ELEMENTARY AND SECONDARY EDUCATION ACT (ESEA)

**Reauthorization of ESEA**

For the first time since No Child Left Behind was passed in 2001, reauthorization of the Elementary and Secondary Education Act (ESEA) is being heavily debated in Congress.

A significant number of national organizations have offered recommendations for improving ESEA to ensure all children have access to a robust public education, which includes access to high-quality early learning opportunities. For example, Grow America Stronger, a coalition of over forty education organizations, released collective recommendations urging the next iteration of ESEA to “establish greater coordination with the K-12 system, create a dedicated funding stream for early education and to better incorporate early education throughout the law.”¹

In July, the Senate passed (by a vote of 81-17) their version of the ESEA reauthorization - the Every Child Achieves Act of 2015, which includes historic support for early learning. Early childhood advocates have referred to this bill as “an exciting shift in the conversation” as it explicitly recognizes early education as an important part of the K-12 continuum.² The First Five Years Fund (FFYF) provided an overview of provisions in the final bill geared to promoting high-quality early childhood education (ECE):

- **1111(c)(1) – State Title I Plans:** If a state uses Title I dollars to fund ECE programs, the state needs to explain how the money will be used to create, expand, or improve the ECE programs.

- **1112(b) – LEA Title I Plans:** If schools or school districts use Title I dollars to fund ECE programs, the school and/or district needs to explain how they will coordinate with other ECE programs, like Head Start, and their plans for how they will help participants transition from pre-K to kindergarten.

- **1113(a) – School Wide Programs and Targeted Assistance Areas:** Funds that are given to schools, in which a majority of students are from low-income families, can be used to run programs specific to that school for ECE.

- **1115 – Parent and Family Engagement:** Title I dollars used for parent engagement can include ECE educators and families in that use.

- **Section 1008 – Coordination Requirements:** States and districts using Title I dollars for ECE programs must coordinate amongst all ECE programs and not just Head Start.

- **2101(c)(4)(B) – Title II Formula Grants:** Professional development for ECE educators and professionals can be funded using Title II dollars.

- **2103(b)(4)(G) – Local Use of Title II Funds:** Title II funds can be used for professional development that focuses on the transition from ECE programs to elementary school.

- **2401 – Literacy Education:** Funds to improve literacy education can be used in ECE settings.
• **2401(b), Sec. 2402, Sec. 2403, Sec. 2404 – Literacy Education**: Funds to improve literacy education can be given to state ECE programs, including home-based programs.

• **Section 3003 – English Language Acquisition**: Provide funds to assist ECE educators in becoming more effective at preparing English Language Learners (ELL), also known as English as a Second Language speakers.

• **Section 3115 English Language Acquisition Subgrant Purposes and Activities**: Provides funds to help create programs that will improve language instruction for English learners.

• **Section 3131 – National Professional Development (ELL Students) – Allowable Uses**: Funds in Title III can be used to help English Language Learners become school ready upon entering kindergarten.

• **Section 4101(b) – Safe and Healthy Students (Needs Assessment)**: School districts and/or schools must consult ECE educators and leaders when creating their application for Title IV funds.

• **Section 4105(a)(4) LEA Safe and Healthy Student Activities**: Title IV funds can be used for counseling in ECE programs. These programs can include education around nutrition, exercise, lifestyle choices, sex education, sexual abuse, and child sexual abuse policies.

• **Section 4105(b) – Safe and Health Students Principles of Effectiveness**: Funds under this part of Title IV can be used to carry out programs in an ECE setting that promote students’ physical and mental well-being as well as promote parent engagement to promote a healthy school environment.

• **Section 5102(h) – Charter School Authorization**: Charter schools can use federal funding to create ECE programs.

• **Section 5601(a) – Ready to Learn Television**: Ready to Learn Television works to produce educational TV and digital media that helps prepare young learners in science and/or literacy. This section requires grantees to work with HHS in order to effectively utilize and distribute the media being created.

• **Section 5901 – Early Learning Alignment and Improvement Grants**: This is the Murray Isakson amendment that would create a new competitive grant program solely dedicated to funding early learning. States who receive funding could use it towards aligning various early learning programs within the state and expanding access to those programs.

• **Section 7121- Improvement of Educational Opportunities for Indian Children and Youth**: Title VII funds (Indian education) can be used for ECE programs.

• **Section 7304(a)(4) – Alaska Native Education (Permissible Activities)**: Title VII funds (Alaska Natives education) can be used for ECE programs.

