

AMENDMENT NO. _____ Calendar No. _____

Purpose: To establish a Federal-State partnership to provide access to high-quality public prekindergarten programs from low-income and moderate-income families to ensure that they enter kindergarten prepared for success, and for other purposes.

IN THE SENATE OF THE UNITED STATES—114th Cong., 1st Sess.

S. 1177

To reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves.

Referred to the Committee on _____ and
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. CASEY

Viz:

1 At the end of title X, add the following:

2 **PART C—UNIVERSAL PREKINDERGARTEN**

3 **Subpart A—Prekindergarten Access**

4 **SEC. 10300. SHORT TITLE.**

5 This part may be cited as the “Strong Start for
6 America’s Children Act of 2015”.

7 **SEC. 10301. PURPOSES.**

8 The purposes of this subpart are to—

9 (1) establish a Federal-State partnership to
10 provide access to high-quality public prekindergarten

1 programs for all children from low-income and mod-
2 erate-income families to ensure that they enter kin-
3 dergarten prepared for success;

4 (2) broaden participation in such programs to
5 include children from additional middle-class fami-
6 lies;

7 (3) promote access to high-quality kindergarten,
8 and high-quality early childhood education programs
9 and settings for children; and

10 (4) increase access to appropriate supports so
11 children with disabilities and other children who
12 need specialized supports can fully participate in
13 high-quality early education programs.

14 **SEC. 10302. DEFINITIONS.**

15 In this subpart:

16 (1) CHILD WITH A DISABILITY.—The term
17 “child with a disability” means—

18 (A) a child with a disability, as defined in
19 section 602 of the Individuals with Disabilities
20 Education Act (20 U.S.C. 1401); or

21 (B) an infant or toddler with a disability,
22 as defined in section 632 of the Individuals with
23 Disabilities Education Act (20 U.S.C. 1432).

1 (2) COMPREHENSIVE EARLY LEARNING ASSESS-
2 MENT SYSTEM.—The term “comprehensive early
3 learning assessment system”—

4 (A) means a coordinated and comprehen-
5 sive system of multiple assessments, each of
6 which is valid and reliable for its specified pur-
7 pose and for the population with which it will
8 be used, that—

9 (i) organizes information about the
10 process and context of young children’s
11 learning and development to help early
12 childhood educators make informed in-
13 structional and programmatic decisions;
14 and

15 (ii) conforms to the recommendations
16 of the National Research Council reports
17 on early childhood; and

18 (B) includes, at a minimum—

19 (i) child screening measures to iden-
20 tify children who may need follow-up serv-
21 ices to address developmental, learning, or
22 health needs in, at a minimum, areas of
23 physical health, behavioral health, oral
24 health, child development, vision, and hear-
25 ing;

- 1 (ii) child formative assessments;
2 (iii) measures of environmental qual-
3 ity; and
4 (iv) measures of the quality of adult-
5 child interactions.

6 (3) DUAL LANGUAGE LEARNER.—The term
7 “dual language learner” means an individual who is
8 limited English proficient.

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

14 (5) ELEMENTARY SCHOOL.—The term “elemen-
15 tary school” has the meaning given the term in sec-
16 tion 9101 of the Elementary and Secondary Edu-
17 cation Act of 1965 (20 U.S.C. 7801).

18 (6) ELIGIBILITY DETERMINATION DATE.—The
19 term “eligibility determination date” means the date
20 used to determine eligibility for public elementary
21 school in the community in which the eligible local
22 entity involved is located.

23 (7) ELIGIBLE LOCAL ENTITY.—The term “eligi-
24 ble local entity” means—

1 (A) a local educational agency, including a
2 charter school or a charter management organi-
3 zation that acts as a local educational agency,
4 or an educational service agency in partnership
5 with a local educational agency;

6 (B) an entity (including a Head Start pro-
7 gram or licensed child care setting) that carries
8 out, administers, or supports an early childhood
9 education program; or

10 (C) a consortium of entities described in
11 subparagraph (A) or (B).

12 (8) FULL-DAY.—The term “full-day” means a
13 day that is—

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

16 (B) not less than 5 hours a day.

17 (9) GOVERNOR.—The term “Governor” means
18 the chief executive officer of a State.

19 (10) HIGH-QUALITY PREKINDERGARTEN PRO-
20 GRAM.—The term “high-quality prekindergarten
21 program” means a prekindergarten program sup-
22 ported by an eligible local entity that includes, at a
23 minimum, the following elements based on nationally
24 recognized standards:

25 (A) Serves children who—

1 (i) are age 4 or children who are age
2 3 or 4, by the eligibility determination date
3 (including children who turn age 5 while
4 attending the program); or

5 (ii) have attained the legal age for
6 State-funded prekindergarten.

7 (B) Requires high qualifications for staff,
8 including that teachers meet the requirements
9 of 1 of the following clauses:

10 (i) The teacher has a bachelor's de-
11 gree in early childhood education or a re-
12 lated field with coursework that dem-
13 onstrates competence in early childhood
14 education.

15 (ii) The teacher—

16 (I) has a bachelor's degree in any
17 field;

18 (II) has demonstrated knowledge
19 of early childhood education by pass-
20 ing a State-approved assessment in
21 early childhood education;

22 (III) while employed as a teacher
23 in the prekindergarten program, is en-
24 gaged in ongoing professional develop-

1 ment in early childhood education for
2 not less than 2 years; and

3 (IV) not more than 4 years after
4 starting employment as a teacher in
5 the prekindergarten program, enrolls
6 in and completes a State-approved ed-
7 ucator preparation program in which
8 the teacher receives training and sup-
9 port in early childhood education.

10 (iii) The teacher has bachelor's degree
11 with a credential, license, or endorsement
12 that demonstrates competence in early
13 childhood education.

14 (C) Maintains an evidence-based maximum
15 class size.

16 (D) Maintains an evidence-based child to
17 instructional staff ratio.

18 (E) Offers a full-day program.

19 (F) Provides developmentally appropriate
20 learning environments and evidence-based cur-
21 ricula that are aligned with the State's early
22 learning and development standards described
23 in section 10305(1).

1 (G) Offers instructional staff salaries com-
2 parable to kindergarten through grade 12
3 teaching staff.

4 (H) Provides for ongoing monitoring and
5 program evaluation to ensure continuous im-
6 provement.

7 (I) Offers accessible comprehensive services
8 for children that include, at a minimum—

9 (i) screenings for vision, hearing, den-
10 tal, health (including mental health), and
11 development (including early literacy and
12 math skill development) and referrals, and
13 assistance obtaining services, when appro-
14 priate;

15 (ii) family engagement opportunities
16 that take into account home language,
17 such as parent conferences (including par-
18 ent input about their child's development)
19 and support services, such as parent edu-
20 cation, home visiting, and family literacy
21 services;

22 (iii) nutrition services, including nutri-
23 tious meals and snack options aligned with
24 requirements set by the most recent Child
25 and Adult Care Food Program guidelines

1 promulgated by the Department of Agri-
2 culture as well as regular, age-appropriate,
3 nutrition education for children and their
4 families;

5 (iv) programs in coordination with
6 local educational agencies and entities pro-
7 viding services and supports authorized
8 under part B and part C of the Individuals
9 with Disabilities Education Act (20 U.S.C.
10 1411 et seq.; 1431 et seq.) to ensure the
11 full participation of children with disabili-
12 ties;

13 (v) physical activity programs aligned
14 with evidence-based guidelines, such as
15 those recommended by the Institute of
16 Medicine, and which take into account and
17 accommodate children with disabilities;

18 (vi) additional support services, as ap-
19 propriate, based on the findings of the
20 community assessment, as described in sec-
21 tion 10311(b)(4); and

22 (vii) on-site coordination, to the max-
23 imum extent practicable.

24 (J) Provides high-quality professional de-
25 velopment for all staff, including regular in-

1 classroom observation for teachers and teacher
2 assistants by individuals trained in such obser-
3 vation and which may include evidence-based
4 coaching.

5 (K) Meets the education performance
6 standards in effect under section 641A(a)(1)(B)
7 of the Head Start Act (42 U.S.C.
8 9836a(a)(1)(B)).

9 (L) Maintains evidence-based health and
10 safety standards.

11 (M) Maintains disciplinary policies that do
12 not include expulsion or suspension of partici-
13 pating children, except as a last resort in ex-
14 traordinary circumstances where—

15 (i) there is a determination of a seri-
16 ous safety threat; and

17 (ii) policies are in place to provide ap-
18 propriate alternative early educational
19 services to expelled or suspended children
20 while they are out of school.

21 (11) HOMELESS CHILD.—The term “homeless
22 child” means a child or youth described in section
23 725(2) of the McKinney-Vento Homeless Assistance
24 Act (42 U.S.C. 11434a(2)).

1 (12) INDIAN TRIBE; TRIBAL ORGANIZATION.—
2 The terms “Indian tribe” and “tribal organization”
3 have the meanings given the terms in 658P of the
4 Child Care and Development Block Grant of 1990
5 (42 U.S.C. 9858n).

6 (13) INSTITUTION OF HIGHER EDUCATION.—
7 The term “institution of higher education” has the
8 meaning given the term in section 102 of the Higher
9 Education Act of 1965 (20 U.S.C. 1002).

10 (14) LIMITED ENGLISH PROFICIENT.—The
11 term “limited English proficient” has the meaning
12 given the term in section 637 of the Head Start Act
13 (42 U.S.C. 9832).

14 (15) LOCAL EDUCATIONAL AGENCY; STATE
15 EDUCATIONAL AGENCY; EDUCATIONAL SERVICE
16 AGENCY.—The terms “local educational agency”,
17 “State educational agency”, and “educational service
18 agency” have the meanings given the terms in sec-
19 tion 9101 of the Elementary and Secondary Edu-
20 cation Act of 1965 (20 U.S.C. 7801).

21 (16) MIGRATORY CHILD.—The term “migratory
22 child” has the meaning given the term in section
23 1309 of the Elementary and Secondary Education
24 Act of 1965 (20 U.S.C. 6399).

