



First Five Years Fund

Comparison of Three Iterations of the Biggest Education Law

January 11, 2016

These tables map the major early learning provisions included in the Every Student Succeeds Act (ESSA, S.1177, P.L. 114-95) and compares them to the No Child Left Behind Act, and the Every Child Achieves Act – Engrossed in Senate 7/16/15. The document includes the entire text of the newly authorized Preschool Development Grants Program (see Addendum A), but other early learning provisions are illustrated with limited relevant passages. Readers should consult the ESSA to access the full text of these and other provisions.

Preschool Development Grants Program

ESSA Section

Sec. 9212 Preschool Development Grants Program

ECAA Engrossed in Senate 7/16/15

Sec. 5901 Early Learning Alignment and Improvement Grants:

“(a) Purposes.—The purposes of this part are to assist states with—

“(1) more efficiently using existing Federal resources to improve, strengthen, and expand existing high-quality early childhood education, as determined by the State;

“(2) coordinating existing funding streams and delivery models to promote—

“(A) program quality, while maintaining services;

“(B) parental choice among high-quality early childhood education program providers; and

“(C) early care and learning access for children from birth to kindergarten entry; and

“(3) Improving access for children from low-income families to high-quality early childhood education programs in order to enhance school readiness.”

Every Student Succeeds Act

The ESSA establishes a new preschool development grants program (\$250M) Authorization:

(1) To assist states to develop, update, or implement a strategic plan...

(2) to encourage partnerships among Head Start providers, State and local governments, Indian tribes and tribal organizations, private entities (including faith- and community-based entities), and local educational agencies, to improve coordination, program quality, and delivery of services; and

(3) To maximize parental choice among a mixed delivery system of early childhood education program providers.

SEE FULL PROGRAM TEXT IN ADDENDUM A BELOW

Other Notable Early Learning Provisions

NCLB (2001)

Sec. 1111 State Title I Plans

NCLB did not require inclusion of early childhood in Title I state plans.

Sec. 1111 State Standards

NCLB Title I not require standards to align to early learning standards. No early childhood references in the standards section.

Sec. 1111 State Assessments

No early childhood provisions in NCLB Title I assessment provisions.

ECAA Engrossed in Senate 7/16/15

Sec. 1111 State Title I Plans

SEC. 1111 (c)(1) “(C) in the case of a state that proposes to use funds under this part to offer early childhood education programs, how the state provides assistance and support to local educational agencies and individual elementary schools that are creating, expanding, or improving such programs, such as through plans for engaging and supporting principals and other school leaders responsible for improving early childhood alignment with their elementary school, supporting teachers in understanding the transition between early learning to kindergarten, and increasing parent and community engagement.”

Sec. 1111 State Standards

No relevant early learning standards alignment provisions adopted. States must adopt challenging statewide standards, but all details of those standards are left to states.

Sec. 1111 State Assessments

No relevant provisions adopted in Title I. Note, however, that the ECAA references ECE assessment in the measure’s Promise Neighborhoods authorization (Title V): “(3) LIMITATION ON USE OF FUNDS FOR EARLY CHILDHOOD EDUCATION PROGRAMS.—Funds under this part that are used to improve early childhood education programs shall not be used to carry out any of the following activities: “(A) Assessments that provide rewards or sanctions for individual children or teachers.”(B) A single assessment that is used as the primary or sole method for assessing program effectiveness. “(C) Evaluating children, other than for the purposes of improving instruction, classroom environment, professional development, or parent and family engagement, or program improvement.

Every Student Succeeds Act

Sec. 1111 State Title I Plans

SEC. 1111(g) State Plan shall describe: ‘(A) how the state will provide assistance to local educational agencies and individual elementary schools choosing to use funds under this part to support early childhood education programs.’”

Sec. 1111 State Standards

No relevant early learning standards alignment provisions adopted. States must adopt challenging statewide standards, but all details of those standards are left to states.

Sec. 1111 State Assessments

NCLB Title I did not require standards to align to early learning standards. No early childhood references in the standards section.

ESSA Section

Sec. 1111 State Accountability

NCLB did not mandate or encourage inclusion of early learning in State accountability systems (the law is focused on grades 3-8 and high school).

Sec. 1111 State Report Cards

NCLB did not require early childhood indicators on State report cards.

Sec. 1112 Local Educational Agency Title I Plans

SEC. 1112 .b.(K) if appropriate, a description of how the local educational agency will use funds under this part to support preschool programs for children, particularly children participating in Early Reading First, or in a Head Start or Even Start program, which services may be provided directly by the local educational agency or through a subcontract with the local Head Start agency designated by the Secretary of Health and Human Services under section 641 of the Head Start Act, or an agency operating an Even Start program, an Early Reading First program, or another comparable public early childhood development program.”

ECAA Engrossed in Senate 7/16/15

Sec. 1111 State Accountability

The bill’s accountability provisions do not directly address early childhood education.

Sec. 1111 State Report Cards

SEC. 1111 .—“(C) MINIMUM REQUIREMENTS.—Each State report card required under this subsection shall include the following information: “(l) the number and percentage of—“(cc) children enrolled in preschool programs;”

Sec. 1112 Local Educational Agency Title I Plans

SEC. 1112(b) .—“(9) if applicable, how the local educational agency will coordinate and integrate services provided under this part with preschool educational services at the local educational agency or individual school level, such as Head Start programs, the literacy program under part D of title II, State-funded preschool programs, and other community-based early childhood education programs, including plans for the transition of participants in such programs to local elementary school programs.”

Every Student Succeeds Act

Sec. 1111 State Accountability

Not directly addressed, but the ESSA’s more flexible accountability framework offers states greater opportunity to use non-assessment factors, which may enable the use of K-2 quality measures.

Sec. 1111 State Report Cards

SEC. 1111(h)(1)(C) State Report Cards must include: “(l) the number and percentage of students enrolled in— “(aa) preschool programs;”

Sec. 1112 Local Educational Agency Title I Plans

SEC. 1112 (b) Each LEA plan shall describe - ‘(8) if applicable, how the local educational agency will support, coordinate, and integrate services provided under this part with early childhood education programs at the local educational agency or individual school level, including plans for the transition of participants in such programs to local elementary school programs.”

ESSA Section

Sec. 1112 LEA Title I Assurances

SEC. 1112 “(C) ASSURANCES.—“(1) IN GENERAL.—Each local educational agency plan shall provide assurances that the local educational agency will—“(G) in the case of a local educational agency that chooses to use funds under this part to provide early childhood development services to low-income children below the age of compulsory school attendance, ensure that such services comply with the performance standards established under section 641A(a) of the Head Start Act.”

Sec. 1113 Title I Eligible School Attendance Areas

NCLB Title I’s eligible school attendance areas provision did not reference early childhood programs.

Sec. 1114 Schoolwide Title I Program Plans

SEC. 1114. b.G: ‘(b) COMPONENTS OF A SCHOOLWIDE PROGRAM.—“(1) IN GENERAL.—A schoolwide program shall include the following components: ‘(G) Plans for assisting preschool children in the transition from early childhood programs, such as Head Start, Even Start, Early Reading First, or a State-run preschool program, to local elementary school programs.”

ECAA Engrossed in Senate 7/16/15

Sec. 1112 LEA Title I Assurances

SEC. 1112 “(C) ASSURANCES.—Each local educational agency plan shall provide assurances that the local educational agency will—...”

No provision for ECE.

Sec. 1113 Title I Eligible School Attendance Areas

“(5) EARLY CHILDHOOD EDUCATION.—A local educational agency may reserve funds made available to carry out this section to provide early childhood education programs for eligible children.”

