

115TH CONGRESS
1ST SESSION

H. R. 2003

To amend the Every Student Succeeds Act to provide grants for high-quality, local prekindergarten programs, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 6, 2017

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

A BILL

To amend the Every Student Succeeds Act to provide grants for high-quality, local prekindergarten programs, 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 “Pre-K for USA Act”.

5 **SEC. 2. LOCAL PREKINDERGARTEN DEVELOPMENT**
6 **GRANTS.**

7 Title IX of the Every Student Succeeds Act (Public
8 Law 114–95; 129 Stat. 2124) is amended—

1 (1) in section 9212, in the section heading by
2 striking “**PRESCHOOL**” and inserting “**STATE**
3 **PRESCHOOL**”; and

4 (2) by inserting after section 9212 the fol-
5 lowing:

6 **“SEC. 9212A. LOCAL PREKINDERGARTEN DEVELOPMENT**
7 **GRANTS.**

8 “(a) PREKINDERGARTEN DEVELOPMENT GRANTS.—

9 “(1) IN GENERAL.—The Secretary of Health
10 and Human Services, jointly with the Secretary of
11 Education (referred to in this section jointly as the
12 ‘Secretaries’), shall award competitive grants to eli-
13 gible local entities to assist such entities in estab-
14 lishing high-quality prekindergarten programs.

15 “(2) GRANT DURATION.—The Secretaries shall
16 award grants under this section for a period of not
17 more than 3 years. Such grants shall not be re-
18 newed.

19 “(3) APPLICATION.—To be considered for a
20 grant under this section, an eligible local entity shall
21 submit an application to the Secretaries at such
22 time, in such manner, and accompanied by such in-
23 formation as the Secretaries may reasonably require.

24 “(4) MATCHING REQUIREMENT.—

1 “(A) IN GENERAL.—To be eligible to re-
2 ceive a grant under this section an eligible local
3 entity shall contribute, for the activities for
4 which the grant was awarded, non-Federal
5 matching funds in an amount equal to not less
6 than 20 percent of the amount of the grant.

7 “(B) NON-FEDERAL FUNDS.—To satisfy
8 the requirement of subparagraph (A) an eligible
9 local entity may use—

10 “(i) non-Federal resources in the form
11 of State funding, local funding, or con-
12 tributions from philanthropy or other pri-
13 vate sources, or a combination of such re-
14 sources; or

15 “(ii) in-kind contributions.

16 “(C) FINANCIAL HARDSHIP WAIVER.—The
17 Secretaries may waive the requirement of sub-
18 paragraph (A) or reduce the amount of match-
19 ing funds required under such subparagraph for
20 an eligible local entity that has submitted an
21 application for a grant under this section if the
22 entity demonstrates, in the application, a need
23 for such a waiver or reduction due to extreme
24 financial hardship, as determined by the Secre-
25 taries.

1 “(5) DOUBLE-DIPPING PREVENTION.—The Sec-
2 retaries may not award a grant under this section to
3 an eligible local entity for a fiscal year if the State
4 in which the entity is located has applied for, or has
5 been awarded, a grant under section 9212 for such
6 fiscal year.

7 “(b) DEFINITIONS.—In this section:

8 “(1) EARLY CHILDHOOD EDUCATION PRO-
9 GRAM.—The term ‘early childhood education pro-
10 gram’ has the meaning given the term in section 103
11 of the Higher Education Act of 1965 (20 U.S.C.
12 1003).

13 “(2) ELIGIBLE LOCAL ENTITY.—The term ‘eli-
14 gible local entity’ means—

15 “(A) a local educational agency, including
16 a charter school or a charter management orga-
17 nization that acts as a local educational agency,
18 or an educational service agency in partnership
19 with a local educational agency;

20 “(B) an entity (including a Head Start
21 program or licensed child care setting) that car-
22 ries out, administers, or supports an early
23 childhood education program; or

24 “(C) a consortium of entities described in
25 subparagraph (A) or (B).

1 “(3) FULL-DAY.—The term ‘full-day’ means a
2 day that is—

3 “(A) equivalent to a full school day at the
4 public elementary schools in the State; and

5 “(B) not less than 5 hours.

