



First Five Years Fund

Every Student Succeeds Act (P.L. 114-95)

High Level Comparison of ESSA's Preschool Development Grants Program with the Legacy Administration Preschool Development Grants Program

The president signed the bipartisan Every Student Succeeds Act (ESSA) on December 10, 2015. ESSA comprehensively updates the Elementary and Secondary Education Act for the first time since 2001, including establishing a new Preschool Development Grants program (ESSA PDG) that is designed to help low income families gain access to high quality early learning opportunities. The new program, championed by Senator Isakson (R-GA) and Senator Murray (D-WA) succeeds the Administration's Preschool Development Grants program (Legacy PDG), which, over the past two years, provided initial preschool funding to 18 states. Congress and the White House established the legacy program through the fiscal year 2014 federal appropriations process, referencing the 2009 American Recovery and Reinvestment Act's innovation authority as a general basis for funding the initiative. This appropriations-based approach lacked detailed statutory guidance and instead reserved most Legacy PDG program decisions to the Department of Education and Department of Health and Human Services. ESSA, on the other hand, specifically defines the ESSA PDG program's purposes, parameters, and other requirements. This memorandum summarizes key differences between the Legacy PDG and ESSA PDG programs to help stakeholders navigate the implementation process and transition to the new program.

ESSA PDG
Every Student Succeeds Act
(Sec. 9212)

Legacy PDG
(Consolidated Appropriations
Act of 2014; ED/HHS Notice
Inviting Applications)

Key Differences

Lead Department

HHS in partnership with ED.

Purpose

1. Implementing a strategic plan for high quality early learning
2. Encouraging partnerships with Head Start, states, local agencies
3. Maximizing parental choice with delivery system (meant to be an opportunity to use funds for slots) – better braiding within a system of multiple funding sources.

Eligible Applicants

States. Grantee may make subgrants to programs in a mixed delivery system.

Form of Funding

Discretionary Grants.

Lead Department

ED in partnership with HHS.

Purpose

1. Build State capacity to develop, enhance, or expand high-quality preschool programs, including comprehensive services and family engagement, for preschool-aged children from families at or below 200 percent of the Federal poverty line.

Eligible Applicants

States. Grantee may make subgrants to local educational agencies and other early learning providers (including but not limited to Head Start programs and licensed child care providers), or consortia thereof.

Subgrantees that are local educational agencies required to form strong partnerships with early learning providers. Subgrantees that are early learning providers must form strong partnerships with local educational agencies, in order to carry out the requirements of the subgrant.

Form of Funding

Discretionary Grants.

Lead Department

HHS assumes primary leadership and budgetary control of the program from Ed.

Purpose

The Legacy PDG provided funding for State development and expansion of access to high-quality pre-K for 4 year olds from low-income backgrounds. ESSA's PDGs are concerned with improving States' existing early childhood landscape which focuses on parent choice within a mixed delivery system and supporting the transition to kindergarten.

Eligible Applicants

Similar.

Form of Funding

No difference.

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Duration of Grants

One year initial grant. Renewal grants for up to 3 years.

Duration of Grants

One year. Renewal for additional 1-year periods, if the grantee meets performance targets, up to a total award period of 6 years.

Duration of Grants

The Legacy PDG program offered a potentially longer grant period, subject to grantee performance.

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.

Matching Requirement

No non-federal match required, but U.S. Ed offered a competitive preference to applicants who provide a match and awarded more points to applicants that committed to a larger matching contribution.

Matching Requirement

ESSA PDG requires a match, while Legacy PDG utilized an optional competitive preference priority for matching funds.

Application Requirements

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

Application Requirements

The State must provide, for each selection criterion or priority in this notice that solicits an ambitious and achievable plan, a description of the following elements, at a minimum—

- (1) The key goals of the plan;
- (2) The key activities to be undertaken; the rationale for the activities; and, if applicable, where in the State the activities will be initially implemented, and where and how they will be scaled up over time;
- (3) A realistic timeline, including key milestones, for implementing each key activity;
- (4) The party or parties responsible for implementing each activity and other key personnel assigned to each activity;
- (5) Appropriate financial resources to support successful implementation and sustainment of the plan;
- (6) The information requested as supporting evidence, if any, together with any additional information the State believes will be helpful to peer reviewers in judging the credibility of the plan;
- (7) The information requested in the performance measures, where applicable; and
- (8) How the State will address the needs of Eligible Children, including those who may be in need of additional supports, such as children who have disabilities or developmental delays; who are English learners; who reside on “Indian lands”

Application Requirements

The legacy and new programs’ high-level application requirements are similar (e.g., timelines, responsible parties, and strategic planning).

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CONTINUES **Application Requirements**

- (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.