Sec. 1114 Schoolwide Title I Program Plans

ECAA SEC.1113 – SCHOOLWIDE PROGRAM PLAN.—An eligible school operating a schoolwide program shall develop a comprehensive plan, in consultation with the local educational agency, tribes and tribal organizations present in the community, and other individuals as determined by the school, that—“(F) includes a description of “(ii) the strategies that the school will be implementing to address school needs, including a description of how such strategies will—“(III) address the needs of all children in the school, but particularly the needs of those at risk of not meeting the challenging State academic standards, which may include—(iv) if appropriate, how funds will be used to establish or enhance early childhood education programs for children who are aged 5 or younger, including how programs will help transition such children to local elementary school programs.”

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Sec. 1112 LEA Title I Assurances

SEC. 1112 “(C) ASSURANCES.—Each local educational agency plan shall provide assurances that the local educational agency will—“(7) in the case of a local educational agency that chooses to use funds under this part to provide early childhood education services to low-income children below the age of compulsory school attendance, ensure that such services comply with the performance standards established under section 641A(a) of 5 the Head Start Act (42 U.S.C. 9836a(a)).”

Sec. 1113 Title I Eligible School Attendance Areas

“(5) EARLY CHILDHOOD EDUCATION. —A local educational agency may reserve funds made available to carry out this section to provide early childhood education programs for eligible children.”

Sec. 1114 Schoolwide Title I Program Plans

‘ESSA SEC. 1114 (b) SCHOOLWIDE PROGRAM PLAN.—An eligible school operating a school wide program shall develop a comprehensive plan (or amend a plan for such a program that was in existence on the day before the date of the enactment of the Every Student Succeeds Act) that— ‘(7) includes a description of—“(A) the strategies that the school will be implementing to address school needs, including a description of how such strategies will—“(iii) address the needs of all children in the school, but particularly the needs of those at risk of not meeting the challenging State academic standards, through activities which may include—“(V) strategies for assisting preschool children in the transition from early childhood education programs to local elementary school programs.”

ESSA Section

Sec. 1114 School Improvement

NCLB's school improvement provisions do not address early childhood education.

Sec. 1115 Title I Targeted Assistance Schools

SEC. 1115.b.2.b: '(B) HEAD START, EVEN START, OR EARLY READING FIRST CHILDREN.—A child who, at any time in the 2 years preceding the year for which the determination is made, participated in a Head Start, Even Start, or Early Reading First program, or in preschool services under this title, is eligible for services under this part.'

SEC. 1115.c.1.d: COMPONENTS OF A TARGETED ASSISTANCE SCHOOL PROGRAM.—“(1) IN GENERAL.—To assist targeted assistance schools and local educational agencies to meet their responsibility to provide for all their students served under this part the opportunity to meet the State’s challenging student academic achievement standards in subjects as determined by the State, each targeted assistance program under this section shall—“(D) coordinate with and support the regular education program, which may include services to assist preschool children in the transition from early childhood programs such as Head Start, Even Start, Early Reading First or State-run preschool programs to elementary school programs.”

ECAA Engrossed in Senate 7/16/15

Sec. 1114 School Improvement

No reference to ECE, but wide use of funds is permissible for “evidence-based school intervention and support strategies” selected by LEAs. Based on a comprehensive review of identified schools’ needs.

Sec. 1115 Title I Targeted Assistance Schools

SEC. 1113. “(2) TARGETED ASSISTANCE SCHOOL PROGRAM.—Each school operating a targeted assistance school program shall develop a plan, in consultation with the local educational agency and other individuals as determined by the school, that includes—“(D) a description of how the program will serve participating students identified under paragraph (3)(A)(ii), including by—“(ii) using methods and instructional strategies that are evidence-based to strengthen the core academic program of the school and that may include—“(II) a multi-tiered system of supports, positive behavioral interventions and supports, and early intervening services;“(iii) coordinating with and supporting the regular education program, which may include services to assist preschool children in the transition from early childhood education programs such as Head Start, the literacy program under part D of title II, or State-run preschool programs to elementary school programs.”

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Sec. 1114 School Improvement

No specific reference to early learning as a school turnaround strategy, but the ESSA's new Title I school improvement set aside provides wide latitude to districts to use the funds for any evidenced based strategies to improve student achievement, instruction, and schools.

Sec. 1115 Title I Targeted Assistance Schools

SEC. 1009(b) TARGETED ASSISTANCE SCHOOL PROGRAM. —To assist targeted assistance schools and local educational agencies to meet their responsibility to provide for all their students served under this part the opportunity to meet the challenging State academic standards, each targeted assistance program under this section shall—“(1) determine which students will be served;“(2) serve participating students identified as eligible children under subsection (c), including by...“(C) coordinating with and supporting the regular education program, which may include services to assist preschool children in the transition from early childhood education programs such as Head Start, the literacy program under subpart 2 of part B of title II, or State-run preschool programs to elementary school programs.”

ESSA Section

**Sec. 1116
Parent and Family
Engagement**

NCLB Title I's family engagement provisions did not include references to early childhood education.

**Sec. 1119
Coordination (Replacing
current NCLB Sec. 1020B)**

SEC. 1120B. COORDINATION REQUIREMENTS—
“(a) IN GENERAL.—Each local educational agency receiving assistance under this part shall carry out the activities described in subsection (b) with Head Start agencies and, if feasible, other entities carrying out early childhood development programs such as the Early Reading First program.
“(b) ACTIVITIES.—The activities referred to in subsection (a) are activities that increase coordination between the local educational agency and a Head Start agency and, if feasible, other entities carrying out early childhood development programs, such as the Early Reading First program, serving children who will attend the schools of the local educational agency, including—
“(1) developing and implementing a systematic procedure for receiving records regarding such children, transferred with parental consent from a Head Start program or, where applicable, another early childhood development program such as the Early Reading First program; “(2) establishing channels of communication between school

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Engrossed in Senate
7/16/15**

**Sec. 1116
Parent and Family
Engagement**

ECAA, SEC. 1115 “(D) USE OF FUNDS.—Funds reserved under subparagraph (A) by a local educational agency shall be used to carry out activities and strategies consistent with the local educational agency’s parent and family engagement policy, including not less than 1 of the following: “(i) Supporting schools and nonprofit organizations in providing professional development for local educational agency and school personnel regarding parent and family engagement strategies, which may be provided jointly to teachers, school leaders, specialized instructional support personnel, paraprofessionals, early childhood educators, and parents and family members.”

**Sec. 1119
Coordination (Replacing
current NCLB Sec. 1020B)**

SEC. 1008 COORDINATION REQUIREMENTS .—Replace ‘early childhood development programs, such as the Early Reading First Program’ and inserting early childhood education programs.”

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**Sec. 1116
Parent and Family
Engagement**

ESSA, SEC. 1116: “(D) USE OF FUNDS. —Funds reserved under subparagraph (A) by a local educational agency shall be used to carry out activities and strategies consistent with the local educational agency’s parent and family engagement policy, including not less than 1 of the following . . .”(i) Supporting schools and nonprofit organizations in providing professional development for local educational agency and school personnel regarding parent and family engagement strategies, which may be provided jointly to teachers, principals, other school leaders, specialized instructional support personnel, paraprofessionals, early childhood educators, and parents and family members.”

**Sec. 1119
Coordination (Replacing
current NCLB Sec. 1020B)**

Throughout the coordination section (now SEC.1119) the ESSA replaces “early childhood development programs, such as the Early Reading First program,” with the broader term “early childhood education programs.”