• **Section 9101 – Definitions**: Early Childhood Education Program: Programs that serve children birth through age six. Professional Development: Professional development that addresses school readiness is considered an appropriate use of professional development funding.

• **Section 9601 – Evaluations**: A proportion of funds can be used to carry out research that analyzes the results and cost-effectiveness of ECE programs.³

The Every Child Achieves Act additionally contains several provisions supporting family engagement efforts, including an amendment proposed by Senator Michael Bennet (D-CO) and Senator Jack Reed (D-RI) that reauthorizes the Parental Information and Resource Centers (PIRC) program as Statewide Family Engagement Centers (SFEC). A press release from the National PTA reports, “the centers would provide states and districts with the capacity to support effective implementation and enhancement of family engagement policies, programs and activities that are proven to make a different for students and schools.”⁴
Also important to note: During the reauthorization process, Senator Bob Casey (D-PA) proposed the Strong Start for America’s Children Amendment, which would have bolstered support for high-quality early learning opportunities for young children and families. Although it failed to pass in the Senate (it received only 45 of the required 60 votes in favor), it further represents the building momentum in support of early learning. This amendment would have created a five-year innovative federal-state partnership to expand and improve early learning opportunities for children across the birth-to-five continuum.

An update provided by the Center for Law and Social Policy (CLASP) highlights the specific investments included in the amendment:

- **Access to high-quality preschool** by providing more than $30 billion in paid-for mandatory formula and grant funding to states—with a required state match—for high-quality, full-day preschool for four-year-old children from families earning below 200 percent of the Federal Poverty Level.

- **Support for early learning partnerships** that meet the high-quality performance standards of Early Head Start and blend federal funds to provide high-quality, full-day child care.

- **Promotion of increased funding to serve children with disabilities** in early childhood settings by increasing the authorization level of programs for infants and toddlers with disabilities and of preschool grants for children with disabilities under the Individuals with Disabilities Education Act (IDEA).

- **Support for home visiting programs** and their continuation through the Maternal, Infant, and Early Childhood Home Visiting (MIECHV) Program.

In addition, the House also passed its version of the ESEA reauthorization bill, referred to as the Student Success Act, by a 218 to 213 vote. The bill seeks to prioritize early learning by providing a cost-of-living increase for Head Start, and a bigger increase in funding for Early Head Start than the Senate version. In September, a House-Senate conference committee will try to reconcile the two versions.

**School Improvement Grants**

Currently authorized under section 1003(g) of Title I of ESEA, School Improvement Grants (SIG) provide funding to State Educational Agencies (SEAs) to “make competitive subgrants to local educational agencies (LEAs) that demonstrate the greatest need for the funds and the strongest commitment to use the funds to provide adequate resources in order to raise substantially the achievement of students in their lowest-performing schools.”

Federal requirements for the grants were re-regulated in 2010 with the amended requirements being finalized and published earlier this year in February. Among the additional flexibility provided with these new provisions, the amended requirements now explicitly allow states to use an early learning model as a turnaround strategy for elementary schools. The Center on School Turnaround at WestEd recently developed a guide for states, districts, and schools that highlights the new amended regulations for the SIG program, including providing information about the new early childhood-focused option. The Center on School Turnaround also has partnered with the Center on Enhancing Early Learning Outcomes (CEELO) to issue a report, Incorporating Early Learning Strategies in the School Improvement Grants (SIG) Program that showcases how three schools have used SIG funds, with the support of their districts, to implement early learning strategies as part of their school turnaround efforts to improve instruction for all students.
Established as part of the Patient Protection and Affordable Care Act of 2010, the Maternal, Infant, and Early Childhood Home Visiting (MIECHV) program “provides funding to states and tribal communities to support voluntary home visiting for families that are expecting a baby or have a child younger than kindergarten entry age.” The Center for American Progress (CAP) and CLASP recently released a report examining the impact of the MIECHV program - *An Investment in Our Future: How Federal Home Visiting Funding Provides Critical Support for Parents and Children*. The report highlights the positive outcomes related to home visiting, such as improved maternal and child health and increased school readiness, and discusses the support services that MIECHV offers to high-risk families in communities across the nation.

Earlier this year, Congress overwhelmingly passed a multi-year extension of the MIECHV program as part of the Medicare Access and CHIP Reauthorization Act of 2015, or “Medicare Doc-Fix” legislation (the House passed it on March 26th by a vote of 392-37 and the Senate passed it on April 14th by a vote of 92-8). This bill allows for an additional $800 million in home-visiting funding divided into $400 million for fiscal years 2016 and 2017.