State 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) Needs Assessment
- (2) Develop Strategic Plan
- (3) Maximizing parental choice and knowledge about the State’s mixed delivery system of existing programs and providers
- (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.

CONTINUES **Application Requirements**

as that term is defined by section 8013(7) of the Elementary and Secondary Education Act of 1965, as amended (20 U.S.C. 6301 et seq.) (ESEA); who are migrant; who are “homeless,” as defined in subtitle VII-B of the McKinney-Vento Homeless Assistance Act (42 U.S.C. § 11434a(2)) (McKinney-Vento Act); whose families are involved in the child welfare system; who reside in rural areas; who are from military families; and other children as identified by the State, if applicable.

State Use of Funds

Preschool Development Grants—Development Grants will support States with either small or no State Preschool Programs. These grants will be awarded to States to develop or enhance preschool program infrastructure and capacity to deliver High-Quality Preschool Programs. These States will be expected to implement and sustain High-Quality Preschool Programs to reach and serve additional Eligible Children in one or more High-Need Communities.

Preschool Development Grants—Expansion Grants will support States that have robust State Preschool Programs or that have been awarded a Race to the Top—Early Learning Challenge grant. These grants will be awarded to States to implement and sustain High-Quality Preschool Programs that reach and serve additional Eligible Children in two or more High-Need Communities. States will also be able to use a portion of their funds to make preschool program infrastructure and quality improvements needed to deliver High-Quality Preschool Programs.

State Use of Funds

Compared to the legacy program, ESSA PDG’s focus more heavily on strategic planning for better using existing ECE resources, and later (through renewal grants) expansion of slots and other activities. (Legacy PDG Grantees may apply directly for a “renewal grant” under the ESSA PDG program.)

Legacy PDG funded two tiers of activities, depending on the sophistication of a State’s existing early learning system. States with less developed, or no, early learning capacity could receive “development grants” to develop or enhance early learning infrastructure or capacity. This developmental stage resembles ESSA PDG’s initial grants, which focus on needs assessment and strategic planning toward development of a quality system.

Legacy PDG’s second tier of activities, “expansion grants,” focuses on implementing and sustaining quality programs. Such “expansion grants,” resemble ESSA PDG renewal grants, which permit States to continue activities funded during their initial grant, but also expand access to existing or new programs.

CONTINUES



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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).

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

State Reporting

Reporting: (a) If you apply for a grant under this competition, you must ensure that you have in place the necessary processes and systems to comply with the reporting requirements in 2 CFR part 170 should you receive funding under the competition. This does not apply if you have an exception under 2 CFR 170.110(b).

(b) At the end of your project period, you must submit a final performance report, including financial information, as directed by the Departments. If you receive a multi-year award, you must submit an annual performance report that provides the most current performance and financial expenditure information as directed by the Secretary of Education under 34 CFR 75.118. The Secretary of Education may also require more frequent

State Reporting

The Legacy PDG and ESSA PDG programs include substantial reporting requirements. ESSA PDG includes a list of specific indicators that must be addressed in State reports, while the Legacy PDG leverages general reporting requirements codified in OMB regulation.

CONTINUES



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CONTINUES **State Reporting**

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.

CONTINUES **State Reporting**

performance reports under 34 CFR 75.720(c). For specific requirements on reporting, please go to www.ed.gov/fund/grant/apply/appforms/appforms.html.

CONTINUES



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Key Differences

National Set Aside

No set aside for Ed. or HHS.

National Set Aside

Provides 3 percent of such funds for U.S. Ed. to provide technical assistance, evaluation, and other national activities related to the grants.

National Set Aside

ESSA PDG lacks a national set aside.

Limits on ED/HHS Activities Related to Quality Standards

(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.

Limits on ED/HHS Activities Related to Quality Standards

No limits placed on Ed/HHS activities.

Ed/HHS defined measures of environmental quality, quality of adult child interactions, programs standards, TQRS, and other indicators.

Limits on ED/HHS Activities Related to Quality Standards

The PDGs authorized under ESSA specifically place limits on federal interference that previously were not in place under the Administration’s PDGs.

(2) LIMITATIONS 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

CONTINUES

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<p>CONTINUES Limits on ED/HHS Activities Related to Quality Standards</p> <p>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.</p> <p>(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.</p> <hr/> <p>Planning and Transition</p> <p>(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.</p> <p>(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).</p> <hr/> <p>Funding Level</p> <p>\$250 million authorized for each of fiscal years 2017 through 2020.</p>	<p>Planning and Transition</p> <p>No similar provisions.</p> <hr/> <p>Funding Level</p> <p>\$250 million appropriated in FY'14, FY'15, and FY'16.</p>	<p>Planning and Transition</p> <p>N/A</p> <hr/> <p>Funding Level</p> <p>No change.</p>