### 110TH CONGRESS 2D SESSION

# S. 2759

To provide for Kindergarten Plus programs.

### IN THE SENATE OF THE UNITED STATES

March 13, 2008

Mr. Dodd (for himself, Mr. Lieberman, Mr. Durbin, and Mr. Kerry) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

## A BILL

To provide for Kindergarten Plus 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 "Kindergarten Plus Act
- 5 of 2008".
- 6 SEC. 2. FINDINGS.
- 7 Congress makes the following findings:
- 8 (1) Kindergarten has proven to be a beneficial
- 9 experience for children, putting children on a path
- that positively influences their learning and develop-
- 11 ment in later school years.

- 1 (2) Kindergarten and the years leading up to 2 kindergarten are critical in preparing children to 3 succeed in elementary school, especially if the chil-4 dren are from low-income families or have other 5 risks of difficulty in school.
  - (3) Disadvantaged children, on average, lag behind other children in literacy, numeracy, and social skills, even before formal schooling begins.
  - (4) For many children entering kindergarten, the achievement gap between children from low-income households compared to children from high-income households is already evident.
  - (5) Eighty-five percent of beginning kindergartners in the highest socioeconomic group, compared to 39 percent in the lowest socioeconomic group, can recognize letters of the alphabet. Similarly, 98 percent of beginning kindergartners in the highest socioeconomic group, compared to 84 percent of their peers in the lowest socioeconomic group, can recognize numbers and shapes.
  - (6) Once disadvantaged children are in school, they learn at the same rate as other children. Therefore, providing disadvantaged children with additional time in kindergarten, in the summer before such children ordinarily enter kindergarten and in

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1	the summer before first grade, will help schools close
2	achievement gaps and accelerate the academic
3	progress of their disadvantaged students.
4	(7) High quality, extended-year kindergarten
5	that provides children with enriched learning experi-
6	ences is an important factor in helping to close
7	achievement gaps, rather than having the gaps con-
8	tinue to widen.
9	SEC. 3. DEFINITIONS.
10	In this Act:
11	(1) Eligible student.—The term "eligible
12	student" means a child who—
13	(A) is a 5-year old, or will be eligible to at-
14	tend kindergarten at the beginning of the next
15	school year;
16	(B) comes from a family with an income at
17	or below 185 percent of the poverty line; and
18	(C) is not already served by a high-quality
19	program in the summer before or the summer
20	after the child enters kindergarten.
21	(2) Kindergarten Plus.—The term "Kinder-
22	garten Plus" means a voluntary full day of kinder-
23	garten, during the summer before and during the
24	summer after the traditional kindercarten school

year (as determined by the State).

1	(3) Local educational agency.—The term
2	"local educational agency" has the meaning given
3	the term in section 9101 of the Elementary and Sec-
4	ondary Education Act of 1965 (20 U.S.C. 7801).
5	(4) Parent.—The term "parent" includes a
6	legal guardian or other person standing in loco
7	parentis (such as a grandparent or stepparent with
8	whom the child lives, or a person who is legally re-
9	sponsible for the child's welfare).
10	(5) Parental involvement.—The term "pa-
11	rental involvement" means the participation of par-
12	ents in regular, 2-way, and meaningful communica-
13	tion with school personnel involving student aca-
14	demic learning and other school activities, including
15	ensuring that parents—
16	(A) play an integral role in assisting their
17	child's learning;
18	(B) are encouraged to be actively involved
19	in their child's education at school; and
20	(C) are full partners in their child's edu-
21	cation and are included, as appropriate, in deci-
22	sionmaking and on advisory committees to as-
23	sist in the education of their child.
24	(6) POVERTY LINE.—The term "poverty line"

means the poverty line (as defined by the Office of

- Management and Budget, and revised annually in accordance with section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2))) applicable to a family of the size involved.
  - (7) ELIGIBLE PROVIDER.—The term "eligible provider" means a local educational agency or a private not-for-profit agency or organization, with a demonstrated record in the delivery of early child-hood education services to preschool-age children, that provides high-quality early learning and development experiences that—
    - (A) are aligned with the expectations for what children should know and be able to do when the children enter kindergarten and grade 1, as established by the State educational agency; or
    - (B) in the case of an entity that is not a local educational agency and that serves children who have not entered kindergarten, meet the performance standards and performance measures described in subparagraphs (A) and (B) of subsection (a)(1), and subsection (b), of section 641A of the Head Start Act (42 U.S.C. 9836a) or the prekindergarten standards of the State where the entity is located.