The MIECHV program has been instrumental for states in building the infrastructure needed to support lasting, effective home visiting programs for young children and families. Continued support for this program will ensure families keep receiving the services needed to help enhance parenting and foster young children’s early development.

On November 19, 2014, with broad bipartisan support Congress reauthorized the Child Care and Development Block Grant (CCDBG) – the first time since 1996. This new law seeks to strengthen the dual role of CCDBG as both a major early childhood education program and work support for low-income families. CLASP has provided a high-level overview of the goals supported by the latest provisions in CCDBG:

- Protecting the health and safety of children in care through more consistent standards and monitoring of standards
- Improving the quality of care, including increased supports for child care providers
- Enabling families to more easily access child care assistance that supports stable and continuous care and that can be coordinated with other programs

Accordingly, several organizations have released resources to support states and local entities as they ramp up to meet the requirements of the new law.

The National Conference of State Legislatures (NCSL) published a policy primer providing a summary on CCDBG, including an overview of the major provisions of the 2014 reauthorization. This tool is to be utilized by states to gain a better understanding of the CCDBG Act of 2014 as it provides a snapshot of changes to the law in:

- State flexibility
- Health and Safety Requirements for Child Care Providers
- Transparent Consumer and Provider Education Information
- Eligibility and Access Policies
- Child Care Quality Improvement
Additionally, the NCSL primer offers an implementation timeline, as well as key policy questions to consider.\(^{19}\)

The National Women’s Law Center (NWLC) also created a new issue brief on state implementation considerations with regard to the recently reauthorized CCDGB. *Helping Parents in Low-Wage Jobs Access Affordable Child Care: Opportunities Under the Reauthorized Child Care and Development Block Grant* examines provisions that give states greater flexibility for meeting the needs of parents in jobs with unpredictable schedules.\(^{20}\) In addition, NWLC, in partnership with CLASP issued, *Implementing the Child Care and Development Block Grant Reauthorization: A Guide for States*. The guide includes a detailed chart comparing specific provisions of the new law with those of the previous law, an implementation timeline, a checklist indicating state compliance with select provisions of the law, a summary of the law, and state-by-state information on CCDBG funding and children served.\(^{21}\) It also includes a series of fact sheets that summarize state-specific information related to the new law’s requirements in each state.\(^{22}\)

**HEAD START**

*New Proposed Head Start Performance Standards*

In June, the U.S. Department of Health and Human Services (HHS) unveiled its vision for the future of Head Start when it released new proposed performance standards. As noted in the [HHS press release](#), it is the first comprehensive revision of the standards since they were first published in 1975. The press release further states, “the revisions significantly reduce the current 1,400 Head Start regulatory standards, by eliminating unnecessary and duplicative rules while setting high standards that will drive program performance. By bringing the regulations into the 21st century, program directors around the country can focus on outcomes for children and families instead of spending time and resources on unnecessary requirements that do not improve or ensure the quality of the program.” The public was invited to submit comments on these proposed standards, which were due on August 18, 2015.\(^{23}\) National organizations, including [New America](#) and [Bellwether Education Partners](#), have begun to analyze the changes and have issued guidance.

**50th Anniversary of Head Start**

May 18, 2015 marked the [50th anniversary of the Head Start program](#). Since 1965, more than 32 million children have benefitted from the early learning opportunities and comprehensive services provided by Head Start.\(^{24}\) Further reflecting this sentiment, a [proclamation from President Obama](#) regarding this major milestone states:

> “Supporting our children in their earliest years with high-quality care and education is one of the best investments we can make as a Nation -- and for 50 years, Head Start has helped to lift up millions of America's children and their families in communities across our country. The oldest and largest Federal program to deliver high-quality early learning opportunities to low-income children, Head Start was founded on the idea that every child -- no matter who they are, what they look like, or where they grow up -- deserves the chance to reach their full potential. Since 1965, it has given meaning to the simple truth that in America, where you start should not determine how far you can go.”\(^{25}\)

Today, as the nation continues to grapple with new economic challenges and acknowledge persistent income inequality, there remains a need for effective solutions to address the existing obstacles facing low-income families with young children across our nation. Sustained support for programs that provide high-quality early learning opportunities, like Head Start, are pivotal to helping all children access a path leading to success.\(^{26}\) President Obama additionally states, “We will continue to invest in Head Start and strive to expand its reach to additional children and families throughout America. Our children deserve nothing less.”\(^{27}\)
Early Head Start-Child Care Partnerships