ESSA Section

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Sec. 1119 Coordination (Replacing current NCLB Sec. 1020B) staff and their counterparts (including

teachers, social workers, and health staff) in such Head Start agencies or other entities carrying out early childhood development programs such as the Early Reading First program, as appropriate, to facilitate coordination of programs; “(3) conducting meetings involving parents, kindergarten or elementary school teachers, and Head Start teachers or, if appropriate, teachers from other early childhood development programs such as the Early Reading First program, to discuss the developmental and other needs of individual children; “(4) organizing and participating in joint transition-related training of school staff, Head Start program staff, Early Reading First program staff, and, where appropriate, other early childhood development program staff; and “(5) linking the educational services provided by such local educational agency with the services provided by local Head Start agencies and entities carrying out Early Reading First programs. “(c) COORDINATION OF REGULATIONS.— The Secretary shall work with the Secretary of Health and Human Services to coordinate regulations promulgated under this part with regulations promulgated under the Head Start Act.”

ESSA Section

**Part B
Bureau of Indian Affairs
Programs**

**Sec. 1139
Early Childhood Development
Program**

“(a) PURPOSES.—The purposes of this subpart are as follows: “(1) To support local efforts to enhance the early language, literacy, and prereading development of preschool age children, particularly those from low-income families, through strategies and professional development that are based on scientifically based reading research. “(2) To provide preschool age children with cognitive learning opportunities in high-quality language and literature rich environments, so that the children can attain the fundamental knowledge and skills necessary for optimal reading development in kindergarten and beyond. “(3) To demonstrate language and literacy activities based on scientifically based reading research that supports the age appropriate development of— “(A) recognition, leading to automatic recognition, of letters of the alphabet; “(B) knowledge of letter sounds, the blending of sounds, and the use of increasingly complex vocabulary; “(C) an understanding that written language is composed of phonemes and letters each representing one or more speech sounds that in combination make up syllables, words, and sentences; “(D) spoken language, including vocabulary and oral comprehension abilities; and “(E) knowledge of the purposes and conventions of print. “(4) To use screening assessments to effectively identify preschool-age children who may be at risk for reading failure. “(5) To integrate such scientific reading research-based instructional materials and literacy activities with existing programs of preschools, child care agencies and programs, Head Start centers, and family literacy services.”

**ECAA
Engrossed in Senate
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**Part B
Bureau of Indian Affairs
Programs**

**Sec. 1139
Early Childhood Development
Program**

No comparable provision, but see literacy programs below.

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**Part B
Bureau of Indian Affairs
Programs**

**Sec. 1139
Early Childhood Development
Program**

No comparable provision, but see literacy programs below.

ESSA Section

**Subpart 2
Early Reading First**

**Sec. 1222
Local Early Reading First
Grants**

“(c) APPROVAL OF LOCAL APPLICATIONS.—
The Secretary shall select applicants for funding under this subpart based on the quality of the applications and the recommendations of a peer review panel convened under section 1203(c)(2), that includes, at a minimum, three individuals, selected from the entities described in clauses (ii), (iii), and (iv) of section 1203(c)(2)(A), who are experts in early reading development and early childhood development.”

**Subpart 3
William F. Goodling Even Start
Family Literacy Programs**

**Sec. 1231
State of Purpose**

“It is the purpose of this subpart to help break the cycle of poverty and illiteracy by—
“(1) improving the educational opportunities of the Nation’s low-income families by integrating early childhood education, adult literacy or adult basic education, and parenting education into a unified family literacy program, to be referred to as ‘Even Start’.”

SEC. 1235 PROGRAM ELEMENTS - “Each program assisted under this subpart shall—
“(4) include high-quality, intensive instructional programs that promote adult literacy and empower parents to support the educational growth of their children, developmentally appropriate early childhood educational services, and preparation of children for success in regular school programs; “(5) with respect to the qualifications of staff the cost of whose salaries are paid, in whole or in part, with Federal funds provided under this subpart, ensure that— “(A) not later than December 21, 2004— “(i) a majority

**ECAA
Engrossed in Senate
7/16/15**

**Subpart 2
Early Reading First**

**Sec. 1222
Local Early Reading First
Grants**

‘Early Reading’ language replaced by ‘early childhood education’.

**Subpart 2
Early Reading First**

**Sec. 1222
Local Early Reading First
Grants**

‘Early Reading’ language replaced by ‘early childhood education’.

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**Subpart 2
Early Reading First**

**Sec. 1222
Local Early Reading First
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**Subpart 2
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**ECAA
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Subpart 3 William F. Goodling Even Start Family Literacy Programs; Sec. 1231 State of Purpose

of the individuals providing academic instruction— “(I) shall have obtained an associate’s, bachelor’s, or graduate degree in a field related to early childhood education, elementary school or secondary school education, or adult education; and “(II) if applicable, shall meet qualifications established by the State for early childhood education, elementary school or secondary school education, or adult education provided as part of an Even Start program or another family literacy program; “(B) all new personnel hired to provide academic instruction— “(i) have obtained an associate’s, bachelor’s, or graduate degree in a field related to early childhood education, elementary school or secondary school education, or adult education; and “(ii) if applicable, meet qualifications established by the State for early childhood education, elementary school or secondary school education, or adult education provided as part of an Even Start program or another family literacy program; Deadline. “(6) include special training of staff, including child-care staff, to develop the skills necessary to work with parents and young children in the full range of instructional services offered through this subpart; “(7) provide and monitor integrated instructional services to participating parents and children through home-based programs; “(8) operate on a year-round basis, including the provision of some program services, including instructional and enrichment services, during the summer months; “(9) be coordinated with— “(A) other programs assisted under this Act; “(B) any relevant programs under the Adult Education and Family Literacy Act, the Individuals with Disabilities Education Act, and title I of the Workforce Investment Act of 1998; and “(C) the Head Start program, volunteer literacy programs, and other relevant programs; “(10) use instructional programs based on scientifically based reading research for

ESSA Section

**ECAA
Engrossed in Senate
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**Subpart 3 William F. Goodling Even
Start Family Literacy Programs;
Sec. 1231 State of Purpose**

children and adults, to the extent that research is available; “(11) encourage participating families to attend regularly and to remain in the program a sufficient time to meet their program goals; “(12) include reading-readiness activities for preschool children based on scientifically based reading research, to the extent available, to ensure that children enter school ready to learn to read; “(13) if applicable, promote the continuity of family literacy to ensure that individuals retain and improve their educational outcomes; “(14) ensure that the programs will serve those families most in need of the activities and services provided by this subpart; and “(15) provide for an independent evaluation of the program, to be used for program improvement.”

**Sec. 1306
Comprehensive Needs
Assessment and Service
Delivery Plan; Authorized
Activities**

“(a) COMPREHENSIVE PLAN.— “(1) IN GENERAL.—Each State that receives assistance under this part shall ensure that the State and its local operating agencies identify and address the special educational needs of migratory children in accordance with a comprehensive State plan that—“(F) is the product of joint planning among such local, State, and Federal programs, including programs under part A, early childhood programs, and language instruction educational programs under part A or B of Title III.”

**Sec. 1306
Comprehensive Needs
Assessment and Service
Delivery Plan; Authorized
Activities**

No comparable provision.

**Sec. 1306
Comprehensive Needs
Assessment and Service
Delivery Plan; Authorized
Activities**

No comparable provision.

ESSA Section

Sec. 2101 State Use of Title II Funds

NCLB's Title II state activities provisions do not reference early childhood.

Sec. 2103 Local Uses of Title II Funds

NCLB's Title II district activities provisions do not reference early childhood.