1 (17) OUTLYING AREA.—The term “outlying
2 area” means each of the United States Virgin Is-
3 lands, Guam, American Samoa, the Commonwealth
4 of the Northern Mariana Islands, and the Republic
5 of Palau, the Federated States of Micronesia, and
6 the Republic of the Marshall Islands.

7 (18) POVERTY LINE.—The term “poverty line”
8 means the official poverty line (as defined by the Of-
9 fice of Management and Budget)—

10 (A) adjusted to reflect the percentage
11 change in the Consumer Price Index for All
12 Urban Consumers published by the Bureau of
13 Labor Statistics of the Department of Labor
14 for the most recent 12-month period or other
15 interval for which the data are available; and

16 (B) applicable to a family of the size in-
17 volved.

18 (19) SECONDARY SCHOOL.—The term “sec-
19 ondary school” has the meaning given the term in
20 section 9101 of the Elementary and Secondary Edu-
21 cation Act of 1965 (20 U.S.C. 7801).

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

24 (21) STATE.—Except as otherwise provided in
25 this subpart, the term “State” means each of the 50

1 States, the District of Columbia, the Commonwealth
2 of Puerto Rico, and each of the outlying areas.

3 (22) STATE ADVISORY COUNCIL ON EARLY
4 CHILDHOOD EDUCATION AND CARE.—The term
5 “State Advisory Council on Early Childhood Edu-
6 cation and Care” means the State Advisory Council
7 on Early Childhood Education and Care established
8 under section 642B(b) of the Head Start Act (42
9 U.S.C. 9837b(b)).

10 **SEC. 10303. PROGRAM AUTHORIZATION.**

11 From amounts made available to carry out this sub-
12 part, the Secretary, in consultation with the Secretary of
13 Health and Human Services, shall award grants to States
14 to implement high-quality prekindergarten programs, con-
15 sistent with the purposes of this subpart described in sec-
16 tion 10301. For each fiscal year, the funds provided under
17 a grant to a State shall equal the allotment determined
18 for the State under section 10304.

19 **SEC. 10304. ALLOTMENTS AND RESERVATIONS OF FUNDS.**

20 (a) RESERVATION.—From the amount made avail-
21 able each fiscal year to carry out this subpart, the Sec-
22 retary shall—

23 (1) reserve not less than 1 percent and not
24 more than 2 percent for payments to Indian tribes
25 and tribal organizations;

1 (2) reserve one-half of 1 percent for the out-
2 lying areas to be distributed among the outlying
3 areas on the basis of their relative need, as deter-
4 mined by the Secretary in accordance with the pur-
5 poses of this subpart;

6 (3) reserve one-half of 1 percent for eligible
7 local entities that serve children in families who are
8 engaged in migrant or seasonal agricultural labor;
9 and

10 (4) reserve not more than 1 percent or
11 \$30,000,000, whichever amount is less, for national
12 activities, including administration, technical assist-
13 ance, and evaluation.

14 (b) ALLOTMENTS.—

15 (1) IN GENERAL.—From the amount made
16 available each fiscal year to carry out this subpart
17 and not reserved under subsection (a), the Secretary
18 shall make allotments to States in accordance with
19 paragraph (2) that have submitted an approved ap-
20 plication.

21 (2) ALLOTMENT AMOUNT.—

22 (A) IN GENERAL.—Subject to subpara-
23 graph (B), the Secretary shall allot the amount
24 made available under paragraph (1) for a fiscal
25 year among the States in proportion to the

1 number of children who are age 4 who reside
2 within the State and are from families with in-
3 comes at or below 200 percent of the poverty
4 line for the most recent year for which satisfac-
5 tory data are available, compared to the num-
6 ber of such children who reside in all such
7 States for that fiscal year.

8 (B) MINIMUM ALLOTMENT AMOUNT.—No
9 State receiving an allotment under subpara-
10 graph (A) may receive less than one-half of 1
11 percent of the total amount allotted under such
12 subparagraph.

13 (3) REALLOTMENT AND CARRY OVER.—

14 (A) IN GENERAL.—If one or more States
15 do not receive an allotment under this sub-
16 section for any fiscal year, the Secretary may
17 use the amount of the allotment for that State
18 or States, in such amounts as the Secretary de-
19 termines appropriate, for either or both of the
20 following:

21 (i) To increase the allotments of
22 States with approved applications for the
23 fiscal year, consistent with subparagraph
24 (B).

1 (ii) To carry over the funds to the
2 next fiscal year.

3 (B) REALLOTMENT.—In increasing allot-
4 ments under subparagraph (A)(i), the Secretary
5 shall allot to each State with an approved appli-
6 cation an amount that bears the same relation-
7 ship to the total amount to be allotted under
8 subparagraph (A)(i), as the amount the State
9 received under paragraph (2) for that fiscal
10 year bears to the amount that all States re-
11 ceived under paragraph (2) for that fiscal year.

12 (4) STATE.—For purposes of this subsection,
13 the term “State” means each of the 50 States, the
14 District of Columbia, and the Commonwealth of
15 Puerto Rico.

16 (c) FLEXIBILITY.—The Secretary may make minimal
17 adjustments to allotments under subsection (b), which
18 shall neither lead to a significant increase or decrease in
19 a State’s allotment determined under subsection (b), based
20 on a set of factors, such as the level of program partici-
21 pation and the estimated cost of the activities specified in
22 the State plan under section 10306(2).

1 **SEC. 10305. STATE ELIGIBILITY CRITERIA.**

2 A State is eligible to receive a grant under this sub-
3 part if the State demonstrates to the Secretary that the
4 State—

5 (1) has established or will establish early learn-
6 ing and development standards that—

7 (A) describe what children from birth to
8 kindergarten entry should know and be able to
9 do;

10 (B) are universally designed and develop-
11 mentally, culturally, and linguistically appro-
12 priate;

13 (C) are aligned with the State's chal-
14 lenging academic content standards and chal-
15 lenging student academic achievement stand-
16 ards, as adopted under section 1111(b)(1) of
17 the Elementary and Secondary Education Act
18 of 1965 (20 U.S.C. 6311(b)(1)); and

19 (D) cover all of the essential domains of
20 school readiness, which address—

21 (i) physical well-being and motor de-
22 velopment;

23 (ii) social and emotional development;

24 (iii) approaches to learning, including
25 creative arts expression;

1 (iv) developmentally appropriate oral
2 and written language and literacy develop-
3 ment; and

4 (v) cognition and general knowledge,
5 including early mathematics and early sci-
6 entific development;

7 (2) has the ability or will develop the ability to
8 link prekindergarten data with State elementary
9 school and secondary school data for the purpose of
10 collecting longitudinal information for all children
11 participating in the State's high-quality prekinder-
12 garten program and any other federally funded early
13 childhood program that will remain with the child
14 through the child's public education through grade
15 12;

16 (3) offers State-funded kindergarten for chil-
17 dren who are eligible children for that service in the
18 State; and

19 (4) has established a State Advisory Council on
20 Early Childhood Education and Care.

21 **SEC. 10306. STATE APPLICATIONS.**

22 To receive a grant under this subpart, the Governor
23 of a State, in consultation with the Indian tribes and tribal
24 organizations in the State, if any, shall submit an applica-
25 tion to the Secretary at such time, in such manner, and

1 containing such information as the Secretary may reason-
2 ably require. At a minimum, each such application shall
3 include—

4 (1) an assurance that the State—

5 (A) will coordinate with and continue to
6 participate in the programs authorized under
7 section 619 and part C of the Individuals with
8 Disabilities Education Act (20 U.S.C. 1419;
9 1431 et seq.), the Child Care and Development
10 Block Grant Act of 1990 (42 U.S.C. 9858 et
11 seq.), and the maternal, infant, and early child-
12 hood home visiting programs funded under sec-
13 tion 511 of the Social Security Act (42 U.S.C.
14 711) for the duration of the grant;

15 (B) will designate a State-level entity (such
16 as an agency or joint interagency office), se-
17 lected by the Governor, for the administration
18 of the grant, which shall coordinate and consult
19 with the State educational agency if the entity
20 is not the State educational agency; and

21 (C) will establish, or certify the existence
22 of, program standards for all State prekind-
23 garten programs consistent with the definition
24 of a high-quality prekindergarten program
25 under section 10302;

1 (2) a description of the State’s plan to—

2 (A) use funds received under this subpart
3 and the State’s matching funds to provide high-
4 quality prekindergarten programs, in accord-
5 ance with section 10307(d), with open enroll-
6 ment for all children in the State who—

7 (i) are described in section
8 10302(10)(A);and

9 (ii) are from families with incomes at
10 or below 200 percent of the poverty line;

11 (B) develop or enhance a system for moni-
12 toring eligible local entities that are receiving
13 funds under this subpart for compliance with
14 quality standards developed by the State and to
15 provide program improvement support, which
16 may be accomplished through the use of a
17 State-developed system for quality rating and
18 improvement;

19 (C) if applicable, expand participation in
20 the State’s high-quality prekindergarten pro-
21 grams to children from families with incomes
22 above 200 percent of the poverty line;

23 (D) carry out the State’s comprehensive
24 early learning assessment system, or how the
25 State plans to develop such a system, ensuring

1 that any assessments are culturally, develop-
2 mentally, and age-appropriate and consistent
3 with the recommendations from the study on
4 Developmental Outcomes and Assessments for
5 Young Children by the National Academy of
6 Sciences, consistent with section 649(j) of the
7 Head Start Act (42 U.S.C. 9844);

8 (E) develop, implement, and make publicly
9 available the performance measures and targets
10 described in section 10309;

11 (F) increase the number of teachers with
12 bachelor's degrees in early childhood education,
13 or with bachelor's degrees in another closely re-
14 lated field and specialized training and dem-
15 onstrated competency in early childhood edu-
16 cation, including how institutions of higher edu-
17 cation will support increasing the number of
18 teachers with such degrees and training, includ-
19 ing through the use of assessments of prior
20 learning, knowledge, and skills to facilitate and
21 expedite attainment of such degrees;

22 (G) coordinate and integrate the activities
23 funded under this subpart with Federal, State,
24 and local services and programs that support
25 early childhood education and care, including

