

114TH CONGRESS
1ST SESSION

H. R. 4042

To provide grants for high-quality prekindergarten programs.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 17, 2015

Mr. CASTRO of Texas introduced the following bill; which was referred to the
Committee on Education and the Workforce

A BILL

To provide grants for high-quality prekindergarten 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 “Pre-K for USA Act.”

5 **SEC. 2. FINDINGS.**

6 Congress makes the following findings:

7 (1) The United States ranks 25th in early
8 learning enrollment with fewer than 3 out of 10
9 four-year-olds enrolled in high-quality prekindergarten
10 programs.

11 (2) Studies show that children with access to
12 high-quality prekindergarten programs are less likely

1 to repeat a grade or drop out of high school, and
2 more likely to succeed in their careers.

3 (3) Every public dollar spent on high-quality
4 prekindergarten programs returns \$7 through a re-
5 duced need for spending on other services such as
6 remedial education, grade repetition, and special
7 education.

8 (4) Children who attended prekindergarten are
9 less likely to develop drug problems, commit a fel-
10 ony, and go to prison, and are half as likely to be
11 arrested.

12 (5) Children who attended prekindergarten usu-
13 ally have higher grade point averages and are more
14 likely to attend a four-year college.

15 (6) About 40 percent of school districts do not
16 offer prekindergarten programs.

17 (7) Over half of school districts that have pre-
18 kindergarten programs offer only part-day pro-
19 grams.

20 (8) Texas missed out on up to \$118.48 million
21 in Federal funding to expand prekindergarten pro-
22 grams.

23 (9) Reports showed that in 2011 the Texas leg-
24 islature cut approximately \$5.4 billion in education
25 funding and eliminated the \$200 million in grants it

1 offered to schools to expand prekindergarten pro-
2 grams from half-day to full-day.

3 (10) In response to the State of Texas' edu-
4 cation funding cuts, certain local governments took
5 it upon themselves to fund full-day prekindergarten
6 programs.

7 (11) For these reasons, certain localities, in-
8 cluding local governments and local educational
9 agencies would benefit from direct application pre-
10 kindergarten Federal program funding.

11 **SEC. 3. PREKINDERGARTEN DEVELOPMENT GRANTS.**

12 (a) IN GENERAL.—The Secretary of Education, in
13 consultation with the Secretary of Health and Human
14 Services, shall award competitive grants to States, local
15 educational agencies, or other local government entities
16 that wish to increase their capacity and build the infra-
17 structure within the State to offer high-quality prekin-
18 dergarten programs.

19 (b) GRANT DURATION.—The Secretary shall award
20 grants under this Act for a period of not more than 3
21 years. Such grants shall not be renewed.

22 (c) APPLICATION.—

23 (1) IN GENERAL.—A Governor, or chief execu-
24 tive officer of a State, a local educational agency, or
25 another local government entity that desires to re-

1 ceive a grant under this Act shall submit an applica-
2 tion to the Secretary of Education at such time, in
3 such manner, and accompanied by such information
4 as the Secretary may reasonably require.

5 (2) DEVELOPMENT OF STATE APPLICATION.—

6 In developing an application for a grant under this
7 Act, a State shall consult with the State Advisory
8 Council on Early Childhood Education and Care and
9 incorporate their recommendations, where applicable.

10 (d) MATCHING REQUIREMENT.—

11 (1) IN GENERAL.—To be eligible to receive a
12 grant under this Act, a State, local educational
13 agency, or other local government entity shall con-
14 tribute for the activities for which the grant was
15 awarded non-Federal matching funds in an amount
16 equal to not less than 20 percent of the amount of
17 the grant.

18 (2) NON-FEDERAL FUNDS.—To satisfy the re-
19 quirement of paragraph (1), a State, local edu-
20 cational agency, or other local government entity
21 may use—

22 (A) non-Federal resources in the form of
23 State funding, local funding, or contributions
24 from philanthropy or other private sources, or
25 a combination of such resources; or

1 (B) in-kind contributions.

2 (3) FINANCIAL HARDSHIP WAIVER.—The Sec-
3 retary may waive paragraph (1) or reduce the
4 amount of matching funds required under that para-
5 graph for a State, local educational agency, or other
6 local government entity that has submitted an appli-
7 cation for a grant under this subsection if the State,
8 local educational agency, or other local government
9 entity demonstrates, in the application, a need for
10 such a waiver or reduction due to extreme financial
11 hardship, as determined by the Secretary.

12 (e) SUBGRANTS.—

13 (1) IN GENERAL.—A State, local educational
14 agency, or other local government entity awarded a
15 grant under this subtitle may use the grant funds to
16 award subgrants to eligible local entities, to carry
17 out the activities under the grant.

18 (2) SUBGRANTEES.—An eligible local entity
19 awarded a subgrant under paragraph (1) shall com-
20 ply with the requirements of this Act relating to
21 grantees, as appropriate.

22 (f) DOUBLE-DIPPING PREVENTION.—The Secretary
23 may not award a subgrant to a local educational agency
24 or other local government entity under subsection (e) for

1 a program in a fiscal year if the State, agency, or entity
2 received funding for the program in such fiscal year.

