

111TH CONGRESS  
1ST SESSION

# H. R. 555

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

JANUARY 15, 2009

Mr. KUCINICH (for himself, Mr. HINCHEY, Ms. WOOLSEY, and Mr. MCGOVERN) 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Universal Prekinder-  
5 garten Act”.

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

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

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

8           (2) Early childhood education can reduce juve-  
9 nile delinquency rates. A 15-year study following  
10 989 low-income children who attended high-quality,  
11 comprehensive prekindergarten found that they were  
12 33 percent less likely to be arrested, and 42 percent  
13 less likely to be arrested for a violent crime, than  
14 children in the control group.

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

18           (4) Full-day, full-calendar-year universal pre-  
19 kindergarten programs would ensure all children 3,  
20 4, and 5 years old have access to school readiness  
21 programs and quality child care.

22           (5) Research shows that investing in quality  
23 prekindergarten programs will provide savings in the  
24 form of reduced need for remedial education, de-

1        creased crime rates, lower school dropout rates, and  
2        decreased welfare dependence.

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

9        **SEC. 3. PREKINDERGARTEN GRANT PROGRAM AUTHORIZA-**  
10        **TION.**

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

18        **SEC. 4. STATE REQUIREMENTS.**

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

22        (b) STATE APPLICATION.—To be eligible to receive  
23        funds under this Act, a designated State agency shall sub-  
24        mit an application at such time, in such manner, and con-  
25        taining such information as the Secretary of Health and

1 Human Services may require. The application shall in-  
2 clude the following:

3 (1) How the designated State agency, in over-  
4 seeing the State's universal prekindergarten pro-  
5 gram, will coordinate with other State agencies re-  
6 sponsible for early childhood education and health  
7 programs.

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

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

13 (1) A description of the universal prekinder-  
14 garten program that will be established and how it  
15 will support children's cognitive, social, emotional,  
16 and physical development.

17 (2) A statement of the goals for universal pre-  
18 kindergarten programs and how program outcomes  
19 will be measured.

20 (3) A description of—

21 (A) how funding will be distributed to eli-  
22 gible prekindergarten program providers based  
23 on the need for early childhood education in  
24 each geographical area served by such pro-  
25 viders; and

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

7           (4) A description of how the designated State  
8           agency will coordinate with existing State-funded  
9           prekindergarten programs, federally funded pro-  
10          grams (such as Head Start programs), public school  
11          programs, and child care providers.

12          (5) A description of how the designated State  
13          agency will work with the appropriate State agencies  
14          to raise awareness of the universal prekindergarten  
15          program among parents of all backgrounds and in-  
16          form them of the specifics of participation in the  
17          program.

18          (6) A description of how an eligible prekinde-  
19          rergarten program provider may apply to the des-  
20          ignated State agency for funding under this Act.

21          (7) A plan to address the shortages of qualified  
22          early childhood education teachers, including how to  
23          increase such teachers' compensation to be com-  
24          parable to that of public school teachers.

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

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

12          (10) A plan to provide transportation to chil-  
13          dren to and from the universal prekindergarten pro-  
14          gram.

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

17          (d) ADMINISTRATION.—A designated State agency  
18          may not use more than 5 percent of a grant under this  
19          Act for costs associated with State administration of the  
20          program under this Act.

21          **SEC. 5. LOCAL REQUIREMENTS.**

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

24                  (1) maintain a maximum class size of 20 chil-  
25          dren;

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

3           (3)(A) ensure that all prekindergarten teachers  
4           meet the requirements for teachers at a State-fund-  
5           ed prekindergarten program under an applicable  
6           State law; and

7           (B) document that the State is demonstrating  
8           significant progress in assisting prekindergarten  
9           teachers on working toward a bachelor of arts de-  
10          gree with training in early childhood development or  
11          early childhood education;

12          (4)(A) be accredited by a national organization  
13          with demonstrated experience in accrediting pre-  
14          kindergarten programs; or

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

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

20          (b) LOCAL APPLICATION.—Eligible prekindergarten  
21          program providers desiring to receive funding under this  
22          Act shall submit an application to the designated State  
23          agency overseeing funds under this Act containing the fol-  
24          lowing:

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

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

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

12          (4) A description of how the eligible prekindergarten  
13          program provider will collaborate with exist-  
14          ing community-based child care providers and Head  
15          Start programs.

16          (5) A description of how students and families  
17          will be assisted in obtaining supportive services  
18          available in their communities.

19          (6) A plan to promote parental involvement in  
20          the prekindergarten program.

21          (7) A description of how teachers will receive  
22          ongoing professional development in early childhood  
23          development and education.



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

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

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

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

19           (2) An assurance that, in developing its applica-  
20          tion and in carrying out its program, the profes-  
21          sional development provider has consulted, and will  
22          consult, with relevant agencies, early childhood orga-  
23          nizations, early childhood education experts, and  
24          early childhood program providers.

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

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

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

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

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

22               (A) How programs and educators will be  
23 selected to participate.

24               (B) How professional development pro-  
25 viders will be selected, based on demonstrated

1 experience in providing research-based profes-  
2 sional development to early childhood educators.

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

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

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

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

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

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

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

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

12 **SEC. 7. REPORTING.**

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

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

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

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

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

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

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

19 (5) Such other information as the designated  
20 State agency may reasonably require.

21 **SEC. 8. FEDERAL FUNDS SUPPLEMENTARY.**

22 Funds made available under this Act may not be used  
23 to supplant other Federal, State, local, or private funds  
24 that would, in the absence of such Federal funds, be made  
25 available for the program assisted under this Act.

1 **SEC. 9. DEFINITIONS.**

2 In this Act:

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

6 (A) a school;

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

9 (C) a Head Start program; or

10 (D) a child care provider.

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

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

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

24 **SEC. 10. AUTHORIZATION OF APPROPRIATIONS.**

25 There are authorized to be appropriated to carry out  
26 this Act—

- 1           (1) \$10,000,000,000 for fiscal year 2008;
- 2           (2) \$20,000,000,000 for fiscal year 2009;
- 3           (3) \$30,000,000,000 for fiscal year 2010;
- 4           (4) \$40,000,000,000 for fiscal year 2011; and
- 5           (5) \$50,000,000,000 for fiscal year 2012.

○