1 programs supported under this subpart, the El-
2 elementary and Secondary Education Act of 1965
3 (20 U.S.C. 6301 et seq.), the Individuals with
4 Disabilities Education Act (20 U.S.C. 1400 et
5 seq.), the Head Start Act (42 U.S.C. 9831 et
6 seq.), the Community Services Block Grant Act
7 (42 U.S.C. 9901 et seq.), the Child Care and
8 Development Block Grant Act of 1990 (42
9 U.S.C. 9858 et seq.), the temporary assistance
10 for needy families program under part A of title
11 IV of the Social Security Act (42 U.S.C. 601 et
12 seq.), the Race to the Top program under sec-
13 tion 14006 of division A of the American Re-
14 covery and Reinvestment Act of 2009 (Public
15 Law 111-5), federally funded early literacy pro-
16 grams, the maternal, infant, and early child-
17 hood home visiting programs funded under sec-
18 tion 511 of the Social Security Act (42 U.S.C.
19 711), health improvements to child care funded
20 under title XIX of the Social Security Act (42
21 U.S.C. 1396 et seq.), the program under sub-
22 title B of title VII of the McKinney-Vento
23 Homeless Assistance Act (42 U.S.C. 11431 et
24 seq.), the innovation fund program under sec-
25 tion 14007 of the American Recovery and Rein-

1 vestment Act of 2009 (Public Law 111–5), pro-
2 grams authorized under part E of title IV of
3 the Social Security Act (42 U.S.C. 670 et seq.),
4 the Fostering Connections to Success and In-
5 creasing Adoptions Act of 2008 (Public Law
6 110–351), grants for infant and toddler care
7 through Early Head Start-Child Care Partner-
8 ships funded under the heading “CHILDREN
9 AND FAMILIES SERVICES PROGRAMS” under the
10 heading ADMINISTRATION FOR CHILDREN AND
11 FAMILIES in title II of division H of the Depart-
12 ment of Health and Human Services Appro-
13 priations Act, 2014 (Public Law 113–76; 128
14 Stat. 377–378), the preschool development
15 grants program funded under the heading “IN-
16 NOVATION AND IMPROVEMENT” in title III of
17 division G of the Department of Education Ap-
18 propriations Act, 2015 (Public Law 113–235;
19 128 Stat. 2496), and any other Federal, State,
20 or local early childhood education programs
21 used in the State;

22 (H) award subgrants to eligible local enti-
23 ties, and in awarding such subgrants, facilitate
24 a delivery system of high-quality prekinderg-
25 arten programs that includes diverse pro-

1 viders, such as providers in community-based,
2 public school, and private settings, and consider
3 the system’s impact on options for families;

4 (I) in the case of a State that does not
5 have a State-determined funding mechanism for
6 prekindergarten, use objective criteria in award-
7 ing subgrants to eligible local entities that will
8 implement high-quality prekindergarten pro-
9 grams, including actions the State will take to
10 ensure that eligible local entities will coordinate
11 with local educational agencies or other early
12 learning providers, as appropriate, to carry out
13 activities to provide children served under this
14 subpart with a successful transition from pre-
15 school into kindergarten, which activities shall
16 include—

17 (i) aligning curricular objectives and
18 instruction;

19 (ii) providing staff professional devel-
20 opment, including opportunities for joint-
21 professional development on early learning
22 and kindergarten through grade 3 stand-
23 ards, assessments, and curricula;

24 (iii) coordinating family engagement
25 and support services; and

1 (iv) encouraging the shared use of fa-
2 cilities and transportation, as appropriate;

3 (J) use the State early learning and devel-
4 opment standards described in section 10305(1)
5 to address the needs of dual language learners,
6 including by incorporating benchmarks related
7 to English language development;

8 (K) identify barriers, and propose solutions
9 to overcome such barriers, which may include
10 seeking assistance under section 10316, in the
11 State to effectively use and integrate Federal,
12 State, and local public funds and private funds
13 for early childhood education that are available
14 to the State on the date on which the applica-
15 tion is submitted;

16 (L) support articulation agreements (as
17 defined in section 486A of the Higher Edu-
18 cation Act of 1965 (20 U.S.C. 1093a)) between
19 public 2-year and public 4-year institutions of
20 higher education and other credit-bearing pro-
21 fessional development in the State for early
22 childhood teacher preparation programs and
23 closely related fields;

24 (M) ensure that the higher education pro-
25 grams in the State have the capacity to prepare

1 a workforce to provide high-quality prekindergarten programs;
2

3 (N) support workforce development, including State and local policies that support
4 prekindergarten instructional staff's ability to
5 earn a degree, certification, or other specializations or qualifications, including policies on
6 leave, substitutes, and child care services, including non-traditional hour child care;
7
8

9
10 (O) hold eligible local entities accountable
11 for use of funds;

12 (P) ensure that the State's early learning
13 and development standards are integrated into
14 the instructional and programmatic practices of
15 high-quality prekindergarten programs and related
16 programs and services, such as those provided to children under section 619 and part C
17 of the Individuals with Disabilities Education
18 Act (20 U.S.C. 1419 and 1431 et seq.);
19

20 (Q) increase the number of children in the
21 State who are enrolled in high-quality kindergarten
22 programs and carry out a strategy to
23 implement such a plan;

24 (R) coordinate the State's activities supported by grants under this subpart with activi-
25

1 ties in State plans required under the Elemen-
2 tary and Secondary Education Act of 1965 (20
3 U.S.C. 6301 et seq.), the Individuals with Dis-
4 abilities Education Act (20 U.S.C. 1400 et
5 seq.), the Head Start Act (42 U.S.C. 9831 et
6 seq.), the Child Care and Development Block
7 Grant Act of 1990 (42 U.S.C. 9858 et seq.),
8 and the Adult Education and Family Literacy
9 Act (29 U.S.C. 3271 et seq.);

10 (S) encourage eligible local entities to co-
11 ordinate with community-based learning re-
12 sources, such as libraries, arts and arts edu-
13 cation programs, appropriate media programs,
14 family literacy programs, public parks and
15 recreation programs, museums, nutrition edu-
16 cation programs, and programs supported by
17 the Corporation for National and Community
18 Service;

19 (T) work with eligible local entities, in con-
20 sultation with elementary school principals, to
21 ensure that high-quality prekindergarten pro-
22 grams have sufficient and appropriate facilities
23 to meet the needs of children eligible for pre-
24 kindergarten;

1 (U) support local early childhood coordi-
2 nating entities, such as local early childhood
3 councils, if applicable, and help such entities to
4 coordinate early childhood education programs
5 with high-quality prekindergarten programs to
6 ensure effective and efficient delivery of early
7 childhood education program services;

8 (V) support shared services administering
9 entities, if applicable;

10 (W) ensure that the provision of high-qual-
11 ity prekindergarten programs will not lead to a
12 diminution in the quality or supply of services
13 for infants and toddlers or disrupt the care of
14 infants and toddlers in the geographic area
15 served by the eligible local entity, which may in-
16 clude demonstrating that the State will direct
17 funds to provide high-quality early childhood
18 education and care to infants and toddlers in
19 accordance with section 10307(d); and

20 (X) encourage or promote socioeconomic,
21 racial, and ethnic diversity in the classrooms of
22 high-quality prekindergarten programs, as ap-
23 plicable; and

1 (3) an inventory of the State’s higher education
2 programs that prepare individuals for work in a
3 high-quality prekindergarten program, including—
4 (A) certification programs;
5 (B) associate degree programs;
6 (C) baccalaureate degree programs;
7 (D) masters degree programs; and
8 (E) other programs that lead to a speciali-
9 zation in early childhood education, or a related
10 field.

11 **SEC. 10307. STATE USE OF FUNDS.**

12 (a) RESERVATION FOR QUALITY IMPROVEMENT AC-
13 TIVITIES.—

14 (1) IN GENERAL.—A State that receives a
15 grant under this subpart may reserve, for not more
16 than the first 4 years such State receives such a
17 grant, not more than 20 percent of the grant funds
18 for quality improvement activities that support the
19 elements of high-quality prekindergarten programs.
20 Such quality improvement activities may include
21 supporting teachers, center directors, and principals
22 in a State’s high-quality prekindergarten program,
23 licensed or regulated child care, or Head Start pro-
24 grams to enable such teachers, principals, or direc-
25 tors to earn a baccalaureate degree in early child-

1 hood education, or a closely related field, through
2 activities which may include—

3 (A) expanding or establishing scholarships,
4 counseling, and compensation initiatives to
5 cover the cost of tuition, fees, materials, trans-
6 portation, and release time for such teachers;

7 (B) providing ongoing professional develop-
8 ment opportunities, including regular in-class-
9 room observation by individuals trained in such
10 observation, for such teachers, directors, prin-
11 cipals, and teachers assistants to enable such
12 teachers, directors, principals, and teachers as-
13 sistants to carry out the elements of high-qual-
14 ity prekindergarten programs, which may in-
15 clude activities that address—

16 (i) promoting children’s development
17 across all of the essential domains of early
18 learning and development;

19 (ii) developmentally appropriate cur-
20 ricula and teacher-child interaction;

21 (iii) effective family engagement;

22 (iv) providing culturally competent in-
23 struction;

1 (v) working with a diversity of chil-
2 dren and families, including children with
3 disabilities and dual language learners;

4 (vi) childhood nutrition and physical
5 education programs;

6 (vii) supporting the implementation of
7 evidence-based curricula;

8 (viii) social and emotional develop-
9 ment; and

10 (ix) incorporating age-appropriate
11 strategies of positive behavioral interven-
12 tions and supports; and

13 (C) providing families with increased op-
14 portunities to learn how best to support their
15 children's physical, cognitive, social, and emo-
16 tional development during the first 5 years of
17 life.

18 (2) NOT SUBJECT TO MATCHING.—The amount
19 reserved under paragraph (1) shall not be subject to
20 the matching requirements under section 10310.

21 (3) COORDINATION.—A State that reserves an
22 amount under paragraph (1) shall coordinate the
23 use of such amount with activities funded under sec-
24 tion 658G of the Child Care and Development Block

1 Grant Act of 1990 (42 U.S.C. 9858e) and the Head
2 Start Act (42 U.S.C. 9831 et seq.).

3 (4) CONSTRUCTION.—A State may not use
4 funds reserved under this subsection to meet the re-
5 quirement described in 10302(10)(G).