ECAA Engrossed in Senate 7/16/15

Sec. 2101 State Use of Title II Funds

SEC. 2101. STATE USE OF FUNDS “(4) STATE ACTIVITIES.— “(B) TYPES OF STATE ACTIVITIES.—The activities described in this subparagraph are the following: “(xvii) Supporting principals, other school leaders, teachers, teacher leaders, paraprofessionals, early childhood education program directors, and other early childhood education program providers to participate in efforts to align and promote quality early learning experiences from prekindergarten through grade 3.”

Sec. 2103 Local Uses of Title II Funds

SEC. 2103. LOCAL USE OF FUNDS “(b) TYPES OF ACTIVITIES.—The activities described in this subsection— “(4) may include, among other programs and activities— “(G) providing programs and activities to increase— “(ii) the ability of principals and other school leaders to support teachers, teacher leaders, early childhood educators, and other professionals to meet the needs of students through age 8, which may include providing joint professional learning and planning activities for school staff and educators in preschool programs that address the transition to elementary school.”

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Sec. 2101 State Use of Title II Funds

SEC. 2101. FORMULA GRANTS TO STATES. “(c) STATE USES OF FUNDS. — ‘(4) STATE ACTIVITIES.— “(B) TYPES OF STATE ACTIVITIES.—The activities described in this subparagraph are the following: “(xvi) Supporting opportunities for principals, other school leaders, teachers, professionals, early childhood education program directors, and other early childhood education program providers to participate in joint efforts to address the transition to elementary school, including issues related to school readiness.”

Sec. 2103 Local Uses of Title II Funds

SEC. 2103. LOCAL USES OF FUNDS “(b) TYPES OF ACTIVITIES.—The programs and activities described in this subsection— “(3) may include, among other programs and activities—“(G) providing programs and activities to increase—“(ii) the ability of principals or other school leaders to support teachers, teacher leaders, early childhood educators, and other professionals to meet the needs of students through age 8, which may include providing joint professional learning and planning activities for school staff and educators in preschool programs that address the transition to elementary school.”

ESSA Section

**Subpart 5
National Activities**

**Sec. 2151
National Activities of
Demonstrated Effectiveness**

“(e) EARLY CHILDHOOD EDUCATOR PROFESSIONAL DEVELOPMENT.—“(1) PURPOSE.—The purpose of this subsection is to enhance the school readiness of young children, particularly disadvantaged young children, and to prevent young children from encountering difficulties once the children enter school, by improving the knowledge and skills of early childhood educators who work in communities that have high concentrations of children living in poverty. “(2) PROGRAM AUTHORIZED.—“(A) GRANTS TO PARTNERSHIPS.—The Secretary is authorized to carry out the purpose of this subsection by awarding grants, on a competitive basis.

“(6) ACCOUNTABILITY.—“(A) ACHIEVEMENT INDICATORS.—On the date on which the Secretary first issues a notice soliciting applications for grants under this subsection, the Secretary shall announce achievement indicators for this subsection, which shall be designed—“(ii) to measure the impact of that professional development on the early childhood education provided by the individuals who receive the professional development; and,

“(8) FEDERAL COORDINATION.—The Secretary and the Secretary of Health and Human Services shall coordinate activities carried out through programs under this subsection with activities carried out through other early childhood programs administered by the Secretary or the Secretary of Health and Human Services.”

**ECAA
Engrossed in Senate
7/16/15**

**Subpart 5
National Activities**

**Sec. 2151
National Activities of
Demonstrated Effectiveness**

No comparable provision.

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**Subpart 5
National Activities**

**Sec. 2151
National Activities of
Demonstrated Effectiveness**

No comparable provision.

ESSA Section

Section 2221 et. seq.– Literacy Education

See Even Start program description above.

Sec. 3131 Professional Development Project for English Learners

SEC. 3115. SUBGRANTS TO ELIGIBLE ENTITIES. “(a) PURPOSES OF SUBGRANTS.—A State educational agency may make a subgrant to an eligible entity from funds received by the agency under this subpart only if the entity agrees to expend the funds to improve the education of limited English proficient children, by assisting the children to learn English and meet challenging State academic content and student academic achievement standards. In carrying out activities with such funds, the entity shall use approaches and methodologies based on scientifically based research on teaching limited English proficient children and immigrant children and youth for the following purposes: “(1) Developing and implementing new language instruction educational programs and academic content instruction programs for such children, and such children and youth, including programs of early childhood education, elementary school programs, and secondary school programs.”

ECAA Engrossed in Senate 7/16/15

Section 2221 et. seq.– Literacy Education

The ECAA establishes a competitive grant program to support literacy education initiatives.

SEC.2401 (a) PURPOSES.—The purposes of this part are—“(1) to improve student academic achievement in reading and writing by providing Federal support to states to develop, revise, or update comprehensive literacy instruction plans that, when implemented, ensure high-quality instruction and effective strategies in reading and writing from early education through grade 12.”

Sec. 3131 Professional Development Project for English Learners

SEC. 3131. NATIONAL PROFESSIONAL DEVELOPMENT PROJECT.—“The Secretary shall use funds made available under section 3111(c)(1)(C) to award grants on a competitive basis, for a period of not more than 5 years, to institutions of higher education or public or private entities with relevant experience and capacity (in consortia with State educational agencies or local educational agencies) to provide for professional development, capacity building, or evidence-based activities that will improve classroom instruction for English learners and assist educational personnel working with such children to meet high professional standards, including standards for certification and licensure as teachers who work in language instruction educational programs or serve English learners. Grants awarded under this section may be used—“(6) as appropriate, to support strategies that promote school readiness of English learners and their transition from early childhood education programs, such as Head Start or State-run preschool programs to elementary school programs.”

Every Student Succeeds Act

Section 2221 et. seq.– Literacy Education

The ESSA establishes a competitive grant program to support literacy education initiatives.

Sec. 2221. PURPOSES.—The purposes of this subpart are—“(1) to improve student academic achievement in reading and writing by providing Federal support to states to develop, revise, or update comprehensive literacy instruction plans that, when implemented, ensure high-quality instruction and effective strategies in reading and writing from early education through grade 12.”

Includes extensive additional early learning references. See ESSA for full text.

Sec. 3131 Professional Development Project for English Learners

SEC. 3131. NATIONAL PROFESSIONAL DEVELOPMENT PROJECT.—“The Secretary shall use funds made available under section 3111(c)(1)(C) to award grants on a competitive basis, for a period of not more than 5 years, to institutions of higher education or public or private entities with relevant experience and capacity (in consortia with State educational agencies or local educational agencies) to provide for professional development activities that will improve classroom instruction for English learners and assist educational personnel working with English learners to meet high professional standards, including standards for certification and licensure as teachers who work in language instruction educational programs or serve English learners. Grants awarded under this section may be used—“(6) as appropriate, to support strategies that promote school readiness of English learners and their transition from early childhood education programs, such as Head Start or State-run preschool programs, to elementary school programs.”

ESSA Section

**Subpart 1
Program Development and
Enhancement**

**SEC. 3212. PROGRAM
ENHANCEMENT ACTIVITIES**

No comparable program.

**Sec. 4101
Student Support and
Academic Enrichment Grants
(including healthy students)**

No comparable program.

**ECAA
Engrossed in Senate
7/16/15**

**Subpart 1
Program Development and
Enhancement**

**SEC. 3212. PROGRAM
ENHANCEMENT ACTIVITIES**

SEC. 4103. FORMULA GRANTS TO STATES.—“(3) STATE ACTIVITIES.—A State educational agency shall use the amount made available to the State under subsection (b) and not reserved under paragraph (1) for activities and programs designed to meet the purposes of this part, which— may include: “(iii) supporting programs and activities that offer a variety of well-rounded educational experiences to students.”