- 1 (8) SCHOOL READINESS.—The term "school readiness" means the cognitive, social, emotional, approaches to learning, and physical development of a child, including early literacy and early mathematics skills, that prepares the child to learn and succeed in elementary school.
  - (9) Secretary.—The term "Secretary" means the Secretary of Education.
- 9 (10) STATE EDUCATIONAL AGENCY.—The term 10 "State educational agency" has the meaning given 11 the term in section 9101 of the Elementary and Sec-12 ondary Education Act of 1965 (20 U.S.C. 7801).
- 13 SEC. 4. GRANTS TO STATE EDUCATIONAL AGENCIES AU-
- 14 THORIZED.

- 15 (a) IN GENERAL.—The Secretary is authorized to 16 award grants, on a competitive basis, to State educational 17 agencies to enable the State educational agencies to pro18 vide Kindergarten Plus within the State.
- 19 (b) SUFFICIENT SIZE.—To the extent possible, the 20 Secretary shall ensure that each grant awarded under this 21 section is of sufficient size to enable the State educational 22 agency receiving the grant to provide Kindergarten Plus 23 to all eligible students served by the local educational 24 agencies within the State with the highest concentrations
- 25 of eligible students.

1	(c) MINIMUM AMOUNT.—The Secretary shall not
2	award a grant to a State educational agency under this
3	section in an amount that is less than \$500,000.
4	(d) State Use of Funds.—A State educational
5	agency shall use—
6	(1) not more than 3 percent of the grant funds
7	received under this Act for administration of the
8	Kindergarten Plus programs supported under this
9	Act;
10	(2) not more than 5 percent of the grant funds
11	received under this Act to develop professional devel-
12	opment activities and curricula for teachers and
13	staff of Kindergarten Plus programs in order to de-
14	velop a continuum of developmentally appropriate
15	curricula and practices for preschool, kindergarten
16	and grade 1 that ensures—
17	(A) an effective transition to kindergarten
18	and to grade 1 for students; and
19	(B) appropriate expectations for the stu-
20	dents' learning and development as the students
21	make the transition to kindergarten and to
22	grade 1; and
23	(3) the remainder of the grant funds to award
24	subgrants to local educational agencies.

1	(e) Priority.—In awarding grants under this Act
2	the Secretary shall give priority to State educational agen-
3	cies that—
4	(1) on their own or in combination with other
5	government agencies, provide full-day kindergarten
6	to all kindergarten-age children who are from fami-
7	lies with incomes below 185 percent of the poverty
8	line within the State; or
9	(2) demonstrate progress toward providing full-
10	day kindergarten to all kindergarten-age children
11	who are from families with incomes below 185 per-
12	cent of the poverty line within the State by submit-
13	ting a plan that shows how the State educational
14	agency will, at a minimum, double the number of
15	such children that were served by a full-day kinder-
16	garten program in the school year preceding the
17	school year for which assistance is first sought.
18	SEC. 5. SUBGRANTS TO LOCAL EDUCATIONAL AGENCIES.
19	(a) In General.—Each State educational agency
20	that receives a grant under this Act—
21	(1) shall reserve an amount sufficient to con-
22	tinue to fund multiyear subgrants awarded under
23	this section; and
24	(2) shall award subgrants to local educational