In December 2014, U.S. Secretary of Health and Human Services Sylvia Burwell announced the first wave of Early Head Start-Child Care Partnership awards for $435 million. The awards are spread over 234 different grants, aimed to help improve the quality of existing child care programs and expand access to high-quality care for infants and toddlers. The HHS press release notes, “The [Administration for Children and Families] developed the grants to encourage collaboration between new or existing Early Head Start grantees and child care providers. They will serve children and families in a variety of settings, including family child care homes, child care centers and traditional Early Head Start centers in both rural and metropolitan areas across the country.” The Department of Health and Human Services estimates that the grant program will help over 30,000 infants and toddlers access Early Head Start—a 25 percent increase in the size of the current program.28 Over the last few months, resources have increasingly been made available through the ACF website, BUILD Initiative and National Head Start Association as grantees begin planning for implementation.

PRESCHOOL DEVELOPMENT GRANTS

Concurrent with the timing of the Early Head Start-Child Care Partnership grant awards, 18 states were awarded grants under the Preschool Development Grant program, totaling more than $226 million in December 2014. Funds were divided to support two types of grants:

- **Development Grants** for states with smaller (serving less than 10 percent of eligible four-year-olds) or no state pre-k programs.
- **Expansion Grants** for states with more established state pre-k programs (serving more than 10 percent of eligible four-year-olds and/or had won a Race to the Top-Early Learning Challenge grant).29, 30

The states that received these grants are using the funds to either launch or expand preschool programs.

From the 36 applications received:

- Five states were awarded Development Grants: Alabama, Arizona, Hawaii, Montana, and Nevada
- Thirteen were awarded Expansion Grants: Arkansas, Connecticut, Illinois, Louisiana, Maine, Maryland, Massachusetts, New Jersey, New York, Rhode Island, Tennessee, Vermont, and Virginia

The Department of Education estimates that the Preschool Development Grant program will help serve an additional 33,000 children in high-quality preschool programs. In the associated press release from the U.S. Department of Education, U.S. Secretary of Education Arne Duncan states, "Expanding access to high-quality preschool is critically important to ensure the success of our children in school and beyond. The states that have received new Preschool Development Grants will serve as models for expanding preschool to all 4-year-olds from low- and moderate-income families. These states are demonstrating a strong commitment to building and enhancing early learning systems, closing equity gaps and expanding opportunity so that more children in America can fulfill their greatest potential.”31

Again, similar to the Early Head Start-Child Care Partnership grants, over the last six months states have begun planning for implementation of these grants and building the infrastructure needed to either establish or expand high-quality preschool programs for young children and their families.
A blog post from New America provides a map to help visually represent the awarded grants.

![Preschool Development Grant Applicants and Winners](image)

**FY2016 APPROPRIATIONS**

This year began with high hopes, as President Obama included a robust set of early learning investments in his FY2016 budget. The President’s budget proposal contains significant funding to expand several early childhood education programs. The comprehensive funding plan is summarized in a statement by FFYF:

- $75 billion for early childhood education through Pre-K for All, a 10-year proposal that would develop and expand preschool offerings in states, including $750 million for the Preschool Development Grants program – a $500 million increase over the 2015 level
- $80 billion in increased funding for the Child Care Development Fund, along with an expansion of the child care tax credit to $3,000 per child, up from $1,000 to increase middle class access to quality, affordable child care
- More than $1.5 billion in increased funding for the U.S. Department of Health and Human Services’ Head Start program and Early Head Start-Child Care Partnerships, aimed at helping programs extend the school day and year for low-income children who participate
- $15 billion over the next 10 years to extend and expand evidence-based, voluntary home visiting programs, which serve low-income children and their families

Last month, subcommittees in both the House and Senate marked up FY2016 appropriations bills – the first step in what may prove to be a long journey of negotiations within and across both chambers of Congress.

The spending bill from the House Appropriations Subcommittee on Labor, Health, Human Services and Education proposes to reduce or eliminate funding for several federal programs, although a few early childhood education programs could advance relatively unscathed by receiving sustained or even increased funding. Accordingly, the House bill includes level funding for CCDBG and an increase of $192 million for Head Start (with a $150 million increase for Early Head Start-Child Care Partnerships). However, it eliminates the Preschool Development Grants
and the School Improvement Grants. Representative Rosa DeLauro had offered two amendments that would have significantly increased funding for number of programs in the bill, including providing support for the Preschool Development Grants, but both measures failed with a party-line vote of 21-30. Review a more detailed summary of the funding bill.

