. DAVIS of Illinois, Mr. OLVER, Ms. NORTON, Mr. FARR, Mr. GUTIERREZ, Mr. KAGEN, Ms. KAPTUR, Mr. MCGOVERN, Ms. JACKSON-LEE of Texas, Mr. STARK, Mr. HINCHEY, Mrs. JONES of Ohio, Ms. LEE, Mr. MICHAUD, Mr. PAYNE, Mr. RANGEL, Mr. SERRANO, Ms. WATERS, Ms. WATSON, Ms. WOOLSEY, Ms. MOORE of Wisconsin, Mr. RYAN of Ohio, Mr. HOLT, Ms. HIRONO, Mr. NADLER, Mr. ABERCROMBIE, Mr. NEAL of Massachusetts, Mr. COSTELLO, Ms. CLARKE, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. WYNN, Mrs. CHRISTENSEN, Mr. JEFFERSON, Mr. TOWNS, and Ms. BALDWIN) introduced the following bill; which was referred to the Committee on Education and Labor

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## A BILL

To assist States in establishing a universal prekindergarten program to ensure that all children 3, 4, and 5 years old have access to a high-quality full-day, full-calendar-year prekindergarten education.

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

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Universal Prekinder-  
3 garten Act”.

4 **SEC. 2. FINDINGS AND PURPOSE.**

5 (a) FINDINGS.—The Congress finds the following:

6 (1) High-quality prekindergarten programs help  
7 children to succeed academically. Children who at-  
8 tended a high-quality prekindergarten program have  
9 higher academic achievement, lower rates of grade  
10 retention, are less likely to be placed in special edu-  
11 cation, and graduate from high school at higher  
12 rates than those who did not.

13 (2) Early childhood education can reduce juve-  
14 nile delinquency rates. A 15-year study following  
15 989 low-income children who attended high-quality,  
16 comprehensive prekindergarten found that they were  
17 33 percent less likely to be arrested, and 42 percent  
18 less likely to be arrested for a violent crime, than  
19 children in the control group.

20 (3) There is currently a drastic shortage of af-  
21 fordable, quality early education programs that are  
22 accessible for working families.

23 (4) Full-day, full-calendar-year universal pre-  
24 kindergarten programs would ensure all children 3,  
25 4, and 5 years old have access to school readiness  
26 programs and quality child care.

1           (5) Research shows that investing in quality  
2           prekindergarten programs will provide savings in the  
3           form of reduced need for remedial education, de-  
4           creased crime rates, lower school dropout rates, and  
5           decreased welfare dependence.

6           (b) PURPOSE.—The purpose of this Act is to ensure  
7           that all children 3, 4, and 5 years old have access to a  
8           high-quality full-day, full-calendar-year prekindergarten  
9           program by providing grants to States to assist in devel-  
10          oping a universal prekindergarten program that is vol-  
11          untary and free-of-charge.

12       **SEC. 3. PREKINDERGARTEN GRANT PROGRAM AUTHORIZA-**  
13                               **TION.**

14          The Secretary of Health and Human Services, in con-  
15          sultation with the Secretary of Education, shall provide  
16          grants to an agency designated by each State (hereafter  
17          in this Act referred to as the “designated State agency”)  
18          for the development of high-quality full-day, full-calendar-  
19          year universal prekindergarten programs for all children  
20          3, 4, and 5 years old in the State.

21       **SEC. 4. STATE REQUIREMENTS.**

22          (a) STATE MATCHING FUNDS.—Federal funds made  
23          available to a designated State agency under this Act shall  
24          be matched at least 20 percent by State funds.

1           (b) STATE APPLICATION.—To be eligible to receive  
2 funds under this Act, a designated State agency shall sub-  
3 mit an application at such time, in such manner, and con-  
4 taining such information as the Secretary of Health and  
5 Human Services may require. The application shall in-  
6 clude the following:

7           (1) How the designated State agency, in over-  
8 seeing the State’s universal prekindergarten pro-  
9 gram, will coordinate with other State agencies re-  
10 sponsible for early childhood education and health  
11 programs.

