



Pre-K Legislation Comparison

111th Congress

May 2009

Early Education Act of 2009, S. 206 (Boxer) introduced January 12, 2009

Statute	Amends <i>Elementary and Secondary Education Act</i> (ESEA)
Ages Covered	Pre-school age
Federal Agency	Secretary of Education
Type of Program	The secretary would award grants to not less than 10 state educational agencies to enable them to expand the education system with programs that provide early education.
Who Submits Application?	State educational agency
Eligibility	States can apply for a grant with an application that include a description of: <ul style="list-style-type: none"> • The program to be assisted under the grant+ • How the program will meet the purpose of this section • The total cost of the program and the source of the matching funds.
Distribution of Funds	The Secretary would award grants to not less than 10 SEAs to expand the education system to include early education.
Subgrants	
Use of Funds	Programs assisted by grant funds must: <ul style="list-style-type: none"> • Be carried out by one or more LEAs, as selected by the SEAs • Be carried out in a public school building; or a contract or agreement with, a LEAs carrying out the program; be available to all children served by such LEAs • Involve only instructors who are licensed or certified in accordance with applicable state law.
Teacher Quality	Instructors must be licensed or certified according to applicable state law.
Curriculum	
ELLs/Special Education	
Teacher/Pupil Ratio	
Class size	
Coordination w/K-12 Service Providers	
Matching Funds	50%
Maintenance of Effort/Supplement not Supplant	Grant funds must be used to supplement, not supplant other federal, state or local funds, including funds provided under federal programs such as Head Start and Even Start.
Reporting	Secretary reports annually to congress
Authorized Funds	\$300 million for each of the fiscal years 2010 through 2014.

Ready to Learn Act, S. 240 (Murray/Bond) introduced January 14, 2009

Statute	Amends <i>Elementary and Secondary Education Act (ESEA)</i>
Ages Covered	Age 4
Federal Agency	Secretary of Education
Type of Program	The secretary would provide grants, on a competitive basis, to eligible states to pay the federal share of establishing and administering full day voluntary prekindergarten programs for children age 4 in the state, in order to promote school readiness for such children. A state that receives a grant shall use grant funds to provide a high quality prekindergarten program that serves children age 4 in the state, serving first children from low-income families with incomes that are not more than 200% of the poverty line and those who are limited English proficiency.
Who Submits Application?	Governor (governor to designate a lead agency to oversee the funds)
Eligibility	Per-pupil expenditure by the state for the fiscal year must be equal to or greater than such expenditure for the preceding fiscal year.
Distribution of Funds	States to apply for grant funds on a competitive basis. A state that receives a grant shall use the grant funds to award subgrants to eligible entities to carry out the requirements of this title.
Subgrants	A state shall use not less than 25% of the grant funds to award subgrants to eligible entities that are community-based providers of pre-k programs. Eligible entities to receive subgrants from state include: schools, child care entities, Head Start programs, other community-based providers of pre-k programs.
Use of Funds	A state that receives a grant must use not less than 85% of the funds used to establish high quality pre-k programs that serve children age 4 in the state with priority for those from low-income families with incomes that are not more than 200% of the poverty line, and those who are limited English proficient). Not more than 15% at the state level for quality investment, including providing professional developments, other activities to ensure health and safety of children and comprehensive services. State can use funds to serve younger children, increase salaries, provide additional comprehensive services and construct new facilities or upgrade facilities after meeting the requirements for 4-year-olds.
Teacher Quality	2 years after the grant, states to ensure that each classroom is taught by a teacher who has a bachelor's degree or advanced degree in early childhood education; or a bachelor's degree and specialized training in early childhood development.
Curriculum	Use a developmentally, culturally, and linguistically appropriate curriculum that is aligned with the state early learning standards and valid and reliable, multiple assessments for the purpose of improving instruction.
ELLs/Special Education	Grant funds must be used to first serve children from low-income families and those who are limited English proficiency.
Teacher/Pupil Ratio	1:10
Class size	A group size of not more than 20.
Coordination w/K-12 Service Providers	States must report to the secretary annually their efforts to improve the integration of full day high quality prekindergarten programs with the k-12 education system.
Matching Funds	50%
Maintenance of Effort/Supplement not Supplant	States must maintain or increase the per-child expenditure for their pre-k programs from the preceding year. Grant funds received under this title must be used to supplement, not supplant other federal, state and local public funds for voluntary pre-k programs.
Reporting	Each state receiving grant reports annually to the secretary; secretary reports to Congress annually.
Authorized Funds	"Such sums as may be necessary" for each of the fiscal years 2010 through 2015.