The Senate Appropriations Subcommittee on Labor, Health and Human Services, and Education and Related Agencies approved a $153.2 billion budget (of discretionary funding) for FY2016. Similar to the House bill, bipartisan measures resulted in selective support for investments in core early childhood programs. The Senate bill includes increases for both CCDBG and Head Start, but it however also eliminates the Preschool Development Grants and cuts School Improvement Grants by 11 percent. Review a more detailed summary of the funding bill.

### RECENT (FEDERAL/NATIONAL-TO-STATE) EARLY LEARNING RESOURCES

The annual KIDS COUNT Data Report from the Annie E. Casey Foundation was released in July 2015, ranking states on 16 factors of child well-being.

Child Care in America: 2015 State Fact Sheets from Child Care Aware of America were also released in July 2015. These resources share information from state Child Care Resource and Referral (CCR&R) agencies on the use, supply, cost and child care workforce.

In May 2015, the National Institute for Early Education Research (NIEER) released the newest edition of their annual report, The State of Preschool 2014. This latest Yearbook presents data on state-funded pre-kindergarten during the 2013-2014 school year as well as documenting more than a decade of change since the first Yearbook collected data on the 2001-2002 school year.

Jointly administered by the U.S. Department of Health and Human Services, Administration for Children and Families, and Offices of Child Care and Head Start, Early Educator Central: Pathways to Credentials and Degrees for Infant-Toddler Educators is a new web portal that offers online courses and other resources to support the infant-toddler workforce from educators to administrators, trainers and coaches, professional development system leaders and more.

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The Center for American Progress (CAP), with research support from School Readiness Consulting, issued a recent report on Emerging State and Community Strategies to Improve Infant and Toddler Services. This report examines key policy actions that if taken at the federal level, “could bolster infant and toddler services that are already occurring in some states and communities.”

The BUILD Initiative has released the first six chapters of their e-book, Rising to the Challenge: Building Effective Systems for Young Children and Families, to share learning from the initial implementation of the Race to the Top-Early Learning Challenge effort by “highlighting experiences, trends and reflections stemming from the significant contribution from the federal investment in this strategic work.”

- Chapter 1: State Systems Building Through Governance
- Chapter 2: Local Systems Building Through Coalitions
Chapter 3: Early Learning-Health Connections
Chapter 4: Trends and Innovations in Early Childhood Education Workforce Development
Chapter 5: P-3 Reform in Vision and in Practice
Chapter 6: Improving Systems of Learning Through the Use of Child Standards and Assessments

U.S. Department of Education and the U.S. Department of Health and Human Services, in partnership with Too Small to Fail, has created the Talk, Read, and Sing Together Every Day tip sheets. Made specifically for families, caregivers and early educators, these resources can help support children’s early language experiences by providing research-based tips for talking, reading and singing with young children every day beginning from birth. All tip sheets are available in English and Spanish, and can be downloaded for free.

In July 2015, Save the Children Action Network released two reports (“Innovative Financing for Early Childhood Education: Federal Options” & “Innovative Financing for Early Childhood Education: State and Local Options”) that detail effective ways local, state, and federal governments can fund early learning programs. Recommendations fall into two categories – incentivizing private dollars and reforming tax credits – both being considered viable options to drive new resources to increase the quantity and quality of early childhood education.

The U.S. Departments of Education and Health and Human Services released in September 2015 guidance on including children with disabilities in high-quality early childhood programs. The Policy Statement on Inclusion of Children with Disabilities in Early Childhood Programs provides “a vision for action that recommends states, districts, schools and public and private early childhood programs prioritize and implement policies that support inclusion, improve their infrastructure and offer professional development to strengthen and increase the number of inclusive high-quality early childhood programs nationwide.”

1 http://ffyf.org/22523/
4 http://www.pta.org/newsevents/newdetail.cfm?ItemNumber=4509
7 http://www2.ed.gov/programs/sif/index.html
12 http://www.rand.org/blog/2015/04/miechv-reauthorization-recommendations-from-research.html
13 http://www.naeyc.org/policy/policy/federal/01_13_15
16 http://blogs.edweek.org/edweek/campaign-k-12/2015/03/medicare_bill_would_also_fund.html
19 http://www.naeyc.org/policy/policy/federal/05_20_15