6 (b) SUBGRANTS FOR HIGH-QUALITY PREKINDER-
7 GARTEN PROGRAMS.—A State that receives a grant under
8 this subpart shall award subgrants of sufficient size to eli-
9 gible local entities to enable such eligible local entities to
10 implement high-quality prekindergarten programs for chil-
11 dren who—

12 (1) are described in section 10302(10)(A);

13 (2) reside within the State; and

14 (3) are from families with incomes at or below
15 200 percent of the poverty line.

16 (c) ADMINISTRATION.—A State that receives a grant
17 under this subpart may reserve not more than 1 percent
18 of the grant funds for administration of the grant, and
19 may use part of that reservation for the maintenance of
20 the State Advisory Council on Early Childhood Education
21 and Care.

22 (d) EARLY CHILDHOOD EDUCATION AND CARE PRO-
23 GRAMS FOR INFANTS AND TODDLERS.—

24 (1) USE OF ALLOTMENT FOR INFANTS AND
25 TODDLERS.—An eligible State may apply to use, and

1 the appropriate Secretary may grant permission for
2 the State to use, not more than 15 percent of the
3 funds made available through a grant received under
4 this subpart to award subgrants to early childhood
5 education programs to provide, consistent with the
6 State's early learning and development guidelines for
7 infants and toddlers, high-quality early childhood
8 education and care to infants and toddlers who re-
9 side within the State and are from families with in-
10 comes at or below 200 percent of the poverty line.

11 (2) APPLICATION.—To be eligible to use the
12 grant funds as described in paragraph (1), the State
13 shall submit an application to the appropriate Sec-
14 retary at such time, in such manner, and containing
15 such information as the Secretary may require. Such
16 application shall, at a minimum, include a descrip-
17 tion of how the State will—

18 (A) designate a lead agency which shall ad-
19 minister such funds;

20 (B) ensure that such lead agency, in co-
21 ordination with the State's Advisory Council on
22 Early Childhood Education and Care, will col-
23 laborate with other agencies in administering
24 programs supported under this subsection for
25 infants and toddlers in order to obtain input

1 about the appropriate use of such funds and en-
2 sure coordination with programs for infants and
3 toddlers funded under the Child Care and De-
4 velopment Block Grant Act of 1990 (42 U.S.C.
5 9858 et seq.), the Head Start Act (42 U.S.C.
6 9831 et seq.) (including any Early Learning
7 Quality Partnerships established in the State
8 under section 645B of the Head Start Act, as
9 added by section 202), the Race to the Top pro-
10 gram under section 14006 of division A of the
11 American Recovery and Reinvestment Act of
12 2009 (Public Law 111–5), the maternal, infant,
13 and early childhood home visiting programs
14 funded under section 511 of the Social Security
15 Act (42 U.S.C. 711), part C of the Individuals
16 with Disabilities Education Act (20 U.S.C.
17 1431 et seq.), and grants for infant and toddler
18 care through Early Head Start-Child Care
19 Partnerships funded under the heading “CHIL-
20 DREN AND FAMILIES SERVICES PROGRAMS”
21 under the heading ADMINISTRATION FOR CHIL-
22 DREN AND FAMILIES in title II of division H of
23 the Department of Health and Human Services
24 Appropriations Act, 2014 (Public Law 113–76;
25 128 Stat. 377–378);

1 (C) ensure that infants and toddlers who
2 benefit from amounts made available under this
3 subsection will transition to and have the oppor-
4 tunity to participate in a high-quality pre-
5 kindergarten program supported under this
6 subpart;

7 (D) in awarding subgrants, give preference
8 to early childhood education programs that
9 have a written formal plan with baseline data,
10 benchmarks, and timetables to increase access
11 to and full participation in high-quality pre-
12 kindergarten programs for children who need
13 additional support, including children with de-
14 velopmental delays or disabilities, children who
15 are dual language learners, homeless children,
16 children who are in foster care, children of mi-
17 grant families, children eligible for a free or re-
18 duced-price lunch under the Richard B. Russell
19 National School Lunch Act (42 U.S.C. 1751 et
20 seq.), or children in the child welfare system;
21 and

22 (E) give priority to activities carried out
23 under this subsection that will increase access
24 to high-quality early childhood education pro-
25 grams for infants and toddlers in local areas

1 with significant concentrations of low-income
2 families that do not currently benefit from such
3 programs.

4 (3) ELIGIBLE PROVIDERS.—A State may use
5 the grant funds as described in paragraph (1) to
6 serve infants and toddlers only by working with
7 early childhood education program providers that—

8 (A) offer full-day, full-year care, or other-
9 wise meet the needs of working families; and

10 (B) meet high-quality standards, such as—

11 (i) Early Head Start program per-
12 formance standards under the Head Start
13 Act (42 U.S.C. 9831 et seq.); or

14 (ii) high-quality, demonstrated, valid,
15 and reliable program standards that have
16 been established through a national entity
17 that accredits early childhood education
18 programs.

19 (4) FEDERAL ADMINISTRATION.—

20 (A) IN GENERAL.—The Secretary shall
21 bear responsibility for obligating and disbursing
22 funds to support activities under this subsection
23 and ensuring compliance with applicable laws
24 and administrative requirements, subject to
25 paragraph (3).

1 (B) INTERAGENCY AGREEMENT.—The Sec-
2 retary of Education and the Secretary of
3 Health and Human Services shall jointly ad-
4 minister activities supported under this sub-
5 section on such terms as such Secretaries shall
6 set forth in an interagency agreement. The Sec-
7 retary of Health and Human Services shall be
8 responsible for any final approval of a State’s
9 application under this subsection that addresses
10 the use of funds designated for services to in-
11 fants and toddlers.

12 (C) APPROPRIATE SECRETARY.—In this
13 subsection, the term “appropriate Secretary”
14 used with respect to a function, means the Sec-
15 retary designated for that function under the
16 interagency agreement.

17 **SEC. 10308. ADDITIONAL PREKINDERGARTEN SERVICES.**

18 (a) PREKINDERGARTEN FOR 3-YEAR-OLDS.—Each
19 State that certifies to the Secretary that the State pro-
20 vides universally available, voluntary, high-quality pre-
21 kindergarten programs for 4-year-old children who reside
22 within the State and are from families with incomes at
23 or below 200 percent of the poverty line may use the
24 State’s allocation under section 10304(b) to provide high-
25 quality prekindergarten programs for 3-year-old children

1 who reside within the State and are from families with
2 incomes at or below 200 percent of the poverty line.

3 (b) SUBGRANTS.—In each State that has a city,
4 county, or local educational agency that provides univer-
5 sally available high-quality prekindergarten programs for
6 4-year-old children who reside within the State and are
7 from families with incomes at or below 200 percent of the
8 poverty line the State may use amounts from the State’s
9 allocation under section 10304(b) to award subgrants to
10 eligible local entities to enable such eligible local entities
11 to provide high-quality prekindergarten programs for 3-
12 year-old children who are from families with incomes at
13 or below 200 percent of the poverty line and who reside
14 in such city, county, or local educational agency.

15 **SEC. 10309. PERFORMANCE MEASURES AND TARGETS.**

16 (a) IN GENERAL.—A State that receives a grant
17 under this subpart shall develop, implement, and make
18 publicly available the performance measures and targets
19 for the activities carried out with grant funds. Such meas-
20 ures shall, at a minimum, track the State’s progress in—

21 (1) increasing school readiness across all do-
22 mains for all categories of children, as described in
23 section 10313(b)(7), including children with disabil-
24 ities and dual language learners;

1 (2) narrowing school readiness gaps between
2 minority and nonminority children, and low-income
3 children and more advantaged children, in prepara-
4 tion for kindergarten entry;

5 (3) decreasing the number of years that chil-
6 dren receive special education and related services as
7 described in part B of the Individuals with Disabil-
8 ities Education Act (20 U.S.C. 1411 et seq.);

9 (4) increasing the number of programs meeting
10 the criteria for high-quality prekindergarten pro-
11 grams across all types of local eligible entities, as de-
12 fined by the State and in accordance with section
13 10302;

14 (5) decreasing the need for grade-to-grade re-
15 tention in elementary school;

16 (6) if applicable, ensuring that high-quality pre-
17 kindergarten programs do not experience instances
18 of chronic absence among the children who partici-
19 pate in such programs;

20 (7) increasing the number and percentage of
21 low-income children in high-quality early childhood
22 education programs that receive financial support
23 through funds provided under this subpart; and

1 (8) providing high-quality nutrition services,
2 nutrition education, physical activity, and obesity
3 prevention programs.

4 (b) PROHIBITION OF MISDIAGNOSIS PRACTICES.—A
5 State shall not, in order to meet the performance meas-
6 ures and targets described in subsection (a), engage in
7 practices or policies that will lead to the misdiagnosis or
8 under-diagnosis of disabilities or developmental delays
9 among children who are served through programs sup-
10 ported under this subpart.

11 **SEC. 10310. MATCHING REQUIREMENTS.**

12 (a) MATCHING FUNDS.—

13 (1) IN GENERAL.—Except as provided in para-
14 graph (2), a State that receives a grant under this
15 subpart shall provide matching funds from non-Fed-
16 eral sources, as described in subsection (c), in an
17 amount equal to—

18 (A) 10 percent of the Federal funds pro-
19 vided under the grant in the first year of grant
20 administration;

21 (B) 10 percent of the Federal funds pro-
22 vided under the grant in the second year of
23 grant administration;

1 (C) 20 percent of the Federal funds pro-
2 vided under the grant in the third year of grant
3 administration;

4 (D) 30 percent of the Federal funds pro-
5 vided under the grant in the fourth year of
6 grant administration; and

7 (E) 40 percent of the Federal funds pro-
8 vided under the grant in the fifth year of grant
9 administration.