Universal Prekindergarten Act, H.R. 555 (Kucinich) introduced January 15, 2009

Statute	New
Ages Covered	Ages 3, 4 and 5
Federal Agency	Secretary of Health and Human Services
Type of Program	The Secretary of Health and Human Services, in consultation with the Secretary of Education, would provide grants to an agency designated by each state for the development of high quality full-day full-calendar year universal prekindergarten programs for all children ages 3, 4, and 5 in the state.
Who Submits Application?	A designated state agency
State Grant	
Eligibility	State applications shall include a plan to establish and implement a statewide universal pre-k program, including a description of: how the program will be established and how it will support children’s cognitive, social, emotional and physical development; how funding will be distributed to eligible pre-k providers based on the need in each geographical area; how the designated agency will involve various preschool providers including child care providers, Head Start, state and local agencies; how the designated agency will coordinate with existing state-funded pre-k programs, federally funded program, public school programs and child care providers; how eligible providers may apply for funding; a plan to address the shortages of qualified early childhood education teachers, including how to increase such teachers’ compensation to be comparable to that of public school teachers; how ongoing professional development will be provided; how the program will meet the needs of children with disabilities, limited English proficiency, or other special needs including those in the state foster care system and homeless children.
Distribution of Funds	To be eligible to receive funds, a designated state agency shall submit an application to the secretary with a plan that describes how funding will be distributed to eligible pre-k program providers based on the need for early childhood education in each geographical area served by such providers. Eligible pre-k program providers can submit an application to the designated state agency for funds under this act. Eligible pre-k providers include: schools, LEAs, Head Start, child care providers.
Subgrants	An eligible pre-k program provider can submit an application to the designated state agency containing the following: <ul style="list-style-type: none"> • Describe the pre-k program. • Describe the age appropriate and developmentally appropriate curriculum and how it will help children transition to kindergarten. • Describe how to collaborate with existing community-based child care providers and Head Start. • Describe how students and families will be assisted in obtaining supportive services and plan to promote parental involvement. • Describe how teachers will receive ongoing professional development.
Use of Funds	Grant funds must be used to establish and implement a statewide universal pre-k program. State agency may reserve not more than 5% of a grant for administration. State agency may set aside up to 5% for ongoing professional development for teachers and staff.
Teacher Quality	Providers to ensure that all pre-k teachers meet the requirements for teachers at a state-funded pre-k program under applicable state law. States must address the shortages of qualified early childhood education teachers.
Curriculum	Use an age appropriate and developmentally appropriate curriculum to prepare children to transition to kindergarten.
ELLs/Special Education	State plan must address how the universal pre-k program will meet the needs of children with disabilities, limited English proficiency or other special needs, including children in the state foster care system and homeless children.
Teacher/Pupil Ratio	1:10
Class size	No more than 20
Coordination w/K-12 Service Providers	State plan must address how the designated state agency will involve representatives of early childhood program providers and coordinate, including school districts and coordinate with existing state-funded and federally funded programs, public school programs and child care providers.
Matching Funds	20%
Maintenance of Effort/Supplement not Supplant	Federal funds cannot be used to supplant other federal, state, local or private funds that would be made available for pre-k programs.
Reporting	Secretary reports annually to Congress on the implementation and effectiveness of the program under this act. Each state agency reports annually to the secretary; each provider receiving a subgrant reports annually to the state agency.
Authorized Funds	\$10 billion for FY 2008; \$20 billion for FY 2009; \$30 billion for FY 2010; \$40 billion for FY 2011; and \$50 billion for FY 2012.

Pre-K Act, H.R. 702 (Hirono), introduced January 27, 2009

Statute	Amends <i>Elementary and Secondary Education Act</i> (ESEA)
Ages Covered	ages 4-5 Set aside funds for ages 0-3
Federal Agency	Secretary of Education
Type of Program	Voluntary grant program for states to “enhance or improve state-funded preschool programs, as defined by the state.”
Who Submits Application?	The state (application must designate a state agency to administer and oversee the funds and activities).
Eligibility	Two categories of states: 1) Qualified state: Those with already established pre-k programs that meet the following criteria: <ul style="list-style-type: none"> • Use research based curriculum aligned with state early learning standards • Use nationally established best practices for group size, teacher-pupil ratios • Require each teacher to have at least an associate degree • Have a plan to move toward a requirement that each teacher holds a bachelor’s degree in early childhood education within 5 years 2) Selected state: Those with state-funded preschool programs that do not yet meet the above quality criteria must have a plan to become a Qualified state in 2 years. Secretary of Education will determine, on a competitive basis, whether to designate any states as “selected states.”
Distribution of Funds	Base allotment proportion to numbers of children ages 0-5 living below the federal poverty line. No states shall have a base allotment less than .25% of the amount appropriated under this act. In years for which not every state receives a base allotment, remaining funds will be reallocated among Qualified states.
Subgrants	
Use of Funds	States must give priority to improving the quality of programs in communities with high concentration of low-income children. Increase the number of teachers and administrators with bachelor’s degree in early childhood or a related field. Increase the number of teacher aides who hold an AA degree in early childhood education. Increase the number of teachers, program directors and teacher aides who have specialized training in working with children and families with limited English proficiency; as well as with children with disabilities. Improve recruitment and retention by increasing the compensation or benefits for teachers, program directors and aides. Decrease class size. Improve teacher-pupil ratios. Provide comprehensive services such as screenings and referrals for vision and hearing. Extend program’s hours per day, days per week or weeks per year. Improve monitoring. Provide research- and evidence-based professional development. Conduct minor renovations of facilities. Must use 10% of funds to improve services for children ages 0-3. Qualified states can use up to 50% of the funds to serve more low-income children in the program if: a) the appropriated amount is at least \$250 million; or b) the pre-k program meets or exceeds criteria in standards, teachers, scope and range of services.
Teacher Quality	Qualified states must have a plan to move toward a requirement that each teacher has a bachelor’s degree in early childhood education within 5 years after receiving the grant.
Curriculum	Qualified states must have research-based curricula that are aligned to state early learning standards and are developmentally appropriate.
ELLs/Special Education	State-funded programs will be culturally and linguistically appropriate and meet the needs of children with limited English proficiency and children with disabilities.
Teacher/Pupil Ratio	Qualified states must require nationally established best practices on teacher-pupil ratios.
Class size	Use funds to reduce class size
Coordination w/K-12 Service Providers	State plans must describe how pre-k programs will coordinate with LEAs in their area to ensure a smooth and successful transition to kindergarten. State plans must describe how the state will ensure that funds are available to a range of service providers, including LEAs, community-based providers such as child care and Head Start
Matching Funds	Qualified state: 30% Selected state: 50%
Maintenance of Effort/Supplement not Supplant	State must maintain the average per-child expenditure and total expenditure on pre-k and childcare services expenditures yearly.
Reporting	Secretary is required to submit an annual report to Congress on the activities carried out under this act.
Authorized Funds	\$1 billion for each of the fiscal years 2009 through 2014