**Sec. 4101
Student Support and
Academic Enrichment Grants
(including healthy students)**

SEC. 4103. FORMULA GRANTS TO STATES .—“(3) STATE ACTIVITIES.—A State educational agency shall use the amount made available to the State under subsection (b) and not reserved under paragraph (1) for activities and programs designed to meet the purposes of this part, which— may include: “(iii) supporting programs and activities that offer a variety of well-rounded educational experiences to students.”

**Every Student
Succeeds Act**

**Subpart 1
Program Development and
Enhancement**

**SEC. 3212. PROGRAM
ENHANCEMENT ACTIVITIES**

SEC. 4101.—No specific ECE provisions adopted, but the ESSA establishes a relatively flexible block grant called the Student Support and Academic Enrichment Grant Program that includes a core focus on providing all students with access to a well rounded education and improving school conditions for student learning (including health and wellness programs). The program offers districts wide latitude to address specific needs—which could arguable extend to ECE initiatives— in their schools.”

**Sec. 4101
Student Support and Academic
Enrichment Grants (including
healthy students)**

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ESSA Section

Part C

**Sec. 4303
Nonsmoking Policy for
Children’s Services**

SEC. 4303.b.1: “(1) IN GENERAL.—After the date of enactment of the No Child Left Behind Act of 2001, no person shall permit smoking within any indoor facility (or portion of such a facility) owned or leased or contracted for, and utilized by, such person for the provision of regular or routine health care or day care or early childhood development (Head Start) services. “(2) HEALTH OR DAY CARE OR EARLY CHILDHOOD DEVELOPMENT SERVICES.—“(A) IN GENERAL.—After the date of enactment of the No Child Left Behind Act of 2001, no Federal agency shall permit smoking within any indoor facility (or portion of such facility) operated by such agency, directly or by contract, to provide routine or regular health or day care or early childhood development (Head Start) services to children.”

**Sec. 4302
Charter Schools Program**

NCLB’s charter school provisions do not reference early childhood education.

**ECAA
Engrossed in Senate
7/16/15**

Part C

**Sec. 4303
Nonsmoking Policy for
Children’s Services**

No comparable provision.

**Sec. 4302
Charter Schools Program**

Title VI General Provisions – SEC. 6101 DEFINITIONS “(3) CHARTER SCHOOL.—The term ‘charter school’ means a public school that—“(M) may serve prekindergarten or postsecondary students.

5102.h.6: “(h) Local Uses Of Funds.—An eligible applicant receiving a subgrant under this section shall use such funds to carry out activities related to opening a new charter school, replicating a high-quality charter school, or expanding a high-quality charter school, which may include—“(6) providing early childhood education programs for children, including direct support to, and coordination with, school- or community-based early childhood education programs.”

**Every Student
Succeeds Act**

Part C

**Sec. 4303
Nonsmoking Policy for
Children’s Services**

No comparable provision.

**Sec. 4302
Charter Schools Program**

SEC. 4302 “(a) IN GENERAL.—The Secretary may carry out a charter school program that supports charter schools that serve early childhood, elementary school, or secondary school students by—...”

ESSA Section

**Sec. 4643
Ready to Learn Programming**

NCLB Citations

**Subpart 3
Ready to Learn Television**

**Sec. 2431
Ready to Learn Television**

(a) PROGRAM AUTHORIZED.—“(1) IN GENERAL.—The Secretary is authorized to award grants to, or enter into contracts or cooperative agreements with, eligible entities described in paragraph (3) to enable such entities—“(A) to develop, produce, and distribute educational and instructional video programming for preschool and elementary school children and their parents in order to facilitate student academic achievement;“(E) to develop and disseminate education and training materials, including interactive programs and programs adaptable to distance learning technologies, that are designed—“(i) to promote school readiness; and“(ii) to promote the effective use of materials developed under subparagraphs (B) and (C) among parents, teachers, Head Start providers, Even Start providers, providers of family literacy services, child care providers, early childhood development personnel, elementary school teachers, public libraries, and afterschool program personnel caring for preschool and elementary school children.”

**ECAA
Engrossed in Senate
7/16/15**

**Sec. 4643
Ready to Learn Programming**

NCLB Citations

**Subpart 3
Ready to Learn Television**

**Sec. 2431
Ready to Learn Television**

Part F – Ready To Learn Television

SEC. 5601.—“(1) IN GENERAL.—The Secretary is authorized to award grants to, or enter into contracts or cooperative agreements with, eligible entities described in paragraph (3) to enable such entities—“(A) to develop, produce, and distribute educational and instructional video programming for preschool and elementary school children and their parents in order to facilitate student academic achievement;“(4) COORDINATION OF ACTIVITIES.—An entity receiving a grant, contract, or cooperative agreement under this section shall consult with the Secretary and the Secretary of Health and Human Services—“(B) to coordinate activities with Federal programs that have major training components for early childhood development, including programs under the Head Start Act (42 U.S.C. 9831 et seq.) and State training activities funded under the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858 et seq.), regarding the availability and utilization of materials developed under paragraph (1)(E) to enhance parent and child care provider skills in early childhood development and education.”

**Every Student
Succeeds Act**

**Sec. 4643
Ready to Learn Programming**

NCLB Citations

**Subpart 3
Ready to Learn Television**

**Sec. 2431
Ready to Learn Television**

SEC. 4643.—Competitive grant program for (among other purposes) developing, producing, and distributing accessible educational and instructional video programming for preschool and elementary school children and their parents in order to facilitate student academic achievement;

Also supports coordinating activities with Federal programs that have major training components for early childhood development, including programs under the Head Start Act (42 U.S.C. 9831 et seq.) and State training activities funded under the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858 et seq.), regarding the availability and utilization of materials developed under paragraph (1)(B)(v) to enhance parent and child care provider skills in early...”

ESSA Section

**ECAA
Engrossed in Senate
7/16/15**

**Every Student
Succeeds Act**

**Sec. 5471
Start Schools Program**

**Sec. 5474
Applications**

SEC. 5474.—“(G) providing professional development for teachers, including, as appropriate, training to early childhood development and Head Start teachers and staff and vocational education teachers and staff, and adult and familyeducators;

**Sec. 5542
Promotion of School
Readiness Through Early
Childhood Emotional and
Social Development**

“(a) AUTHORIZATION.—The Secretary, in consultation with the Secretary of Health and Human Services, may award grants (to be known as ‘Foundations for Learning Grants’) to local educational agencies, local councils, community-based organizations, and other public or nonprofit private entities to assist eligible children to become ready for school.”

**Sec. 5551
Subpart 16
Parental Assistance and Local
Family Information Centers**

“(a) SUBMISSION.—Each nonprofit organization (including a statewide nonprofit organization), or a consortia of such an organization and a local educational agency, that desires a grant under this subpart shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may require. “(b) CONTENTS.—Each application submitted under subsection (a), at a minimum, shall include assurances that the organization or consortium will—“(10) use at least 30 percent of the funds received under this subpart in each fiscal year to establish,

**Sec. 5471
Start Schools Program**

**Sec. 5474
Applications**

No comparable provision.

**Sec. 5542
Promotion of School
Readiness Through Early
Childhood Emotional and
Social Development**

No comparable provision.

**Sec. 5551
Subpart 16
Parental Assistance and Local
Family Information Centers**

No comparable provision.

**Sec. 5471
Start Schools Program**

**Sec. 5474
Applications**

No comparable provision.

**Sec. 5542
Promotion of School
Readiness Through Early
Childhood Emotional and
Social Development**

No comparable provision.

**Sec. 5551
Subpart 16
Parental Assistance and Local
Family Information Centers**

No comparable provision.