10 (2) REDUCED MATCH RATE.—A State that
11 meets the requirements under subsection (b) may
12 provide matching funds from non-Federal sources at
13 a reduced rate. The full reduced matching funds
14 rate shall be in an amount equal to—

15 (A) 5 percent of the Federal funds pro-
16 vided under the grant in the first year of grant
17 administration;

18 (B) 5 percent of the Federal funds pro-
19 vided under the grant in the second year of
20 grant administration;

21 (C) 10 percent of the Federal funds pro-
22 vided under the grant in the third year of grant
23 administration;

1 (D) 20 percent of the Federal funds pro-
2 vided under the grant in the fourth year of
3 grant administration; and

4 (E) 30 percent of the Federal funds pro-
5 vided under the grant in the fifth year of grant
6 administration.

7 (b) REDUCED MATCH RATE ELIGIBILITY.—A State
8 that receives a grant under this subpart may provide
9 matching funds from non-Federal sources at the full re-
10 duced rate under subsection (a)(2) if the State, across all
11 publicly funded programs (including locally funded pro-
12 grams)—

13 (1)(A) offers enrollment in high-quality pre-
14 kindergarten programs to not less than half of chil-
15 dren in the State who are—

16 (i) age 4 on the eligibility determination
17 date; and

18 (ii) from families with incomes at or below
19 200 percent of the poverty line; and

20 (B) has a plan for continuing to expand access
21 to high-quality prekindergarten programs for such
22 children in the State; and

23 (2) has a plan to expand access to high-quality
24 prekindergarten programs to children from moderate

1 income families whose income exceeds 200 percent of
2 the poverty line.

3 (c) NON-FEDERAL RESOURCES.—

4 (1) IN CASH.—A State shall provide the match-
5 ing funds under this section in cash with non-Fed-
6 eral resources which may include State funding,
7 local funding, or contributions from philanthropy or
8 other private sources, or a combination thereof.

9 (2) FUNDS TO BE CONSIDERED AS MATCHING
10 FUNDS.—A State may include, as part of the State’s
11 matching funds under this section, not more than 10
12 percent of the amount of State or local funds des-
13 ignated for State or local prekindergarten programs
14 or to supplement Head Start programs under the
15 Head Start Act (42 U.S.C. 9831 et seq.) as of the
16 date of enactment of this Act, but may not include
17 any funds that are attributed as matching funds, as
18 part of a non-Federal share, or as a maintenance of
19 effort requirement, for any other Federal program.

20 (d) MAINTENANCE OF EFFORT.—

21 (1) IN GENERAL.—If a State reduces its com-
22 bined fiscal effort per student or the aggregate ex-
23 penditures within the State to support early child-
24 hood education programs for any fiscal year that a
25 State receives a grant authorized under this subpart

1 relative to the previous fiscal year, the Secretary
2 shall reduce support for such State under this sub-
3 part by the same amount as the decline in State ef-
4 fort for such fiscal year.

5 (2) WAIVER.—The Secretary may waive the re-
6 quirements of paragraph (1) if—

7 (A) the Secretary determines that a waiver
8 would be appropriate due to a precipitous de-
9 cline in the financial resources of a State as a
10 result of unforeseen economic hardship or a
11 natural disaster that has necessitated across-
12 the-board reductions in State services, including
13 early childhood education programs; or

14 (B) due to the circumstances of a State re-
15 quiring reductions in specific programs, includ-
16 ing early childhood education, if the State pre-
17 sents to the Secretary a justification and dem-
18 onstration why other programs could not be re-
19 duced and how early childhood programs in the
20 State will not be disproportionately harmed by
21 such State action.

22 (e) SUPPLEMENT NOT SUPPLANT.—Grant funds re-
23 ceived under this subpart shall be used to supplement and
24 not supplant other Federal, State, and local public funds

1 expended on public prekindergarten programs in the
2 State.

3 **SEC. 10311. ELIGIBLE LOCAL ENTITY APPLICATIONS.**

4 (a) IN GENERAL.—An eligible local entity desiring to
5 receive a subgrant under section 10307(b) shall submit
6 an application to the State, at such time, in such manner,
7 and containing such information as the State may reason-
8 ably require.

9 (b) CONTENTS.—Each application submitted under
10 subsection (a) shall include the following:

11 (1) PARENT AND FAMILY ENGAGEMENT.—A de-
12 scription of how the eligible local entity plans to en-
13 gage the parents and families of the children such
14 entity serves and ensure that parents and families of
15 eligible children, as described in clauses (i) and (ii)
16 of section 10306(2)(A), are aware of the services
17 provided by the eligible local entity, which shall in-
18 clude a plan to—

19 (A) carry out meaningful parent and fam-
20 ily engagement, through the implementation
21 and replication of evidence-based or promising
22 practices and strategies, which shall be coordi-
23 nated with parent and family engagement strat-
24 egies supported under the Individuals with Dis-
25 abilities Education Act (20 U.S.C. 1400 et

1 seq.), part A of title I and title V of the Ele-
2 mentary and Secondary Education Act of 1965
3 (20 U.S.C. 6311 et seq.; 7201 et seq.), and
4 strategies in the Head Start Parent, Family,
5 and Community Engagement Framework, if ap-
6 plicable, to—

7 (i) provide parents and family mem-
8 bers with the skills and opportunities nec-
9 essary to become engaged and effective
10 partners in their children’s education, par-
11 ticularly the families of dual language
12 learners and children with disabilities,
13 which may include access to family literacy
14 services;

15 (ii) improve child development; and

16 (iii) strengthen relationships among
17 prekindergarten staff and parents and
18 family members; and

19 (B) participate in community outreach to
20 encourage families with eligible children to par-
21 ticipate in the eligible local entity’s high-quality
22 prekindergarten program, including—

23 (i) homeless children;

24 (ii) dual language learners;

25 (iii) children in foster care;

- 1 (iv) children with disabilities; and
2 (v) migrant children.

3 (2) COORDINATION AND ALIGNMENT.—A de-
4 scription of how the eligible local entity will—

5 (A) coordinate, if applicable, the eligible
6 local entity's activities with—

7 (i) Head Start agencies (consistent
8 with section 642(e)(5) of the Head Start
9 Act (42 U.S.C. 9837(e)(5))), if the local
10 entity is not a Head Start agency;

11 (ii) local educational agencies, if the
12 eligible local entity is not a local edu-
13 cational agency;

14 (iii) providers of services under part C
15 of the Individuals with Disabilities Edu-
16 cation Act (20 U.S.C. 1431 et seq.);

17 (iv) programs carried out under sec-
18 tion 619 of the Individuals with Disabil-
19 ities Education Act (20 U.S.C. 1419); and

20 (v) if feasible, other entities carrying
21 out early childhood education programs
22 and services within the area served by the
23 local educational agency;

24 (B) develop a process to promote con-
25 tinuity of developmentally appropriate instruc-

1 tional programs and shared expectations with
2 local elementary schools for children’s learning
3 and development as children transition to kin-
4 dergarten;

5 (C) organize, if feasible, and participate in
6 joint training, when available, including transi-
7 tion-related training for school staff and early
8 childhood education program staff;

9 (D) establish comprehensive transition
10 policies and procedures, with applicable elemen-
11 tary schools and principals, for the children
12 served by the eligible local entity that support
13 the school readiness of children transitioning to
14 kindergarten, including the transfer of early
15 childhood education program records, with pa-
16 rental consent;

17 (E) conduct outreach to parents, families,
18 and elementary school teachers and principals
19 to discuss the educational, developmental, and
20 other needs of children entering kindergarten;

21 (F) help parents, including parents of chil-
22 dren who are dual language learners, under-
23 stand and engage with the instructional and
24 other services provided by the kindergarten in

1 which such child will enroll after participation
2 in a high-quality prekindergarten program; and

3 (G) develop and implement a system to in-
4 crease program participation of underserved
5 populations of eligible children, especially home-
6 less children, children eligible for a free or re-
7 duced-price lunch under the Richard B. Russell
8 National School Lunch Act (42 U.S.C. 1751 et
9 seq.), parents of children who are dual language
10 learners, and parents of children with disabili-
11 ties.

12 (3) FULL PARTICIPATION OF ALL CHILDREN.—

13 A description of how the eligible local entity will
14 meet the diverse needs of children in the community
15 to be served, including children with disabilities,
16 dual language learners, children who need additional
17 support, children in the State foster care system,
18 and homeless children. Such description shall dem-
19 onstrate, at a minimum, how the entity plans to—

20 (A) ensure the eligible local entity's high-
21 quality prekindergarten program is accessible
22 and appropriate for children with disabilities
23 and dual language learners;

24 (B) establish effective procedures for en-
25 suring use of evidence-based practices in assess-

1 ment, including health and immunization
2 records, proof of eligibility, and other docu-
3 ments, are obtained;

4 (iii) continuous enrollment and par-
5 ticipation in the same high-quality pre-
6 kindergarten program for a child, even if
7 the child moves out of the program's serv-
8 ice area, if that enrollment and participa-
9 tion are in the child's best interest, includ-
10 ing by providing transportation when nec-
11 essary;

12 (iv) professional development for high-
13 quality prekindergarten program staff re-
14 garding migratory children and homeless-
15 ness among families with young children;
16 and

17 (v) in serving homeless children, col-
18 laboration with local educational agency li-
19 aisons designated under section
20 722(g)(1)(J)(ii) of the McKinney-Vento
21 Homeless Assistance Act (42 U.S.C.
22 11432(g)(1)(J)(ii)), and local homeless
23 service providers.

24 (4) ACCESSIBLE COMPREHENSIVE SERVICES.—

25 A description of how the eligible local entity plans to

1 provide accessible comprehensive services, described
2 in section 10302(10)(I), to the children the eligible
3 local entity serves. Such description shall provide in-
4 formation on how the entity will—

5 (A) conduct a data-driven community as-
6 sessment in coordination with members of the
7 community, including parents and community
8 organizations, or use a recently conducted data-
9 driven assessment, which—

10 (i) may involve an external partner
11 with expertise in conducting such needs
12 analysis, to determine the most appro-
13 priate social or other support services to
14 offer through the eligible local entity's on-
15 site comprehensive services to children who
16 participate in high-quality prekindergarten
17 programs; and

18 (ii) shall consider the resources avail-
19 able at the school, local educational agen-
20 cy, and community levels to address the
21 needs of the community and improve child
22 outcomes; and

23 (B) have a coordinated system to facilitate
24 the screening, referral, and provision of services
25 related to health, nutrition, mental health, dis-

1 ability, and family support for children served
2 by the eligible local entity.