agencies within the State to enable the local edu-

- 1 cational agencies to pay the Federal share of the
- 2 costs of carrying out Kindergarten Plus programs
- 3 for eligible students.
- 4 (b) Priority.—In awarding subgrants under this
- 5 section the State educational agency shall give priority to
- 6 local educational agencies—
- 7 (1) serving the greatest number or percentage
- 8 of kindergarten-age children who are from families
- 9 with incomes below 185 percent of the poverty line,
- based on data from the most recent school year; and
- 11 (2) that propose to significantly reduce the
- class size and student-to-teacher ratio of the classes
- in their Kindergarten Plus programs below the aver-
- age class size and student-to-teacher ratios of kin-
- dergarten classes served by the local educational
- agencies.
- 17 (c) Federal Share.—The Federal share of the
- 18 costs of carrying out a Kindergarten Plus program shall
- 19 be—
- 20 (1) 100 percent for the first, second, and third
- 21 years of the program;
- 22 (2) 85 percent for the fourth year of the pro-
- 23 gram; and
- 24 (3) 75 percent for the fifth year of the pro-
- 25 gram.

- 10 1 Contributions.—The non-Federal In-Kind 2 share of the costs of carrying out a Kindergarten Plus 3 program may be in the form of in-kind contributions. 4 SEC. 6. STATE APPLICATION. 5 (a) In General.—In order to receive a grant under this Act, a State educational agency shall submit an appli-6 cation to the Secretary at such time and containing such 8 information as the Secretary determines appropriate. 9 (b) Consultation.—The application shall be devel-10 oped by the State educational agency in consultation with representatives of early childhood education programs, 11
- 12 early childhood education teachers, principals, pupil serv-
- 13 ices personnel, administrators, paraprofessionals, other
- 14 school staff, early childhood education providers (including
- 15 Head Start agencies, State prekindergarten program
- 16 staff, and child care providers), teacher organizations, par-
- 17 ents, and parent organizations.
- 18 (c) Contents.—At a minimum, the application shall
- 19 include—
- 20 (1) a description of developmentally appropriate
- 21 teaching practices and curricula for children that
- will be put in place to be used by local educational
- agencies and eligible providers offering Kindergarten
- 24 Plus programs to carry out this Act;

1	(2) a general description of the nature of the
2	Kindergarten Plus programs to be conducted with
3	funds received under this Act, including—
4	(A) the number of hours each day and the
5	number of days each week that children in each
6	Kindergarten Plus program will attend the pro-
7	gram; and
8	(B) if a Kindergarten Plus program meets
9	for less than 9 hours a day, how the needs of
10	full-time working families will be addressed;
l 1	(3) goals and objectives to ensure that high-
12	quality Kindergarten Plus programs are provided;
13	(4) an assurance that students enrolled in Kin-
14	dergarten Plus programs funded under this Act will
15	receive additional comprehensive services (such as
16	nutritional services, health care, and mental health
17	care), as needed; and
18	(5) a description of how—
19	(A) the State educational agency will co-
20	ordinate and integrate services provided under
21	this Act with other educational programs, such
22	as Even Start, Head Start, Reading First,
23	Early Reading First, State-funded preschool
24	programs, preschool programs funded under

section 619 or other provisions of part B of the

1	Individuals with Disabilities Education Act (20
2	U.S.C. 1419, 1411 et seq.), and kindergarten
3	programs;
4	(B) the State will provide professional de-
5	velopment for teachers and staff of local edu-
6	cational agencies and eligible providers that re-
7	ceive subgrants under this Act regarding how to
8	address the school readiness needs of children
9	(including early literacy, early mathematics,
10	and positive behavior) before the children enter
11	kindergarten, throughout the school year, and
12	into the summer after kindergarten;
13	(C) the State will assist Kindergarten Plus
14	programs to provide exemplary parent edu-
15	cation and parental involvement activities such
16	as training and materials to assist parents in
17	being their children's first teachers at home or
18	home visiting;
19	(D) the State will conduct outreach to par-
20	ents with eligible students, including parents
21	whose native language is not English, parents
22	of children with disabilities, and parents of mi-
23	gratory children; and

(E) the State educational agency will en-

sure that each Kindergarten Plus program uses

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developmentally appropriate practices, including practices and materials that are culturally and linguistically appropriate for the population of children being served in the program.