ESSA Section

**ECAA
Engrossed in Senate
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CONTINUES

Sec. 5551, Subpart 16 Parental Assistance and Local Family Information Centers

expand, or operate Parents as Teachers programs, Home Instruction for Preschool Youngsters programs, or other early childhood parent education programs;

SEC. 5566 LOCAL FAMILY INFORMATION CENTERS.—“(a) IN GENERAL.—If the amount made available to carry out this subpart for a fiscal year is more than \$50,000,000, the Secretary is authorized to award 50 percent of the amount that exceeds \$50,000,000 as grants to, and enter into contracts and cooperative agreements with, local nonprofit parent organizations to enable the organizations to support local family information centers that help ensure that parents of students in elementary schools and secondary schools assisted under this subpart have the training, information, and support the parents need to enable the parents to participate effectively in their children’s early childhood education, in their children’s elementary and secondary education, and in helping their children to meet challenging State academic content and student academic achievement standards.”

**Sec. 6002
Indian Education**

**No Child Left Behind Sec. 7115
Et Seq.**

“(a) GENERAL REQUIREMENTS.—Each local educational agency that receives a grant under this subpart shall use the grant funds, in a manner consistent with the purpose specified in section 7111, for services and activities that— (1) are designed to carry out the comprehensive program of the local educational agency for Indian students, and described in the application of the local educational agency submitted to the Secretary under section 7114(a); (b) PARTICULAR

**Sec. 6002
Indian Education**

**No Child Left Behind Sec. 7115
Et Seq.**

Title VII – Indian, Native Hawaiian, and Alaska Native Education Sec.7111

“(b) PARTICULAR ACTIVITIES.—The services and activities referred to in subsection (a) may include— 3) high-quality early childhood and family programs that emphasize school readiness; “(4) enrichment programs that focus on problem solving and cognitive skills development and directly support the attainment of challenging State academic

**Sec. 6002
Indian Education**

**No Child Left Behind Sec. 7115
Et Seq.**

Reauthorizes targeted grants supporting Native American Students, including supporting... “(3) early childhood and family programs that emphasize school readiness; ‘(4) enrichment programs that focus on problem solving and cognitive skills development and directly support the attainment of challenging State academic standards; “(5) integrated educational services in combination with other programs that meet the needs of Indian children and their families, including programs

ESSA Section

CONTINUES

Sec. 6002 Indian Education; No Child Left Behind Sec. 7115 Et Seq.

ACTIVITIES.—The services and activities referred to in subsection (a) may include “(2) early childhood and family programs that emphasize school readiness; “(c) GRANTS AUTHORIZED.—“(1) IN GENERAL.—The Secretary shall award grants to eligible entities to enable such entities to carry out activities that meet the purpose of this section, including—“(G) early childhood and kindergarten programs, including family-based preschool programs that emphasize school readiness and parental skills, and the provision of services to Indian children with disabilities; “(3) AUTHORIZED ACTIVITIES.—Activities provided through programs carried out under this part may include—“(B) the operation of family-based education centers that provide such services as—“(i) programs for Native Hawaiian parents and their infants from the prenatal period of the infants through age 3; “(ii) preschool programs for Native Hawaiians; and “(iii) research on, and development and assessment of, family-based, early childhood, and preschool programs for Native Hawaiians; “(5) The programs authorized in this part, combined with expanded Head Start, infant learning, and early childhood education programs, and parent education programs, are essential if educational handicaps are to be overcome.”

**ECAA
Engrossed in Senate
7/16/15**

CONTINUES

Sec. 6002 Indian Education; No Child Left Behind Sec. 7115 Et Seq.

standards described in 1111(b); “(5) integrated educational services in combination with other programs that meet the needs of Indian children and their families, including programs that promote parental involvement in school activities and increase student achievement.”

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CONTINUES

Sec. 6002 Indian Education; No Child Left Behind Sec. 7115 Et Seq.

that promote parental involvement in school activities and increase student achievement.”

See ESSA for further ECE references.

ESSA Section

**Sec. 8002
Definitions**

SEC. 2151 National Activities of Demonstrated Effectiveness

“(9) DEFINITIONS.—In this subsection: “(A) EARLY CHILDHOOD EDUCATOR.—The term ‘early childhood educator’ means a person providing, or employed by a provider of, nonresidential child care services (including center-based, family-based, and in-home child care services) that is legally operating under State law, and that complies with applicable State and local requirements for the provision of child care services to children at any age from birth through the age at which a child may start kindergarten in that State.”

Sec. 9101

**ECAA
Engrossed in Senate
7/16/15**

**Sec. 8002
Definitions**

SEC. 9101 Definitions Title IX

“(18) EARLY CHILDHOOD EDUCATION PROGRAM.—The term ‘early childhood education program’ has the meaning given the term in section 103 of the Higher Education Act of 1965.

“(41) PROFESSIONAL DEVELOPMENT.—The term ‘professional development’ means activities that—“(A) are an integral part of school and local educational agency strategies for providing educators (including teachers, principals, other school leaders, specialized instructional support personnel, paraprofessionals, and, as applicable, early childhood educators) with the knowledge and skills necessary to enable students to succeed in the core academic subjects and to meet challenging State academic standards; and “(B) are sustained (not stand-alone, 1-day, or short term workshops), intensive, collaborative, job-embedded, data-driven, classroom-focused, and may include activities that—“(xviii) where applicable and practical, provide jointly for school staff and other early childhood education program providers, to address the transition to elementary school, including issues related to school readiness.”

Sec. 9101

No reference to early elementary teacher qualification requirements

SEC. 10201. USE OF TERM “HIGHLY QUALIFIED” IN OTHER LAWS.—Beginning on the date of the enactment of this Act, any reference in law to the term “highly qualified”, as defined in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801), shall be treated as a reference to such term under section 9101 of the Elementary and Secondary Education Act of 1965 as in effect on the day before the date of the enactment of this Act.”

**Every Student
Succeeds Act**

**Sec. 8002
Definitions**

SEC. 9101 Definitions Title IX

“(16) EARLY CHILDHOOD EDUCATION PROGRAM.—The term ‘early childhood education program’ has the meaning given the term in section 103 of the Higher Education Act of 1965 (20 U.S.C. 22 1003).

“(42) PROFESSIONAL DEVELOPMENT. —The term ‘professional development’ means activities that—“(B) are sustained (not stand-alone, 1-day, or short term workshops), intensive, collaborative, job-embedded, data-driven, and classroom-focused, and may include activities that—“(xviii) where practicable, provide jointly for school staff and other early childhood education program providers, to address the transition to elementary school, including issues related to school readiness.”

Sec. 9101

No relevant provisions adopted. The No Child Left Behind Act’s highly qualified teacher requirements are no longer mandated under the ESSA.

Addendum A

SEC. 9212. PRESCHOOL DEVELOPMENT GRANTS.

(a) PURPOSES.—*The purposes of this section are—*

(1) to assist states to develop, update, or implement a strategic plan that facilitates collaboration and coordination among existing programs of early childhood care and education in a mixed delivery system across the State designed to prepare low-income and disadvantaged children to enter kindergarten and to improve transitions from such system into the local educational agency or elementary school that enrolls such children, by— (A) more efficiently using existing Federal, State, local, and non-governmental resources to align and strengthen the delivery of existing programs; (B) coordinating the delivery models and funding streams existing in the State’s mixed delivery system; and (C) developing recommendations to better use existing resources in order to improve—(i) the overall participation of children in a mixed delivery system of Federal, State, and local early childhood education programs; (ii) program quality while maintaining availability of services; (iii) parental choice among existing programs; and (iv) school readiness for children from low-income and disadvantaged families, including during such children’s transition into elementary school;

(2) to encourage partnerships among Head Start providers, State and local governments, Indian tribes and tribal organizations, private entities (including faith- and community-based entities), and local educational agencies, to improve coordination, program quality, and delivery of services; and

(3) to maximize parental choice among a mixed delivery system of early childhood education program providers.