12           (2) A State plan to establish and implement a  
13 statewide universal prekindergarten program, in ac-  
14 cordance with subsection (c).

15           (c) STATE PLAN.—The State plan required under  
16 subsection (b)(2) shall include each of the following:

17           (1) A description of the universal prekinde-  
18 rgarten program that will be established and how it  
19 will support children’s cognitive, social, emotional,  
20 and physical development.

21           (2) A statement of the goals for universal pre-  
22 kindergarten programs and how program outcomes  
23 will be measured.

24           (3) A description of—

1 (A) how funding will be distributed to eli-  
2 gible prekindergarten program providers based  
3 on the need for early childhood education in  
4 each geographical area served by such pro-  
5 viders; and

6 (B) how the designated State agency will  
7 involve representatives of early childhood pro-  
8 gram providers (including child care providers,  
9 Head Start programs, and State and local  
10 agencies) that sponsor programs addressing  
11 children 3, 4, and 5 years old.

12 (4) A description of how the designated State  
13 agency will coordinate with existing State-funded  
14 prekindergarten programs, federally funded pro-  
15 grams (such as Head Start programs), public school  
16 programs, and child care providers.

17 (5) A description of how the designated State  
18 agency will work with the appropriate State agencies  
19 to raise awareness of the universal prekindergarten  
20 program among parents of all backgrounds and in-  
21 form them of the specifics of participation in the  
22 program.

23 (6) A description of how an eligible prekinde-  
24 rgarten program provider may apply to the des-  
25 ignated State agency for funding under this Act.

1           (7) A plan to address the shortages of qualified  
2 early childhood education teachers, including how to  
3 increase such teachers' compensation to be com-  
4 parable to that of public school teachers.

5           (8) How the designated State agency will pro-  
6 vide ongoing professional development opportunities  
7 to help increase the number of teachers in early  
8 childhood programs who meet the State's education  
9 or credential requirements for prekindergarten  
10 teachers.

11          (9) A plan to address how the universal pre-  
12 kindergarten program will meet the needs of chil-  
13 dren with disabilities, limited English proficiency, or  
14 other special needs, including children in the State  
15 foster care system and homeless children.

16          (10) A plan to provide transportation to chil-  
17 dren to and from the universal prekindergarten pro-  
18 gram.

19          (11) A description of how the State will provide  
20 the 20 percent match of Federal funds.

21          (d) ADMINISTRATION.—A designated State agency  
22 may not use more than 5 percent of a grant under this  
23 Act for costs associated with State administration of the  
24 program under this Act.

1 **SEC. 5. LOCAL REQUIREMENTS.**

2 (a) IN GENERAL.—An eligible prekindergarten pro-  
3 gram provider receiving funding under this Act shall—

4 (1) maintain a maximum class size of 20 chil-  
5 dren;

6 (2) maintain a ratio of not more than 10 chil-  
7 dren for each member of the teaching staff;

8 (3)(A) ensure that all prekindergarten teachers  
9 meet the requirements for teachers at a State-fund-  
10 ed prekindergarten program under an applicable  
11 State law; and

12 (B) document that the State is demonstrating  
13 significant progress in assisting prekindergarten  
14 teachers on working toward a bachelor of arts de-  
15 gree with training in early childhood development or  
16 early childhood education;

17 (4)(A) be accredited by a national organization  
18 with demonstrated experience in accrediting pre-  
19 kindergarten programs; or

20 (B) provide assurances that it shall obtain such  
21 accreditation not later than 3 years after first re-  
22 ceiving funding under this Act; and

23 (5) meet applicable State and local child care li-  
24 censing health and safety standards.