3 (5) WORKFORCE.—A description of how the eli-
4 gible local entity plans to support the instructional
5 staff of such entity’s high-quality prekindergarten
6 program, which shall, at a minimum, include a plan
7 to provide high-quality professional development, or
8 facilitate the provision of high-quality professional
9 development through an external partner with exper-
10 tise and a demonstrated track record of success,
11 based on scientifically valid research, that will im-
12 prove the knowledge and skills of high-quality pre-
13 kindergarten teachers and staff through activities,
14 which may include—

15 (A) acquiring content knowledge and learn-
16 ing teaching strategies needed to provide effec-
17 tive instruction that addresses the State’s early
18 learning and development standards described
19 under section 10305(1), including professional
20 training to support the social and emotional de-
21 velopment of children;

22 (B) enabling high-quality prekindergarten
23 teachers and staff to pursue specialized training
24 in early childhood development;

1 (C) enabling high-quality prekindergarten
2 teachers and staff to acquire the knowledge and
3 skills to provide instruction and appropriate
4 language and support services to increase the
5 English language skills of dual language learn-
6 ers;

7 (D) enabling high-quality prekindergarten
8 teachers and staff to acquire the knowledge and
9 skills to provide developmentally appropriate in-
10 struction for children with disabilities;

11 (E) promoting classroom management;

12 (F) providing high-quality induction and
13 support for incoming high-quality prekindergarten
14 teachers and staff in high-quality pre-
15 kindergarten programs, including through the
16 use of mentoring programs and coaching that
17 have a demonstrated track record of success;

18 (G) promoting the acquisition of relevant
19 credentials, including in ways that support ca-
20 reer advancement through career ladders; and

21 (H) enabling high-quality prekindergarten
22 teachers and staff to acquire the knowledge and
23 skills to provide culturally competent instruc-
24 tion for children from diverse backgrounds.

1 **SEC. 10312. REQUIRED SUBGRANT ACTIVITIES.**

2 (a) IN GENERAL.—An eligible local entity that re-
3 ceives a subgrant under section 10307(b) shall use
4 subgrant funds to implement the elements of a high-qual-
5 ity prekindergarten program for the children described in
6 section 10307(b).

7 (b) COORDINATION.—

8 (1) LOCAL EDUCATIONAL AGENCY PARTNER-
9 SHIPS WITH LOCAL EARLY CHILDHOOD EDUCATION
10 PROGRAMS.—A local educational agency that re-
11 ceives a subgrant under this subpart shall provide an
12 assurance that the local educational agency will
13 enter into strong partnerships with local early child-
14 hood education programs, including programs sup-
15 ported through the Head Start Act (42 U.S.C. 9831
16 et seq.).

17 (2) ELIGIBLE LOCAL ENTITIES THAT ARE NOT
18 LOCAL EDUCATIONAL AGENCIES.—An eligible local
19 entity that is not a local educational agency that re-
20 ceives a subgrant under this subpart shall provide an
21 assurance that such entity will enter into strong
22 partnerships with local educational agencies.

23 **SEC. 10313. REPORT AND EVALUATION.**

24 (a) IN GENERAL.—Each State that receives a grant
25 under this subpart shall prepare an annual report, in such

1 manner and containing such information as the Secretary
2 may reasonably require.

3 (b) CONTENTS.—A report prepared under subsection
4 (a) shall contain, at a minimum—

5 (1) a description of the manner in which the
6 State has used the funds made available through the
7 grant and a report of the expenditures made with
8 the funds;

9 (2) a summary of the State’s progress toward
10 providing access to high-quality prekindergarten pro-
11 grams for children eligible for such services, as de-
12 termined by the State, from families with incomes at
13 or below 200 percent of the poverty line, including
14 the percentage of funds spent on children from fami-
15 lies with incomes—

16 (A) at or below 100 percent of the poverty
17 line;

18 (B) at or below between 101 and 150 per-
19 cent of the poverty line; and

20 (C) at or below between 151 and 200 per-
21 cent of the poverty line;

22 (3) an evaluation of the State’s progress toward
23 achieving the State’s performance targets, described
24 in section 10309;

1 (4) data on the number of high-quality pre-
2 kindergarten program teachers and staff in the
3 State (including teacher turnover rates and teacher
4 compensation levels compared to teachers in elemen-
5 tary schools and secondary schools), according to the
6 setting in which such teachers and staff work (which
7 settings shall include, at a minimum, Head Start
8 programs, public prekindergarten, and child care
9 programs) who received training or education during
10 the period of the grant and remained in the early
11 childhood education program field;

12 (5) data on the kindergarten readiness of chil-
13 dren in the State;

14 (6) a description of the State's progress in ef-
15 fectively using Federal, State, and local public funds
16 and private funds, for early childhood education;

17 (7) the number and percentage of children in
18 the State participating in high-quality prekinde-
19 rgarten programs, disaggregated by race, ethnicity,
20 family income, child age, disability, whether the chil-
21 dren are homeless children, and whether the children
22 are dual language learners;

23 (8) data on the availability, affordability, and
24 quality of infant and toddler care in the State;

1 (9) the number of operational minutes per week
2 and per year for each eligible local entity that re-
3 ceives a subgrant;

4 (10) the local educational agency and zip code
5 in which each eligible local entity that receives a
6 subgrant operates;

7 (11) information, for each of the local edu-
8 cational agencies described in paragraph (10), on
9 the percentage of the costs of the public early child-
10 hood education programs that is funded from Fed-
11 eral, from State, and from local sources, including
12 the percentages from specific funding programs;

13 (12) data on the number and percentage of
14 children in the State participating in public kinder-
15 garten programs, disaggregated by race, family in-
16 come, child age, disability, whether the children are
17 homeless children, and whether the children are dual
18 language learners, with information on whether such
19 programs are offered—

20 (A) for a full day; and

21 (B) at no cost to families;

22 (13) data on the number of individuals in the
23 State who are supported with scholarships, if appli-
24 cable, to meet the bachelor's degree requirement for

1 high-quality prekindergarten programs, as defined in
2 section 10302; and

3 (14) information on—

4 (A) the rates of expulsion, suspension, and
5 similar disciplinary action, of children in the
6 State participating in high-quality prekindergarten
7 programs, disaggregated by race, ethnicity,
8 family income, child age, and disability;

9 (B) the State's progress in establishing
10 policies on effective behavior management strategies
11 and training that promote positive social
12 and emotional development to eliminate expulsions
13 and suspensions of children participating
14 in high-quality prekindergarten programs; and

15 (C) the State's policies on providing early
16 learning services to children in the State participating
17 in high-quality prekindergarten programs who have been
18 suspended.

19 (c) SUBMISSION.—A State shall submit the annual
20 report prepared under subsection (a), at the end of each
21 fiscal year, to the Secretary, the Secretary of Health and
22 Human Services, and the State Advisory Council on Early
23 Childhood Education and Care.

24 (d) COOPERATION.—An eligible local entity that receives
25 a subgrant under this subpart shall cooperate with

1 all Federal and State efforts to evaluate the effectiveness
2 of the program the entity implements with subgrant funds.

3 (e) NATIONAL REPORT.—The Secretary shall compile
4 and summarize the annual State reports described under
5 subsection (c) and shall prepare and submit an annual re-
6 port to Congress that includes a summary of such State
7 reports.

8 **SEC. 10314. PROHIBITION OF REQUIRED PARTICIPATION**
9 **OR USE OF FUNDS FOR ASSESSMENTS.**

10 (a) PROHIBITION ON REQUIRED PARTICIPATION.—A
11 State receiving a grant under this subpart shall not re-
12 quire any child to participate in any Federal, State, local,
13 or private early childhood education program, including a
14 high-quality prekindergarten program.

15 (b) PROHIBITION ON USE OF FUNDS FOR ASSESS-
16 MENT.—A State receiving a grant under this subpart and
17 an eligible local entity receiving a subgrant under this sub-
18 part shall not use any grant or subgrant funds to carry
19 out any of the following activities:

20 (1) An assessment that provides rewards or
21 sanctions for individual children, teachers, or prin-
22 cipals.

23 (2) An assessment that is used as the primary
24 or sole method for assessing program effectiveness.

1 (3) Evaluating children, other than for the pur-
2 poses of—

3 (A) improving instruction or the classroom
4 environment;

5 (B) targeting professional development;

6 (C) determining the need for health, men-
7 tal health, disability, or family support services;

8 (D) program evaluation for the purposes of
9 program improvement and parent information;
10 and

11 (E) improving parent and family engage-
12 ment.

13 **SEC. 10315. COORDINATION WITH HEAD START PROGRAMS.**

14 (a) INCREASED ACCESS FOR YOUNGER CHILDREN.—

15 Not later than 1 year after the date of enactment of this
16 Act, the Secretary and the Secretary of Health and
17 Human Services shall develop a process—

18 (1) for use in the event that Head Start pro-
19 grams funded under the Head Start Act (42 U.S.C.
20 9831 et seq.) operate in States or regions that have
21 achieved sustained universal, voluntary access to 4-
22 year-old children who reside within the State and
23 who are from families with incomes at or below 200
24 percent of the poverty line to high-quality prekindergarten
25 programs; and

1 (2) for how such Head Start programs will
2 begin converting slots for children who are age 4 on
3 the eligibility determination date to children who are
4 age 3 on the eligibility determination date, or, when
5 appropriate, converting Head Start programs into
6 Early Head Start programs to serve infants and tod-
7 dlers.

8 (b) COMMUNITY NEED AND RESOURCES.—The proc-
9 ess described in subsection (a) shall—

10 (1) be carried out on a case-by-case basis and
11 shall ensure that sufficient resources and time are
12 allocated for the development of such a process so
13 that no child or cohort is excluded from currently
14 available services; and

15 (2) ensure that any conversion shall be based
16 on community need and not on the aggregate num-
17 ber of children served in a State or region that has
18 achieved sustained, universal, voluntary access to
19 high-quality prekindergarten programs.