6 “(4) HIGH-QUALITY PREKINDERGARTEN PRO-
7 GRAM.—The term ‘high-quality prekindergarten pro-
8 gram’ means a prekindergarten program supported
9 by an eligible local entity that includes, at a min-
10 imum, the following elements based on nationally
11 recognized standards:

12 “(A) Serves children who—

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

17 “(ii) have attained the legal age for
18 State-funded prekindergarten.

19 “(B) Requires high staff qualifications, in-
20 cluding that teachers meet the requirements of
21 one of the following clauses:

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

1 onstrates competence in early childhood
2 education.

3 “(ii) The teacher—

4 “(I) has a bachelor’s degree in
5 any field;

6 “(II) has demonstrated knowl-
7 edge of early childhood education
8 through passage of a State-approved
9 assessment in early childhood edu-
10 cation;

11 “(III) engages in ongoing profes-
12 sional development in early childhood
13 education for not less than 2 years;
14 and

15 “(IV) is enrolled in a State-ap-
16 proved educator preparation program
17 in which the teacher receives ongoing
18 training and support in early child-
19 hood education and is making
20 progress toward the completion of the
21 program in not more than 3 years.

22 “(iii) The teacher has a bachelor’s de-
23 gree in any field with a credential, license,
24 or endorsement that demonstrates com-
25 petence in early childhood education.

1 “(C) Maintains a maximum class size of
2 20 children.

3 “(D) Maintains a child to instructional
4 staff ratio that does not exceed 10 to 1.

5 “(E) Offers a full-day program.

6 “(F) Provides developmentally appropriate
7 learning environments and evidence-based cur-
8 ricula that are aligned with the State’s early
9 learning and development standards.

10 “(G) Offers instructional staff salaries
11 comparable to kindergarten through grade 12
12 teaching staff.

13 “(H) Provides for ongoing monitoring and
14 program evaluation to ensure continuous im-
15 provement.

16 “(I) Offers accessible comprehensive serv-
17 ices for children that—

18 “(i) include, at a minimum—

19 “(I) screenings for vision, dental,
20 health (including mental health), and
21 development and referrals, and assist-
22 ance obtaining services, when appro-
23 priate;

24 “(II) family engagement opportu-
25 nities (taking into account home lan-

1 guage), such as parent conferences
2 (including parent input about their
3 child’s development) and support serv-
4 ices, such as parent education and
5 family literacy services;

6 “(III) nutrition services, includ-
7 ing nutritious meals and snack op-
8 tions aligned with requirements set by
9 the most recent Child and Adult Care
10 Food Program guidelines promulgated
11 by the Department of Agriculture as
12 well as regular, age-appropriate, nu-
13 trition education for children and
14 their families;

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

21 “(V) physical activity programs
22 aligned with evidence-based guide-
23 lines, such as those recommended by
24 the Institute of Medicine, and that

1 take into account and accommodate
2 children with disabilities; and

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

6 “(ii) are provided on-site, to the max-
7 imum extent feasible.

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

13 “(K) Meets the education performance
14 standards in effect under section 641A(a)(1)(B)
15 of the Head Start Act (42 U.S.C.
16 9836a(a)(1)(B)).

17 “(L) Maintains evidence-based health and
18 safety standards.

19 “(5) ESEA TERMS.—The terms ‘local edu-
20 cational agency’ and ‘State’ have the meanings given
21 the terms in section 8101 of the Elementary and
22 Secondary Education Act of 1965 (20 U.S.C. 7801).

23 “(c) AUTHORIZATION OF APPROPRIATIONS.—There
24 are authorized to be appropriated to carry out this sec-
25 tion—

1 “(1) \$250,000,000 for fiscal year 2018; and
2 “(2) such sums as may be necessary for each
3 of fiscal years 2019 through 2027.”.

4 **SEC. 3. CLERICAL AMENDMENT.**

5 The table of contents in section 2 of the Every Stu-
6 dent Succeeds Act (Public Law 114–95; 129 Stat. 1802)
7 is amended by striking the item relating to section 9212
8 and inserting the following:

 “Sec. 9212. State preschool development grants.
 “Sec. 9212A. Local prekindergarten development grants.”.

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