### 5 SEC. 7. LOCAL APPLICATION.

- 6 (a) IN GENERAL.—In order to receive a subgrant
  7 under this Act, a local educational agency shall submit an
  8 application to the State educational agency at such time
  9 and containing such information as the State educational
- 10 agency determines appropriate.
- 11 (b) Consultation.—The application shall be devel-12 oped by the local educational agency in consultation with 13 early childhood education teachers, principals, pupil serv-
- 14 ices personnel, administrators, paraprofessionals, other
- 15 school staff, early childhood education providers (including
- 16 Head Start agencies, State prekindergarten program
- 17 staff, and child care providers), teacher organizations, par-
- 18 ents, and parent organizations.
- (c) CONTENTS.—At a minimum, the application shallinclude a description of—
- 21 (1) the standards, research-based and develop-22 mentally appropriate curricula, teaching practices, 23 and ongoing assessments for the purposes of improv-24 ing instruction and services, to be used by the local
- educational agency that—

1	(A) are aligned with the State expectations
2	for what children should know and be able to
3	do when the children enter kindergarten and
4	grade 1, as set by the State educational agency;
5	and
6	(B) include—
7	(i) language skills, including an ex-
8	panded use of vocabulary;
9	(ii) interest in and appreciation of
10	books, reading, writing alone or with oth-
11	ers, and phonological and phonemic aware-
12	ness;
13	(iii) premathematics knowledge and
14	skills, including aspects of classification,
15	seriation, number sense, spatial relations,
16	and time;
17	(iv) other cognitive abilities related to
18	academic achievement;
19	(v) social and emotional development,
20	including self-regulation skills;
21	(vi) physical development, including
22	gross and fine motor development skills;
23	(vii) in the case of limited English
24	proficiency, progress toward the acquisition
25	of the English language; and

1	(viii) approaches to learning;
2	(2) how the local educational agency will ensure
3	that the Kindergarten Plus program uses curricula
4	and practices that—
5	(A) are developmentally, culturally, and
6	linguistically appropriate for the population of
7	children served in the program; and
8	(B) are aligned with the State learning
9	standards and expectations for children in kin-
10	dergarten and grade 1;
11	(3) how the Kindergarten Plus program will im-
12	prove the school readiness of children served by the
13	local educational agency under this Act, especially in
14	mathematics and reading;
15	(4) how the Kindergarten Plus program will
16	provide continuity of services and learning for chil-
17	dren who were previously served by a different pro-
18	gram;
19	(5) how the local educational agency will ensure
20	that the Kindergarten Plus program has appropriate
21	services and accommodations in place to serve chil-
22	dren with disabilities and children who are limited
23	English proficient;
24	(6) how the local educational agency will per-
25	form a needs assessment to avoid duplication with

1	other programs within the geographic area served by
2	the local educational agency;
3	(7) how the local educational agency will—
4	(A) transition Kindergarten Plus partici-
5	pants into local elementary school programs
6	and services;
7	(B) ensure the development and use of sys-
8	tematic, coordinated records on the educational
9	development of each child participating in the
10	Kindergarten Plus program through periodic
11	meetings and communications among—
12	(i) Kindergarten Plus program teach-
13	ers;
14	(ii) elementary school staff; and
15	(iii) local early childhood education
16	program providers, including Head Start
17	agencies, State prekindergarten program
18	staff, and center-based and family child
19	care providers;
20	(C) provide parent and child orientation
21	sessions conducted by teachers and staff; and
22	(D) provide a qualified staff person to be
23	in charge of coordinating the transition serv-
24	ices;

1	(8) how the local educational agency will pro-
2	vide instructional and environmental accommoda-
3	tions in the Kindergarten Plus program for children
4	who are limited English proficient, children with dis-
5	abilities, migratory children, neglected or delinquent
6	youth, Indian children served under part A of title
7	VII of the Elementary and Secondary Education Act
8	of 1965 (20 U.S.C. 7401 et seq.), homeless children
9	and immigrant children;
10	(9) how the local educational agency will con-
11	duct outreach to parents of eligible students, includ-
12	ing parents whose native language is not English
13	parents of children with disabilities, and parents of
14	migratory children, which may include—
15	(A) activities to provide parents early expo-
16	sure to the school environment, including meet-
17	ings with teachers and staff;
18	(B) activities to better engage and inform
19	parents on the benefits of Kindergarten Plus
20	and other programs; and
21	(C) other efforts to ensure that parents
22	have a level of comfort with the Kindergarter
23	Plus program and the school environment;
24	(10) how the local educational agency will assist