20 (c) PUBLIC COMMENT AND NOTICE.—Not fewer than
21 90 days after the development of the proposed process de-
22 scribed in subsection (a), the Secretary and the Secretary
23 of Health and Human Services shall publish a notice de-
24 scribing such proposed process for conversion in the Fed-
25 eral Register providing at least 90 days for public com-

1 ment. The Secretaries shall review and consider public
2 comments prior to finalizing the process for conversion of
3 Head Start slots and programs.

4 (d) **REPORTS TO CONGRESS.**—Concurrently with
5 publishing a notice in the Federal Register as described
6 in subsection (c), the Secretaries shall provide a report
7 to the Committee on Education and the Workforce of the
8 House of Representatives and the Committee on Health,
9 Education, Labor, and Pensions of the Senate that pro-
10 vides a detailed description of the proposed process de-
11 scribed in subsection (a), including a description of the
12 degree to which Head Start programs are providing State-
13 funded high-quality prekindergarten programs as a result
14 of the grant opportunity provided under this subpart in
15 States where Head Start programs are eligible for conver-
16 sion described in subsection (a).

17 **SEC. 10316. TECHNICAL ASSISTANCE IN PROGRAM ADMIN-**
18 **ISTRATION.**

19 In providing technical assistance to carry out activi-
20 ties under this subpart, the Secretary shall coordinate that
21 technical assistance, in appropriate cases, with technical
22 assistance provided by the Secretary of Health and
23 Human Services to carry out the programs authorized
24 under the Head Start Act (42 U.S.C. 9831 et seq.), the
25 Child Care and Development Block Grant Act of 1990 (42

1 U.S.C. 9858 et seq.), and the maternal, infant and early
2 childhood home visiting programs assisted under section
3 511 of the Social Security Act (42 U.S.C. 711).

4 **SEC. 10317. AUTHORIZATION OF APPROPRIATIONS.**

5 To carry out this subpart, there are authorized to be
6 appropriated, and there are appropriated—

7 (1) \$1,300,000,000 for fiscal year 2016;

8 (2) \$3,250,000,000 for fiscal year 2017;

9 (3) \$5,780,000,000 for fiscal year 2018;

10 (4) \$7,580,000,000 for fiscal year 2019; and

11 (5) \$8,960,000,000 for fiscal year 2020.

12 **Subpart B—Prekindergarten Development Grants**

13 **SEC. 10321. PREKINDERGARTEN DEVELOPMENT GRANTS.**

14 (a) IN GENERAL.—The Secretary of Education, in
15 consultation with the Secretary of Health and Human
16 Services, shall award competitive grants to States that
17 wish to increase their capacity and build the infrastructure
18 within the State to offer high-quality prekindergarten pro-
19 grams.

20 (b) ELIGIBILITY OF STATES.—A State that is not re-
21 ceiving funds under subpart A may compete for grant
22 funds under this section if the State provides an assurance
23 that the State will, through the support of grant funds
24 awarded under this section, meet the eligibility require-
25 ments of section 10305 not later than 3 years after the

1 date the State first receives grant funds under this sec-
2 tion.

3 (c) GRANT DURATION.—The Secretary shall award
4 grants under this section for a period of not more than
5 3 years. Such grants shall not be renewed.

6 (d) APPLICATION.—

7 (1) IN GENERAL.—A Governor, or chief execu-
8 tive officer of a State that desires to receive a grant
9 under this section shall submit an application to the
10 Secretary of Education at such time, in such man-
11 ner, and accompanied by such information as the
12 Secretary of Education may reasonably require, in-
13 cluding, if applicable, a description of how the State
14 plans to become eligible for grants under section
15 10305 by not later than 3 years after the date the
16 State first receives grant funds under this section.

17 (2) DEVELOPMENT OF STATE APPLICATION.—

18 In developing an application for a grant under this
19 section, a State shall consult with the State Advisory
20 Council on Early Childhood Education and Care and
21 incorporate the Council's recommendations, where
22 applicable.

23 (e) MATCHING REQUIREMENT.—

24 (1) IN GENERAL.—To be eligible to receive a
25 grant under this section, a State shall contribute for

1 the activities for which the grant was awarded non-
2 Federal matching funds in an amount equal to not
3 less than 20 percent of the amount of the grant.

4 (2) NON-FEDERAL FUNDS.—To satisfy the re-
5 quirement of paragraph (1), a State may use—

6 (A) non-Federal resources in the form of
7 State funding, local funding, or contributions
8 from philanthropy or other private sources, or
9 a combination of such resources; or

10 (B) in-kind contributions.

11 (3) FINANCIAL HARDSHIP WAIVER.—The Sec-
12 retary may waive the requirement under paragraph
13 (1) or reduce the amount of matching funds re-
14 quired under that paragraph for a State that has
15 submitted an application for a grant under this sub-
16 section if the State demonstrates, in the application,
17 a need for such a waiver or reduction due to extreme
18 financial hardship, as determined by the Secretary.

19 (f) SUBGRANTS.—

20 (1) IN GENERAL.—A State awarded a grant
21 under this section may use the grant funds to award
22 subgrants to eligible local entities, as defined in sec-
23 tion 10302, to carry out the activities under the
24 grant.

1 (2) SUBGRANTEES.—An eligible local entity
2 awarded a subgrant under paragraph (1) shall com-
3 ply with the requirements of this section relating to
4 grantees, as appropriate.

5 (g) AUTHORIZATION OF APPROPRIATIONS.—To carry
6 out this section, there are authorized to be appropriated,
7 and there are appropriated, \$750,000,000 for each of fis-
8 cal years 2016 through 2020.

9 **Subpart C—Early Learning Quality Partnerships**

10 **SEC. 10331. PURPOSES.**

11 The purposes of this part are to—

12 (1) increase the availability of, and access to,
13 high-quality early childhood education and care pro-
14 gramming for infants and toddlers;

15 (2) support a higher quality of, and increase ca-
16 pacity for, such programming in both child care cen-
17 ters and family child care homes;

18 (3) encourage the provision of comprehensive,
19 coordinated full-day services and supports for in-
20 fants and toddlers; and

21 (4) increase access to appropriate supports so
22 children with disabilities and other children who
23 need specialized supports can fully participate in
24 high-quality early education programs.

1 **SEC. 10332. EARLY LEARNING QUALITY PARTNERSHIPS.**

2 The Head Start Act is amended—

3 (1) by amending section 645A(e) (42 U.S.C.
4 9840a(e)) to read as follows:

5 “(e) SELECTION OF GRANT RECIPIENTS.—The Sec-
6 retary shall award grants under this section on a competi-
7 tive basis to applicants meeting the criteria in subsection
8 (d) (giving priority to entities with a record of providing
9 early, continuous, and comprehensive childhood develop-
10 ment and family services and entities that agree to partner
11 with a center-based or family child care provider to carry
12 out the activities described in section 645B).”; and

13 (2) by inserting after section 645A the fol-
14 lowing:

15 **“SEC. 645B. EARLY LEARNING QUALITY PARTNERSHIPS.**

16 “(a) IN GENERAL.—The Secretary shall make grants
17 to Early Head Start agencies to enable the Early Head
18 Start agencies to form early learning quality partnerships
19 by partnering with center-based or family child care pro-
20 viders, particularly those that receive support under the
21 Child Care and Development Block Grant of 1990 (42
22 U.S.C. 9858 et seq.), that agree to meet the program per-
23 formance standards described in section 641A(a)(1) and
24 Early Head Start standards described in section 645A
25 that are applicable to the ages of children served with

1 funding and technical assistance from the Early Head
2 Start agency.

3 “(b) SELECTION OF GRANT RECIPIENTS.—

4 “(1) IN GENERAL.—Except as provided in para-
5 graphs (2) and (3), the Secretary shall award grants
6 under this section in a manner consistent with sec-
7 tion 645A(e).

8 “(2) COMPETITIVE PRIORITY.—In awarding
9 grants under this section, the Secretary shall give
10 priority to applicants—

11 “(A) that propose to create strong align-
12 ment of programs with maternal, infant, and
13 early childhood home visiting programs assisted
14 under section 511 of the Social Security Act
15 (42 U.S.C. 711), State-funded prekindergarten
16 programs, programs carried out under the
17 Child Care and Development Block Grant Act
18 of 1990 (42 U.S.C. 9858 et seq.), and other
19 programs supported under this Act, to create a
20 strong continuum of high-quality services for
21 children from birth to school entry; and

22 “(B) that seek to work with child care pro-
23 viders across settings, including center-based
24 and home-based programs.

25 “(3) ALLOCATION.—

1 “(A) RESERVATION.—From funds appro-
2 priated to carry out this section, the Secretary
3 shall reserve—

4 “(i) not less than 3 percent of such
5 funds for Indian Head Start programs
6 that serve young children;

7 “(ii) not less than 4.5 percent for mi-
8 grant and seasonal Head Start programs
9 that serve young children; and

10 “(iii) not less than 0.2 percent for
11 programs funded under clause (iv) or (v)
12 of section 640(a)(2)(B).

13 “(B) ALLOCATION AMONG STATES.—The
14 Secretary shall allocate funds appropriated to
15 carry out this section and not reserved under
16 subparagraph (A) among the States proportion-
17 ally based on the number of young children
18 from families whose income is below the poverty
19 line residing in such States.

20 “(c) ELIGIBILITY OF CHILDREN.—Partnerships
21 formed through assistance provided under this section
22 may serve children through age 3, and the standards ap-
23 plied to children in subsection (a) shall be consistent with
24 those applied to 3-year-old children under this subchapter.