3 (g) AUTHORIZATION OF APPROPRIATIONS.—There
4 are authorized to be appropriated to carry out this sec-
5 tion—

6 (1) \$750,000,000 for fiscal year 2016; and

7 (2) such sums as may be necessary for each of
8 fiscal years 2017 through 2025.

9 **SEC. 4. DEFINITIONS.**

10 In this Act:

11 (1) ELIGIBLE LOCAL ENTITY.—The term “eligi-
12 ble local entity” means—

13 (A) a local educational agency, including a
14 charter school or a charter management organi-
15 zation that acts as a local educational agency,
16 or an educational service agency in partnership
17 with a local educational agency;

18 (B) an entity (including a Head Start pro-
19 gram or licensed child care setting) that carries
20 out, administers, or supports an early childhood
21 education program; or

22 (C) a consortium of entities described
23 under subparagraph (A) or (B).

24 (2) FULL-DAY.—The term “full-day” means a
25 day that is—

1 (A) equivalent to a full school day at the
2 public elementary schools in the State; and

3 (B) not less than 5 hours.

4 (3) HIGH-QUALITY PREKINDERGARTEN PRO-
5 GRAM.—The term “high-quality prekindergarten
6 program” means a prekindergarten program sup-
7 ported by an eligible local entity that includes, at a
8 minimum, the following elements based on nationally
9 recognized standards:

10 (A) Serves children who—

11 (i) are age 4 or children who are age
12 3 or 4, by the eligibility determination date
13 (including children who turn age 5 while
14 attending the program); or

15 (ii) have attained the legal age for
16 State-funded prekindergarten.

17 (B) Requires high staff qualifications, in-
18 cluding that teachers meet the requirements of
19 1 of the following clauses:

20 (i) The teacher has a bachelor’s de-
21 gree in early childhood education or a re-
22 lated field with coursework that dem-
23 onstrates competence in early childhood
24 education;

25 (ii) The teacher—

1 (I) has a bachelor's degree in any
2 field;

3 (II) has demonstrated knowledge
4 of early childhood education through
5 passage of a State-approved assess-
6 ment in early childhood education;

7 (III) engages in ongoing profes-
8 sional development in early childhood
9 education for not less than 2 years;
10 and

11 (IV) is enrolled in a State-ap-
12 proved educator preparation program
13 in which the teacher receives ongoing
14 training and support in early child-
15 hood education and is making
16 progress toward the completion of the
17 program in not more than 3 years; or

18 (iii) The teacher has a bachelor's de-
19 gree in any field with a credential, license,
20 or endorsement that demonstrates com-
21 petence in early childhood education.

22 (C) Maintains a maximum class size of 20
23 children.

24 (D) Maintains a child to instructional staff
25 ratio that does not exceed 10 to 1.

1 (E) Offers a full-day program.

2 (F) Provides developmentally appropriate
3 learning environments and evidence-based cur-
4 ricula that are aligned with the State's early
5 learning and development standards.

6 (G) Offers instructional staff salaries com-
7 parable to kindergarten through grade 12
8 teaching staff.

9 (H) Provides for ongoing monitoring and
10 program evaluation to ensure continuous im-
11 provement.

12 (I) Offers accessible comprehensive services
13 for children that—

14 (i) include, at a minimum—

15 (I) screenings for vision, dental,
16 health (including mental health), and
17 development and referrals, and assist-
18 ance obtaining services, when appro-
19 priate;

20 (II) family engagement opportu-
21 nities (taking into account home lan-
22 guage), such as parent conferences
23 (including parent input about their
24 child's development) and support serv-

1 ices, such as parent education and
2 family literacy services;

3 (III) nutrition services, including
4 nutritious meals and snack options
5 aligned with requirements set by the
6 most recent Child and Adult Care
7 Food Program guidelines promulgated
8 by the Department of Agriculture as
9 well as regular, age-appropriate, nu-
10 trition education for children and
11 their families;

12 (IV) programs coordinated with
13 local educational agencies and entities
14 providing programs authorized under
15 section 619 and part C of the Individ-
16 uals with Disabilities Education Act
17 (20 U.S.C. 1419 and 1431 et seq.);

18 (V) physical activity programs
19 aligned with evidence-based guide-
20 lines, such as those recommended by
21 the Institute of Medicine, and that
22 take into account and accommodate
23 children with disabilities; and

1 (VI) additional support services,
2 as appropriate, based on the findings
3 of a needs analysis; and

4 (ii) are provided on-site, to the max-
5 imum extent feasible.

6 (J) Provides high-quality professional de-
7 velopment for staff, including regular in-class
8 observation for teachers and teacher assistants
9 by individuals trained in observation and which
10 may include evidence-based coaching.

11 (K) Meets the education performance
12 standards in effect under section 641A(a)(1)(B)
13 of the Head Start Act (42 U.S.C.
14 9836a(a)(1)(B)).

15 (L) Maintains evidence-based health and
16 safety standards.

17 (4) ESEA TERMS.—The terms “local edu-
18 cational agency” and “State” have the meanings
19 given the terms in section 9101 of the Elementary
20 and Secondary Education Act of 1965 (20 U.S.C.
21 7801).

22 (5) SECRETARY.—The term “Secretary” means
23 the Secretary of Education.

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