the Kindergarten Plus program to provide exemplary

1	parent education and parental involvement activities
2	such as training and materials to assist parents in
3	being their children's first teachers at home or home
4	visiting; and
5	(11) how the local educational agency will work
6	with local center-based and family child care pro-
7	viders and Head Start agencies to ensure—
8	(A) the nonduplication of programs and
9	services; and
10	(B) that the needs of working families are
11	met through child care provided before and
12	after the Kindergarten Plus program.
13	SEC. 8. LOCAL REQUIREMENTS AND PROVISIONS.
14	(a) Local Uses of Funds.—A local educational
15	agency that receives a subgrant under this Act shall use
16	the subgrant funds for the following:
17	(1) The operational and program costs associ-
18	ated with the Kindergarten Plus program as de-
19	scribed in the application to the State educational
20	agency.
21	(2) Personnel services, including teachers, para-
22	professionals, and other staff as needed.
23	(3) Additional services, as needed, including
24	snacks and meals, mental health care, health care,
25	linguistic assistance, special education and related

- services, and transportation services associated with the needs of the children in the program.
  - (4) Transition services to ensure children make a smooth transition into first grade and proper communication is made with the elementary school on the educational development of each child.
    - (5) Outreach and recruitment activities, including community forums and public service announcements in local media in various languages if necessary to ensure that all individuals in the community are aware of the availability of such program.
    - (6) Parental involvement programs, including materials and resources to help parents become more involved in their child's learning at home.
  - (7) Extended day services for the eligible students of working families, including working with existing programs in the community to coordinate services if possible.
  - (8) Child care services, provided through coordination with local center-based child care and family child care providers, and Head Start agencies, before and after the Kindergarten Plus program for the children participating in the program, to accommodate the schedules of working families.
  - (9) Enrichment activities, such as—

1	(A) art, music, and other creative arts;
2	(B) outings and field trips; and
3	(C) other experiences that support chil-
4	dren's curiosity, motivation to learn, knowledge,
5	and skills.
6	(b) Eligible Provider Grants and Applica-
7	TIONS.—The local educational agency may use subgrant
8	funds received under this Act to award a grant to an eligi-
9	ble provider to enable the eligible provider to carry out
10	a Kindergarten Plus program for the local educational
11	agency. Each eligible provider desiring a grant under this
12	subsection shall submit an application to the local edu-
13	cational agency that contains the descriptions set forth in
14	section 7 as applied to the eligible provider.
15	(c) Continuity.—In carrying out a Kindergarten
16	Plus program under this Act, a local educational agency
17	is encouraged to explore ways to develop continuity in the
18	education of children, for instance by keeping, if possible,
19	the same teachers and personnel from the summer before
20	kindergarten, through the kindergarten year, and during
21	the summer after kindergarten.
22	(d) Coordination.—In carrying out a Kindergarten
23	Plus program under this Act, a local educational agency
24	shall coordinate with existing programs in the community

1	to provide extended care and comprehensive services for
2	children and their families in need of such care or services.
3	SEC. 9. TEACHER AND PERSONNEL QUALITY STANDARDS.
4	To be eligible for a subgrant under this Act, each
5	local educational agency shall ensure that—
6	(1) each Kindergarten Plus classroom has—
7	(A) a highly qualified teacher, as defined
8	in section 9101 of the Elementary and Sec-
9	ondary Education Act of 1965 (20 U.S.C.
10	7801); or
11	(B) if an eligible provider who is not a
12	local educational agency is providing the Kin-
13	dergarten Plus program in accordance with sec-
14	tion 8(b), a teacher that, at a minimum, has a
15	bachelor's degree in early childhood education
16	or a related field and experience in teaching
17	children of this age;
18	(2) a qualified paraprofessional that meets the
19	requirements for paraprofessionals under section
20	1119 of the Elementary and Secondary Education
21	Act of 1965 (20 U.S.C. 6319), is in each Kinder-
22	garten Plus classroom;
23	(3) Kindergarten Plus teachers and paraprofes-
24	sionals are compensated on a salary scale com-
25	parable to kindergarten through grade 3 teachers

- and paraprofessionals in public schools served by the
- 2 local educational agency; and
- 3 (4) Kindergarten Plus class sizes do not exceed
- 4 the class size and ratio parameters set at the State
- 5 or local level for the traditional kindergarten pro-
- 6 gram.