25 (b) LOCAL APPLICATION.—Eligible prekindergarten  
26 program providers desiring to receive funding under this

1 Act shall submit an application to the designated State  
2 agency overseeing funds under this Act containing the fol-  
3 lowing:

4 (1) A description of the prekindergarten pro-  
5 gram.

6 (2) A statement of the demonstrated need for  
7 a program, or an enhanced or expanded program, in  
8 the area served by the eligible prekindergarten pro-  
9 gram provider.

10 (3) A description of the age-appropriate and de-  
11 velopmentally appropriate educational curriculum to  
12 be provided that will help children be ready for  
13 school and assist them in the transition to kinder-  
14 garten.

15 (4) A description of how the eligible prekind-  
16 garten program provider will collaborate with exist-  
17 ing community-based child care providers and Head  
18 Start programs.

19 (5) A description of how students and families  
20 will be assisted in obtaining supportive services  
21 available in their communities.

22 (6) A plan to promote parental involvement in  
23 the prekindergarten program.



1           (7) A description of how teachers will receive  
2 ongoing professional development in early childhood  
3 development and education.

4           (8) An assurance that prekindergarten pro-  
5 grams receiving funds under this Act provide the  
6 data required in section 7(c).

7 **SEC. 6. PROFESSIONAL DEVELOPMENT SET-ASIDE.**

8           (a) IN GENERAL.—A designated State agency may  
9 set aside up to 5 percent of a grant under this Act for  
10 ongoing professional development activities for teachers  
11 and staff at prekindergarten programs that wish to par-  
12 ticipate in the universal prekindergarten grant program  
13 under this Act. A designated State agency using the set-  
14 aside for professional development must include in its ap-  
15 plication the following:

16           (1) A description of how the designated State  
17 agency will ensure that eligible prekindergarten pro-  
18 gram providers in a range of settings (including  
19 child care providers, Head Start programs, and  
20 schools) will participate in the professional develop-  
21 ment programs.

22           (2) An assurance that, in developing its applica-  
23 tion and in carrying out its program, the profes-  
24 sional development provider has consulted, and will  
25 consult, with relevant agencies, early childhood orga-

1 nizations, early childhood education experts, and  
2 early childhood program providers.

3 (3) A description of how the designated State  
4 agency will ensure that the professional development  
5 is ongoing and accessible to educators in all geo-  
6 graphic areas of the State, including by the use of  
7 advanced educational technologies.

8 (4) A description of how the designated State  
9 agency will ensure that such set-aside funds will be  
10 used to pay the cost of additional education and  
11 training.

12 (5) A description of how the designated State  
13 agency will work with other agencies and institutions  
14 of higher education to provide scholarships and  
15 other financial assistance to prekindergarten staff.

16 (6) A description of how the State educational  
17 agency will provide a financial incentive, such as a  
18 financial stipend or a bonus, to educators who par-  
19 ticipate in and complete such professional develop-  
20 ment.

21 (7) A description of how the professional devel-  
22 opment activities will be carried out, including the  
23 following:

24 (A) How programs and educators will be  
25 selected to participate.

1 (B) How professional development pro-  
2 viders will be selected, based on demonstrated  
3 experience in providing research-based profes-  
4 sional development to early childhood educators.

5 (C) The types of research-based profes-  
6 sional development activities that will be carried  
7 out in all domains of children’s physical, cog-  
8 nitive, social, and emotional development and  
9 on early childhood pedagogy.

10 (D) How the program will train early  
11 childhood educators to meet the diverse edu-  
12 cational needs of children in the community, es-  
13 pecially children who have limited English pro-  
14 ficiency, disabilities, and other special needs.

15 (E) How the program will coordinate with  
16 and build upon, but not supplant or duplicate,  
17 early childhood education professional develop-  
18 ment activities that exist in the community.