Prepare All Kids Act of 2009, S. 839, H.R. 2184 (Casey/Maloney), introduced April 21, 2009/April 30, 2009

Statute	Amends <i>Elementary and Secondary Education Act (ESEA)</i>
Ages Covered	Ages 3-5; Set aside not less than 15% for ages 0-3
Federal Agency	Secretary of Education
Type of Program	The Secretary shall award grants (Prekindergarten Incentives Fund) to eligible states based on a formula established by the Secretary in accordance with subsection (c) to pay for the federal share of the cost of awarding subgrants to qualified prekindergarten providers to establish, expand or enhance voluntary high quality full-day prekindergarten programs. Minimum allotment: no state shall receive a grant for a fiscal year that is less than one-half of 1 percent of the total amount made available.
Who Submits Application?	A designated state agency
Eligibility	State applications shall: Assure that it will award subgrants for high quality program; assure that not less than 25% of the qualified providers receiving funding will be providers of community-based programs; describe how states will award to a range of providers; describe how it will collaborate and coordinate activities with the state advisory council on early childhood education and care, state-funded providers and federally funded program providers such as Head Start, LEAs and child care providers; describe how the state will meet the needs of most disadvantaged children; describe how states will ensure through a monitoring process that subgrants are awarded to high quality programs; describe how the state will meet the needs of working parents; describe how the state will assist in professional development to pre-k teachers and aides.
Distribution of Funds	Eligible states submit applications for grants based on a formula established by the Secretary -- minimum allotment: no state shall receive a grant for a fiscal year that is less than one-half of 1 percent of the total amount made available. States set aside no less than 15% of the funds received for children ages 0-3; not less than 10% for creating extended day and extended year program; not more than 5% for administrative, including monitoring.
Subgrants	A qualified pre-k provider shall submit an application to the state agency for subgrants. Eligible entities to receive subgrants include: schools, Head Start agency, a provider of a child care program, for- or nonprofit organizations. Not less than 25% of qualified providers receiving subgrants will be providers of community-based programs.
Use of Funds	Subgrant funds <i>must</i> be used to: establish, expand or enhance prekindergarten programs for children ages 3-5; provide a pre-k program that supports children's cognitive, social, emotional and physical development and approaches to learning and helps prepare for a successful transition to kindergarten; purchase educational equipment and materials. Subgrant funds <i>may</i> be used to: extend part-day to full-day and year-round programs; pay for transportation; provide professional development to teachers and aides.
Teacher Quality	Subgrantees to ensure that teachers meet the requirements of having either a bachelor's degree with a specialization in early childhood education or development; or teachers have 6 years after hired to meet this requirement.
Curriculum	Use a curriculum that is research- and evidence-based, developmentally appropriate and designed to support children's cognitive, social, emotional, and physical development and approaches to learning.
ELLs/Special Education	Service providers applying for subgrants are required to describe how they will meet the needs of children with disabilities and with limited English proficiency, children in foster care and homeless children.
Teacher/Pupil Ratio	10:1
Class size	No more than 20
Coordination w/K-12 Service Providers	Subgrantees' plan must describe how they will collaborate with local educational agencies to ensure a smooth transition for participating students from pre-k to kindergarten and early elementary education.
Matching Funds	50%
Maintenance of Effort/Supplement not Supplant	Funds under this may be used only to supplement and not supplant other federal, state, local and private funds that would be made available for early childhood education. States receiving a grant must maintain state spending for early childhood education at a level not less than the level of such spending for the prior year.
Reporting	Pre-k providers receiving a subgrant should submit an annual report to state lead agency. State reports to ED secretary annually; Secretary to Congress annually.
Authorized Funds	"Such sums as may be necessary for FY 2010 through FY 2014.