#### 7 SEC. 10. DIRECT GRANTS TO LOCAL EDUCATIONAL AGEN-

- 8 CIES.
- 9 (a) Grants Authorized.—If a State educational
- 10 agency does not apply for a grant under this Act or does
- 11 not have an application approved under section 6, then
- 12 the Secretary is authorized to award a grant to a local
- 13 educational agency within the State to enable the local
- 14 educational agency to pay the Federal share of the costs
- 15 of carrying out a Kindergarten Plus program.
- 16 (b) Eligibility.—A local educational agency shall
- 17 be eligible to receive a grant under this section if the local
- 18 educational agency operates a full-day kindergarten pro-
- 19 gram that, at a minimum, is targeted to kindergarten-age
- 20 children who are from families with incomes below 185
- 21 percent of the poverty line within the State.
- 22 (c) Application.—In order to receive a grant under
- 23 subsection (a), a local educational agency shall submit to
- 24 the Secretary an application that—

1	(1) contains the descriptions set forth in section
2	7; and
3	(2) includes an assurance that the Kindergarten
4	Plus program funded under such grant will serve eli-
5	gible students.
6	(d) Applicability.—Sections 8 and 9 shall apply to
7	a local educational agency receiving a grant under this sec-
8	tion in the same manner as the sections apply to a local
9	educational agency receiving a subgrant under section
10	5(a).
11	SEC. 11. EVALUATION, COLLECTION, AND DISSEMINATION
12	OF INFORMATION.
13	(a) In General.—Each State educational agency
14	that receives a grant under this Act, in cooperation with
15	the local educational agencies in the State that receive a
16	subgrant under this Act, shall create an evaluation mecha-
17	nism to determine the effectiveness of the Kindergarten
18	Plus programs in the State, taking into account—
19	(1) information from the local needs assess-
20	ment, conducted in accordance with section $7(c)(6)$ ,
21	
	including—
22	including—  (A) the number of eligible students in the
22	(A) the number of eligible students in the

1	family income, race, ethnicity, native language,
2	and prior enrollment in an early childhood edu-
3	cation program; and
4	(C) the number of children with disabilities
5	served by Kindergarten Plus programs;
6	(2) the recruitment of teachers and staff for
7	Kindergarten Plus programs, and the retention of
8	such personnel in the programs for more than 1
9	year;
10	(3) the provision of services for children and
11	families served by Kindergarten Plus programs, in-
12	cluding parent education, home visits, and com-
13	prehensive services for families who need such serv-
14	ices;
15	(4) the opportunities for professional develop-
16	ment for teachers and staff; and
17	(5) the curricula used in Kindergarten Plus
18	programs.
19	(b) Comparison.—The evaluation process may in-
20	clude comparison groups of similar children who do not
21	participate in a Kindergarten Plus program.
22	(c) Information Collection and Reporting.—
23	The information necessary for the evaluation shall be col-
24	lected yearly by the State and reported every 2 years by
25	the State to the Secretary.

- 1 (d) Analysis of Effectiveness.—The Secretary
- 2 shall conduct an analysis of the overall effectiveness of the
- 3 programs assisted under this Act and make the analysis
- 4 available to Congress, and the public, biannually.
- 5 SEC. 12. SUPPLEMENT NOT SUPPLANT.
- 6 Funds made available under this Act shall be used
- 7 to supplement, not supplant, other Federal, State, or local
- 8 funds available to carry out activities under this Act.
- 9 SEC. 13. AUTHORIZATION OF APPROPRIATIONS.
- 10 For the purpose of carrying out this Act, there are
- 11 authorized to be appropriated \$1,500,000,000 for fiscal
- 12 year 2009 and such sums as may be necessary for each
- 13 of the fiscal years 2010 through 2014.

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