(b) DEFINITIONS.—*In this section:*

(1) ESEA DEFINITIONS.—The terms “elementary school”, “local educational agency”, and 19 “State” have the meanings given the terms in section 8101 of the Elementary and Secondary Education Act of 1965.

(2) CENTER OF EXCELLENCE IN EARLY CHILDHOOD.—The term “Center of Excellence in Early Childhood” means a Center of Excellence in Early Childhood designated under section 657B(b) of the Head Start Act (42 U.S.C. 9852b(b)).

(3) EARLY CHILDHOOD EDUCATION PROGRAM.—The term “early childhood education program” has the meaning given the term in section 103 of the Higher Education Act of 1965 (20 U.S.C. 1003).

(4) EXISTING PROGRAM.—The term “existing program” means a Federal, State, local, or privately-funded early childhood education program that— (A) was operating in the State on the day before the date of enactment of this Act; or (B) began operating in the State at any time on or after the date of enactment of this Act through funds that were not provided by a grant under this section.

(5) MIXED DELIVERY SYSTEM.—The term “mixed delivery system” means a system— (A) of early childhood education services that are delivered through a combination of programs, providers, and settings (such as Head Start, licensed family and center-based child care programs, public schools, and community-based organizations); and (B) that is supported with a combination of public funds and private funds.

(6) SECRETARY.—The term “Secretary” means the Secretary of Health and Human Services.

(7) STATE ADVISORY COUNCIL.—The term “State Advisory Council” means a State Advisory Council on Early Childhood Education and Care designated or established under section 642B(b)(1)(A) of the Head Start Act (42 U.S.C. 9837b(b)(1)(A)).

(c) GRANTS AUTHORIZED.—

(1) IN GENERAL.—From amounts made available under subsection (k), the Secretary, jointly with the Secretary of Education, shall award grants to states to enable the states to carry out the activities described in subsection (f).

(2) AWARD BASIS.—Grants under this subsection shall be awarded— (A) on a competitive basis; and (B) with priority for states that meet the requirements of subsection (e)(3).

(3) DURATION OF GRANTS.—A grant awarded under paragraph (1) shall be for a period of not more than 1 year and may be renewed by the Secretary, jointly with the Secretary of Education, under subsection (g).



(4) **MATCHING REQUIREMENT.**—Each State that receives a grant under this section shall provide funds from non-Federal sources (which may be provided in cash or in kind) to carry out the activities supported by the grant, in an amount equal to not less than 30 percent of the amount of such grant.

(d) INITIAL APPLICATION.—*A State desiring a grant under subsection (c)(1) shall submit an application at such time and in such manner as the Secretary may reasonably require. The application shall contain—*

(1) an identification of the State entity that the Governor of the State has appointed to be responsible for duties under this section;

(2) a description of how such State entity proposes to accomplish the activities described in subsection (f) and meet the purposes of this section described in subsection (a), including— (A) a timeline for strategic planning activities; and (B) a description of how the strategic planning activities and the proposed activities described in subsection (f) will increase participation of children from low-income and disadvantaged families in high-quality early childhood education and preschool programs as a result of the grant;

(3) a description of the Federal, State, and local existing programs in the State for which such State entity proposes to facilitate activities described in subsection (f), including— (A) programs carried out under the Head Start Act (42 U.S.C. 9801 et seq.), including the Early Head Start programs carried out under such Act; (B) child care programs carried out under the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858 et seq.) or section 418 of the Social Security Act (42 U.S.C. 618); and (C) other Federal, State, and local programs of early learning and development, early childhood education, and child care, operating in the State (including programs operated by Indian tribes and tribal organizations and private entities, including faith- and community based entities), as of the date of the application for the grant;

(4) a description of how the State entity, in collaboration with Centers of Excellence in Early Childhood, if appropriate, will provide technical assistance and disseminate best practices;

(5) a description of how the State plans to sustain the activities described in, and carried out in accordance with, subsection (f) with non-Federal sources after grant funds under this section are no longer available, if the State plans to continue such activities after such time; and

(6) a description of how the State entity will work with the State Advisory Council and Head Start collaboration offices.

(e) REVIEW PROCESS.—*The Secretary shall review the applications submitted under subsection (d) to—*

(1) determine which applications satisfy the requirements of such subsection;

(2) confirm that each State submitting an application has, as of the date of the application, a mixed delivery system in place; and (3) determine if a priority is merited in accordance with subsection (c)(2)(B) because the State has never received—(A) a grant under subsection (c); or (B) a preschool development grant for development or expansion under such program as it existed on the day before the date of enactment of this Act.

(f) USE OF FUNDS.—*A State, acting through the State entity appointed under subsection (d)(1), that receives a grant under subsection (c)(1) shall use the grant funds for all of the following activities:*

(1) Conducting a periodic statewide needs assessment of— (A) the availability and quality of existing programs in the State, including such programs serving the most vulnerable or underserved populations and children in rural areas; (B) to the extent practicable, the unduplicated number of children being served in existing programs; and (C) to the extent practicable, the unduplicated number of children awaiting service in such programs.

(2) Developing a strategic plan that recommends collaboration, coordination, and quality improvement activities (including activities to improve children's transition from early childhood education programs into elementary schools) among existing programs in the State and local educational agencies. Such plan shall include information that—(A) identifies opportunities for, and barriers to, collaboration and coordination among existing programs in the State, including among State, local, and tribal (if applicable) agencies responsible for administering such programs; (B) recommends partnership opportunities among Head Start providers, local educational agencies, State and local governments, Indian tribes and tribal organizations, and private entities (including faith- and community-based entities) that would improve coordination, program quality, and delivery of services; (C) builds on existing plans and goals with respect to early childhood education programs, including improving coordination and collaboration among such programs, of the State Advisory Council while incorporating new or updated Federal, State, and local statutory requirements, including—(i) the requirements of the Child Care and Development Block Grant Act of 1990 24 (42 U.S.C. 9858 et seq.); and (ii) when appropriate, information found in the report required under section 13 of the Child Care and Development Block Grant Act of 2014 (Public Law 113–186; 128 Stat. 2002); and (D) describes how accomplishing the activities described in subparagraphs (A) through (C) will better serve children and families in existing programs and how such activities will increase the overall participation of children in the State.



(3) Maximizing parental choice and knowledge about the State's mixed delivery system of existing programs and providers by—(A) ensuring that parents are provided information about the variety of early childhood education programs for children from birth to kindergarten entry in the State's mixed delivery system; and (B) promoting and increasing involvement by parents and family members, including families of low-income and disadvantaged children, in the development of their children and the transition of such children from an early child hood education program into an elementary school.

(4) Sharing best practices among early childhood education program providers in the State to increase collaboration and efficiency of services, including to improve transitions from such programs to elementary school.

(5) After activities described in paragraphs (1) and (2) have been completed, improving the overall quality of early childhood education programs in the State, including by developing and implementing evidence-based practices that meet the requirements of section 8101(21)(A)(i) of the Elementary and Secondary Education Act of 1965, to improve professional development for early childhood education providers and educational opportunities for children.

(g) RENEWAL GRANTS.—

(1) IN GENERAL.—The Secretary, jointly with the Secretary of Education, may use funds available under subsection (k) to award renewal grants to states described in paragraph (2) to enable such states to continue activities described in subsection (f) and to carry out additional activities described in paragraph (6).