19 (b) USES OF FUNDS.—Funds set aside under this  
20 section may be used for ongoing professional develop-  
21 ment—

22 (1) to provide prekindergarten teachers and  
23 staff with the knowledge and skills for the applica-  
24 tion of recent research on child cognitive, social,  
25 emotional, and physical development, including lan-

1 guage and literacy development, and on early child-  
2 hood pedagogy;

3 (2) to provide the cost of education needed to  
4 obtain a credential or degree with specific training  
5 in early childhood development or education;

6 (3) to work with children who have limited  
7 English proficiency, disabilities, and other special  
8 needs; and

9 (4) to select and use developmentally appro-  
10 priate screening and diagnostic assessments to im-  
11 prove teaching and learning and make appropriate  
12 referrals for services to support prekindergarten  
13 children's development and learning.

14 **SEC. 7. REPORTING.**

15 (a) **REPORT BY SECRETARY.**—For each year in which  
16 funding is provided under this Act, the Secretary of  
17 Health and Human Services shall submit an annual report  
18 to the Congress on the implementation and effectiveness  
19 of the universal prekindergarten program under this Act.

20 (b) **REPORT BY DESIGNATED STATE AGENCY.**—Each  
21 designated State agency that provides grants to eligible  
22 prekindergarten program providers under this Act shall  
23 submit to the Secretary an annual report on the imple-  
24 mentation and effectiveness of the programs in the State  
25 supported under this Act. Such report shall contain such

1 additional information as the Secretary may reasonably  
2 require.

3 (c) REPORT BY GRANT RECIPIENT.—Each eligible  
4 prekindergarten program provider that receives a grant  
5 under this Act shall submit to the designated State agency  
6 an annual report that includes, with respect to the pro-  
7 gram supported by such grant, the following:

8 (1) A description of the type of program and a  
9 statement of the number and ages of children served  
10 by the program, as well as the number and ages of  
11 children with a disability or a native language other  
12 than English.

13 (2) A description of the qualifications of the  
14 program staff and the type of ongoing professional  
15 development provided to such staff.

16 (3) A statement of all sources of Federal, State,  
17 local, and private funds received by the program.

18 (4) A description of the curricula, materials,  
19 and activities used by the program to support early  
20 childhood development and learning.

21 (5) Such other information as the designated  
22 State agency may reasonably require.

23 **SEC. 8. FEDERAL FUNDS SUPPLEMENTARY.**

24 Funds made available under this Act may not be used  
25 to supplant other Federal, State, local, or private funds

1 that would, in the absence of such Federal funds, be made  
2 available for the program assisted under this Act.

3 **SEC. 9. DEFINITIONS.**

4 In this Act:

5 (1) The term “eligible prekindergarten program  
6 provider” means a prekindergarten program pro-  
7 vider that is—

8 (A) a school;

9 (B) supported, sponsored, supervised, or  
10 carried out by a local educational agency;

11 (C) a Head Start program; or

12 (D) a child care provider.

13 (2) The term “prekindergarten program”  
14 means a program serving children 3, 4, and 5 years  
15 old that supports children’s cognitive, social, emo-  
16 tional, and physical development and helps prepare  
17 those children for the transition to kindergarten.

18 (3) The term “local educational agency” has  
19 the meaning given that term in the Elementary and  
20 Secondary Education Act of 1965 (20 U.S.C. 6301  
21 et seq.).

22 (4) The term “prekindergarten teacher” means  
23 an individual who has received, or is working to-  
24 ward, a bachelor of arts degree in early childhood  
25 education.

1 **SEC. 10. AUTHORIZATION OF APPROPRIATIONS.**

2       There are authorized to be appropriated to carry out  
3 this Act—

4           (1) \$10,000,000,000 for fiscal year 2008;

5           (2) \$20,000,000,000 for fiscal year 2009;

6           (3) \$30,000,000,000 for fiscal year 2010;

7           (4) \$40,000,000,000 for fiscal year 2011; and

8           (5) \$50,000,000,000 for fiscal year 2012.

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