1 “(d) PARTNERSHIPS.—An Early Head Start agency
2 that receives a grant under this section shall—

3 “(1) enter into a contractual relationship with
4 a center-based or family child care provider to raise
5 the quality of such provider’s programs so that the
6 provider meets the program performance standards
7 described in subsection (a) through activities that
8 may include—

9 “(A) expanding the center-based or family
10 child care provider’s programs through financial
11 support;

12 “(B) providing training, technical assist-
13 ance, and support to the provider in order to
14 help the provider meet the program perform-
15 ance standards, which may include supporting
16 program and partner staff in earning a child
17 development associate credential, associate’s de-
18 gree, or baccalaureate degree in early childhood
19 education or a closely related field for working
20 with infants and toddlers; and

21 “(C) blending funds received under the
22 Child Care and Development Block Grant of
23 1990 (42 U.S.C. 9858 et seq.) and the Early
24 Head Start program carried out under section
25 645A in order to provide high-quality child

1 care, for a full day, that meets the program
2 performance standards;

3 “(2) develop and implement a proposal to re-
4 cruit and enter into a contract with a center-based
5 or family child care provider, particularly a provider
6 that serves children who receive assistance under the
7 Child Care and Development Block Grant of 1990
8 (42 U.S.C. 9858 et seq.);

9 “(3) create a clear and realizable timeline to in-
10 crease the quality and capacity of a center-based or
11 family child care provider so that the provider meets
12 the program performance standards described in
13 subsection (a); and

14 “(4) align activities and services provided
15 through funding under this section with the Head
16 Start Child Outcomes Framework.

17 “(e) STANDARDS.—Prior to awarding grants under
18 this section, the Secretary shall establish standards to en-
19 sure that the responsibility and expectations of the Early
20 Head Start agency and the partner child care providers
21 are clearly defined.

22 “(f) DESIGNATION RENEWAL.—A partner child care
23 provider that receives assistance through a grant provided
24 under this section shall be exempt, for a period of 18

1 months, from the designation renewal requirements under
2 section 641(c).

3 “(g) SURVEY OF EARLY HEAD START AGENCIES AND
4 REPORT TO CONGRESS.—Within one year of the effective
5 date of this section, the Secretary shall conduct a survey
6 of Early Head Start agencies to determine the extent of
7 barriers to entering into early learning quality partnership
8 agreements under this section on Early Head Start agen-
9 cies and on child care providers, and submit this informa-
10 tion, with suggested steps to overcome such barriers, in
11 a report to the Committee on Education and the Work-
12 force of the House of Representatives and the Committee
13 on Health, Education, Labor, and Pensions of the Senate,
14 including a detailed description of the degree to which
15 Early Head Start agencies are utilizing the funds pro-
16 vided.

17 “(h) AUTHORIZATION OF APPROPRIATIONS.—There
18 are authorized to be appropriated to carry out this sec-
19 tion—

20 “(1) \$1,430,376,000 for fiscal year 2016; and

21 “(2) such sums as may be necessary for each

22 of fiscal years 2017 through 2020.”.

1 **Subpart D—Authorization of Appropriations for the**
2 **Education of Children With Disabilities**

3 **SEC. 10341. PRESCHOOL GRANTS.**

4 Section 619(j) of the Individuals with Disabilities
5 Education Act (20 U.S.C. 1419(j)) is amended to read
6 as follows:

7 “(j) AUTHORIZATION OF APPROPRIATIONS.—There
8 are authorized to be appropriated to carry out this section
9 \$418,000,000 for fiscal year 2016 and such sums as may
10 be necessary for each succeeding fiscal year.”.

11 **SEC. 10342. INFANTS AND TODDLERS WITH DISABILITIES.**

12 Section 644 of the Individuals with Disabilities Edu-
13 cation Act (20 U.S.C. 1444) is amended to read as follows:

14 **“SEC. 644. AUTHORIZATION OF APPROPRIATIONS.**

15 “For the purpose of carrying out this part, there are
16 authorized to be appropriated \$508,000,000 for fiscal year
17 2016 and such sums as may be necessary for each suc-
18 ceeding fiscal year.”.

19 **Subpart E—Maternal, Infant, and Early Childhood**
20 **Home Visiting Program**

21 **SEC. 10351. SENSE OF THE SENATE.**

22 It is the sense of the Senate that—

23 (1) from the prenatal period to the first day of
24 kindergarten, children’s development rapidly pro-
25 gresses at a pace exceeding that of any subsequent
26 stage of life;

1 (2) as reported by the National Academy of
2 Sciences in 2001, striking disparities exist in what
3 children know and can do that are evident well be-
4 fore they enter kindergarten;

5 (3) such differences are strongly associated with
6 social and economic circumstances, and they are pre-
7 dictive of subsequent academic performance;

8 (4) research has consistently demonstrated that
9 investments in high-quality programs that serve in-
10 fants and toddlers—

11 (A) better positions those children for suc-
12 cess in elementary, secondary, and postsec-
13 ondary education; and

14 (B) helps those children develop the critical
15 physical, emotional, social, and cognitive skills
16 that they will need for the rest of their lives;

17 (5) in 2011, there were 11,000,000 infants and
18 toddlers living in the United States, and 49 percent
19 of these children came from low-income families with
20 incomes at or below 200 percent of the Federal pov-
21 erty guidelines;

22 (6) the Maternal, Infant, and Early Childhood
23 Home Visiting program (referred to as “MIECHV”)
24 was authorized by Congress to facilitate collabora-
25 tion and partnership at the Federal, State, and com-

1 community levels to improve health and development
2 outcomes for at-risk children, including those from
3 low-income families, through evidence-based home
4 visiting programs;

5 (7) MIECHV is an evidence-based policy initia-
6 tive and the program's authorizing legislation re-
7 quires that at least 75 percent of funds dedicated to
8 the program must support programs to implement
9 evidence-based home visiting models, which includes
10 the home-based model of Early Head Start; and

11 (8) Congress should continue to provide re-
12 sources to MIECHV to support the work of States
13 to help at-risk families voluntarily receive home vis-
14 its from nurses and social workers to—

15 (A) promote maternal, infant, and child
16 health;

17 (B) improve school readiness and achieve-
18 ment;

19 (C) prevent potential child abuse or neglect
20 and injuries;

21 (D) support family economic self-suffi-
22 ciency;

23 (E) reduce crime or domestic violence; and

24 (F) improve coordination or referrals for
25 community resources and supports.

1 **Subpart F—Stop Corporate Inversions**

2 **SEC. 10361. MODIFICATIONS TO RULES RELATING TO IN-**
3 **VERTED CORPORATIONS.**

4 (a) IN GENERAL.—Subsection (b) of section 7874 of
5 the Internal Revenue Code of 1986 is amended to read
6 as follows:

7 “(b) INVERTED CORPORATIONS TREATED AS DO-
8 MESTIC CORPORATIONS.—

9 “(1) IN GENERAL.—Notwithstanding section
10 7701(a)(4), a foreign corporation shall be treated for
11 purposes of this title as a domestic corporation if—

12 “(A) such corporation would be a surro-
13 gate foreign corporation if subsection (a)(2)
14 were applied by substituting ‘80 percent’ for
15 ‘60 percent’, or

16 “(B) such corporation is an inverted do-
17 mestic corporation.

18 “(2) INVERTED DOMESTIC CORPORATION.—For
19 purposes of this subsection, a foreign corporation
20 shall be treated as an inverted domestic corporation
21 if, pursuant to a plan (or a series of related trans-
22 actions)—

23 “(A) the entity completes after July 31,
24 2015, the direct or indirect acquisition of—

1 “(i) substantially all of the properties
2 held directly or indirectly by a domestic
3 corporation, or

4 “(ii) substantially all of the assets of,
5 or substantially all of the properties consti-
6 tuting a trade or business of, a domestic
7 partnership, and

8 “(B) after the acquisition, more than 50
9 percent of the stock (by vote or value) of the
10 entity is held—

11 “(i) in the case of an acquisition with
12 respect to a domestic corporation, by
13 former shareholders of the domestic cor-
14 poration by reason of holding stock in the
15 domestic corporation, or

16 “(ii) in the case of an acquisition with
17 respect to a domestic partnership, by
18 former partners of the domestic partner-
19 ship by reason of holding a capital or prof-
20 its interest in the domestic partnership.

21 “(3) EXCEPTION FOR CORPORATIONS WITH
22 SUBSTANTIAL BUSINESS ACTIVITIES IN FOREIGN
23 COUNTRY OF ORGANIZATION.—A foreign corporation
24 described in paragraph (2) shall not be treated as an
25 inverted domestic corporation if after the acquisition

1 the expanded affiliated group which includes the en-
2 tity has substantial business activities in the foreign
3 country in which or under the law of which the enti-
4 ty is created or organized when compared to the
5 total business activities of such expanded affiliated
6 group. For purposes of subsection (a)(2)(B)(iii) and
7 the preceding sentence, the term ‘substantial busi-
8 ness activities’ shall have the meaning given such
9 term under regulations in effect on May 8, 2014, ex-
10 cept that the Secretary may issue regulations in-
11 creasing the threshold percent in any of the tests
12 under such regulations for determining if business
13 activities constitute substantial business activities for
14 purposes of this paragraph.”.

15 (b) CONFORMING AMENDMENTS.—

16 (1) Clause (i) of section 7874(a)(2)(B) of such
17 Code is amended by striking “after March 4, 2003,”
18 and inserting “after March 4, 2003, and before Au-
19 gust 1, 2015,”.

20 (2) Subsection (c) of section 7874 of such Code
21 is amended—

22 (A) in paragraph (2)—

23 (i) by striking subsection (a)(2)(B)(ii)
24 and inserting “subsections (a)(2)(B)(ii)
25 and (b)(2)(B)”, and

1 (ii) by inserting “or (b)(2)(A)” after
2 “(a)(2)(B)(i)” in subparagraph (B),
3 (B) in paragraph (3), by inserting “or
4 (b)(2)(B), as the case may be,” after
5 “(a)(2)(B)(ii)”,

6 (C) in paragraph (5), by striking “sub-
7 section (a)(2)(B)(ii)” and inserting “sub-
8 sections (a)(2)(B)(ii) and (b)(2)(B)”, and

9 (D) in paragraph (6), by inserting “or in-
10 verted domestic corporation, as the case may
11 be,” after “surrogate foreign corporation”.

12 (c) EFFECTIVE DATE.—The amendments made by
13 this section shall apply to taxable years ending after July
14 31, 2015.

15 (d) FUNDING.—Any increase in revenue attributable
16 to the amendments made by this section shall be allocated
17 to carrying out subparts A and B.