(2) ELIGIBLE STATES.—A State shall be eligible for a grant under paragraph (1) if— (A) the State has received a grant under subsection (c)(1) and the grant period has concluded; or (B)(i) the State has received a preschool development grant for development or expansion under such program as it existed on the day before the date of enactment of this Act, and the grant period for such grant has concluded; and (ii) the Secretary allows such State to apply directly for a renewal grant under this subsection, rather than an initial grant under subsection (c)(1), and the State submits with its application the needs assessment completed under the preschool development grant (updated as necessary to reflect the needs of the State as of the time of the application) in place of the activity described in subsection (f)(1).

(3) DURATION OF GRANTS.—A grant awarded under this subsection shall be for a period of not more than 3 years and shall not be renewed.

(4) MATCHING REQUIREMENT.—Each State that receives a grant under this subsection shall provide funds from non-Federal sources (which may be provided in cash or in kind) to carry out the activities supported by the grant, in an amount equal to not less than 30 percent of the amount of the grant.

(5) APPLICATION.—A State described in paragraph (2) that desires a grant under this subsection shall submit an application for renewal at such time and in such manner as the Secretary may reasonably require. The application shall contain—(A) applicable information required in the application described in subsection (d), and in the case of a State described in paragraph (2)(A), updated as the State determines necessary; (B) in the case of a State described in paragraph (2)(A), a description of how funds were used for the activities described in subsection (f) in the initial grant period and the extent to which such activities will continue to be supported in the renewal period; (C) in the case of a State described in paragraph (2)(B), how a needs assessment completed prior to the date of the application, such as the needs assessment completed under the preschool development grant program (as such program existed prior to the date of enactment of this Act), and updated as necessary in accordance with paragraph (2)(B)(ii), will be sufficient information to inform the use of funds under this subsection, and a copy of such needs assessment; (D) a description of how funds will be used for the activities described in paragraph (6) during the renewal grant period, if the State proposes to use grant funds for such activities; and (E) in the case of a State that proposes to carry out activities described in paragraph (6) and to continue such activities after grant funds under this subsection are no longer available, a description of how such activities will be sustained with non-Federal sources after such time.

(6) ADDITIONAL ACTIVITIES.— (A) IN GENERAL.—Each State that receives a grant under this subsection may use grant funds to award subgrants to programs in a mixed delivery system across the State designed to benefit low-income and disadvantaged children prior to entering kindergarten, to— (i)(I) enable programs to implement activities addressing areas in need of improvement as determined by the State, through the use of funds for the activities described in paragraph (5)(C) or subsection (f), as applicable; and (II) as determined through the activities described in paragraph (5)(C) or subsection (f), as applicable, expand access to such existing programs; or (ii) develop new programs to address the needs of children and families eligible for, but not served by, such programs, if the State ensures that— (I) the distribution of subgrants under this subparagraph supports a mixed delivery system; and (II) funds made available under this subparagraph will be used to supplement, and not supplant, any other Federal, State, or local funds that would otherwise be available to carry out the activities assisted under this section. (B) PRIORITY.—In awarding subgrants under subparagraph (A), a State shall prioritize activities to improve areas in which there are State-identified needs that would improve services for low-income and disadvantaged children living in rural areas. (C) SPECIAL RULE.—A State receiving a renewal grant under this subsection that elects to award subgrants under subparagraph (A) shall not— (i) for the first year of the renewal grant, use more than 60 percent of the grant funds available for such year to award such subgrants; and (ii) for each of the second and third years of the renewal grant, use more than 75 percent of the grant funds available for such year to award such subgrants.



(h) STATE REPORTING.—

(1) INITIAL GRANTS.—A State that receives an initial grant under subsection (c)(1) shall submit a final report to the Secretary not later than 6 months after the end of the grant period. The report shall include a description of— (A) how, and to what extent, the grant funds were utilized for activities described in subsection (f), and any other activities through which funds were used to meet the purposes of this section, as described in subsection (a); (B) strategies undertaken at the State level and, if applicable, local or program level, to implement recommendations in the strategic plan developed under subsection (f)(2); (C)(i) any new partnerships among Head Start providers, State and local governments, Indian tribes and tribal organizations, and private entities (including faith- and community based entities); and (ii) how these partnerships improve coordination and delivery of services;(D) if applicable, the degree to which the State used information from the report required under section 13 of the Child Care and Development Block Grant Act of 2014 to inform activities under this section, and how this information was useful in coordinating, and collaborating among, programs and funding sources; (E) the extent to which activities funded by the initial grant led to the blending or braiding of other public and private funding; (F) how information about available existing programs for children from birth to kindergarten entry was disseminated to parents and families, and how involvement by parents and family was improved; and (G) other State-determined and voluntarily provided information to share best practices regarding early childhood education programs and the coordination of such programs.

(2) RENEWAL GRANTS.—A State receiving a renewal grant under subsection (g) shall submit a follow-up report to the Secretary not later than 6 months after the end of the grant period that includes— (A) information described in subparagraphs (A) through (G) of paragraph (1), as applicable and updated for the period covered by the renewal grant; and (B) if applicable, information on how the State was better able to serve children through the distribution of funds in accordance with subsection (g)(5), through— (i) a description of the activities conducted through the use of subgrant funds, including, where appropriate, measurable areas of program improvement and better use of existing resources; and (ii) best practices from the use of subgrant funds, including how to better serve the most vulnerable, underserved, and rural populations.

(i) RULES OF CONSTRUCTION.— (1) LIMITATIONS ON FEDERAL INTERFERENCE.—Nothing in this section shall be construed to authorize the Secretary or the Secretary of Education to establish any criterion for grants made under this section that specifies, defines, or prescribes— (A) early learning and development guidelines, standards, or specific assessments, including the standards or measures that states use to develop, implement, or improve such guidelines, standards, or assessments; (B) specific measures or indicators of quality early learning and care, including— (i) the systems that states use to assess the quality of early childhood education programs and providers, school readiness, and achievement; and (ii) the term “high-quality” as it relates to early learning, development, or care; (C) early learning or preschool curriculum, programs of instruction, or instructional content; (D) teacher and staff qualifications and salaries; (E) class sizes and ratios of children to instructional staff; (F) any new requirement that an early childhood education program is required to meet that is not explicitly authorized in this section; (G) the scope of programs, including length of program day and length of program year; and (H) any aspect or parameter of a teacher, principal, other school leader, or staff evaluation system within a State, local educational agency, or early childhood education program.

(2) LIMITATION ON GOVERNMENTAL REQUIREMENTS.—Nothing in this section shall be construed to authorize the Secretary, Secretary of Education, the State, or any other governmental agency to alter requirements for existing programs for which coordination and alignment activities are recommended under this section, or to force programs to adhere to any recommendations developed through this program. The Secretary, Secretary of Education, State, or other governmental agency may only take an action described in the preceding sentence as otherwise authorized under Federal, State, or local law.

(3) SECRETARY OF EDUCATION.—Nothing in this section shall be construed to authorize the Secretary of Education to have sole decision-making or regulatory authority in carrying out the program authorized under this section.

(i) PLANNING AND TRANSITION.—

(1) IN GENERAL.—The recipient of an award for a preschool development grant for development or expansion under such program as it existed on the day before the date of enactment of this Act may continue to receive funds in accordance with the terms of such existing award.

(2) TRANSITION.—The Secretary, jointly with the Secretary of Education, shall take such steps as are necessary to ensure an orderly transition to, and implementation of, the program under this section from the preschool development grants for development or expansion program as such program was operating prior to the date of enactment of this Act, in accordance with subsection (k).

(k) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary of Health and Human Services to carry out this section \$250,000,000 for each of fiscal years 2017 through 2020.