

110TH CONGRESS
1ST SESSION

H. R. 2616

To promote public-private partnerships to strengthen investment in early childhood development for children from birth to entry into kindergarten in order to ensure healthy development and school readiness for all children.

IN THE HOUSE OF REPRESENTATIVES

JUNE 7, 2007

Ms. DELAURO (for herself and Mr. COURTNEY) introduced the following bill;
which was referred to the Committee on Education and Labor

A BILL

To promote public-private partnerships to strengthen investment in early childhood development for children from birth to entry into kindergarten in order to ensure healthy development and school readiness for all children.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Early Childhood In-
5 vestment Act of 2007”.

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

1 (1) The cumulative process of a child’s develop-
2 ment and learning begins at birth. Research indi-
3 cates that the physical, cognitive, social, and emo-
4 tional development that takes place from birth
5 through age 5 is crucial for a child’s future achieve-
6 ment in school and life.

7 (2) Parents are the first teachers of their chil-
8 dren and, accordingly, parental support and parental
9 involvement play a critical role in a child’s positive
10 development and early learning experiences.

11 (3) High-quality early childhood development
12 programs and services yield substantial advantages
13 for young children and their families in terms of bet-
14 ter health, readiness for school, and economic well-
15 being.

16 (4) Research indicates that training and higher
17 education for early childhood development personnel
18 result in a better quality environment for children,
19 which in turn promotes greater child development.
20 Yet access to training and higher education for early
21 childhood development personnel is limited for a va-
22 riety of reasons, including limited availability and
23 cost. Low wages associated with working in an early
24 childhood development program contribute to high
25 staff turnover in the program. For personnel who re-

1 ceive training, early childhood development programs
2 are often unable to raise the compensation of staff
3 due to budget constraints.

4 (5) Investments in early childhood development
5 pay dividends for children, in terms of—

6 (A) improved and more successful transi-
7 tion to kindergarten;

8 (B) higher academic performance;

9 (C) better employment opportunities and
10 higher earnings; and

11 (D) lower incidence of crime and depend-
12 ence on public welfare.

13 (6) Our Nation's economy benefits from early
14 childhood development investments through a better
15 prepared workforce, stronger growth, and rising
16 standards of living, and society will benefit from less
17 crime, enhanced schools, and children who are better
18 prepared to participate as citizens in a democratic
19 society.

20 (7) Public-private partnerships have the ability
21 to leverage the assets of public and private entities
22 in terms of financial resources, expertise, and infra-
23 structure in order to maximize and align invest-
24 ments in early childhood development.

1 **SEC. 3. PURPOSE.**

2 It is the purpose of this Act to provide Federal incen-
3 tives for States to create or enhance partnerships between
4 or among public and private entities to improve the access
5 to and the quality of early childhood development pro-
6 grams for all children from birth to entry into kinder-
7 garten, in order to foster healthy growth and school readi-
8 ness for all children.

9 **SEC. 4. DEFINITIONS.**

10 In this Act:

11 (1) BOARD.—The term “Board” means the
12 board of directors established under section 6(c).

13 (2) EARLY CHILDHOOD DEVELOPMENT.—The
14 term “early childhood development” means the at-
15 tention to children’s development and learning, in-
16 cluding physical, cognitive, social, and emotional de-
17 velopment and approaches to learning, for children
18 of any age from birth to entry into kindergarten
19 with developmentally appropriate quality standards
20 that lead to school readiness with respect to early
21 literacy, mathematics, cognitive, social, and emo-
22 tional benchmarks, and other appropriate bench-
23 marks.

24 (3) EARLY CHILDHOOD DEVELOPMENT PRO-
25 GRAM.—The term “early childhood development pro-
26 gram” means—

1 (A) a child care center, or family child
2 care, that is legally operating under State law
3 and complies with State and local requirements
4 for the provision of child care;

5 (B) a Head Start program carried out
6 under the Head Start Act (42 U.S.C. 9831 et
7 seq.);

8 (C) an Early Head Start program carried
9 out under section 645A of the Head Start Act
10 (42 U.S.C. 9840a);

11 (D) a parenting education program, includ-
12 ing a home visiting program;

13 (E) a health and mental health screening
14 program and follow up health care programs; or

15 (F) a State or local prekindergarten pro-
16 gram,

17 that provides services for children of any age from
18 birth to entry into kindergarten.

19 (4) ELIGIBLE PARTNERSHIP.—

20 (A) IN GENERAL.—The term “eligible
21 partnership” means a partnership consisting of
22 private and public entities that shall include—

23 (i) an organization, or consortium of
24 organizations, described in section
25 501(c)(3) of the Internal Revenue Code of

1 1986 that is exempt from taxation under
2 section 501(a) of such Act; and

3 (ii) a State.

4 (5) LOCAL EDUCATIONAL AGENCY.—The term
5 “local educational agency” has the meaning given
6 the term in section 9101 of the Elementary and Sec-
7 ondary Education Act of 1965 (20 U.S.C. 7801).

8 (6) PARENT.—The term “parent” means a bio-
9 logical or adoptive parent, a stepparent, a foster par-
10 ent, or a legal guardian of, or a person standing in
11 loco parentis to, a child.

12 (7) SECRETARY.—Unless otherwise specified,
13 the term “Secretary” means the Secretary of Health
14 and Human Services.

15 (8) STATE.—The term “State” means each of
16 the several States of the United States, the District
17 of Columbia, the Commonwealth of Puerto Rico,
18 Guam, American Samoa, the United States Virgin
19 Islands, and the Commonwealth of the Northern
20 Mariana Islands.

21 **SEC. 5. ESTABLISHMENT OF GRANT PROGRAM.**

22 (a) GRANTS.—From funds appropriated under sec-
23 tion 11 and not reserved under subsection (d)(2) and sec-
24 tion 9(e), the Secretary, in consultation with the Secretary
25 of Education, may award a grant to not more than 1 eligi-

1 ble partnership serving each State to pay the Federal
2 share of the costs of enabling the eligible partnership to
3 engage the public and private sector in order to—

4 (1) strengthen the quality of early childhood de-
5 velopment opportunities for infants, toddlers, and
6 preschoolers throughout the State;

7 (2) promote school readiness; and

8 (3) increase access to the early childhood devel-
9 opment programs.

10 (b) DURATION.—The Secretary shall award a grant
11 under this Act for a period of not less than 3 years and
12 not more than 5 years.

13 (c) AWARD BASIS FOR GRANTS.—Grants under this
14 Act shall be awarded on the basis of the number of chil-
15 dren in the State from birth through age 5.

16 (d) GRANTS TO INDIAN TRIBES.—

17 (1) REQUESTS FOR APPLICATIONS.—The Sec-
18 retary, in consultation with the Secretary of Edu-
19 cation, shall submit to Indian tribes requests for ap-
20 plications for grants under this section.

21 (2) RESERVATION.—Of the amounts appro-
22 priated to carry out this Act, the Secretary shall re-
23 serve 1 percent to award grants to eligible partner-
24 ships serving Indian tribes.

1 **SEC. 6. ELIGIBLE PARTNERSHIP REQUIREMENTS.**

2 (a) MEMORANDUM OF UNDERSTANDING.—

3 (1) IN GENERAL.—In order to be eligible for a
4 grant under this Act, all members of the eligible
5 partnership shall enter into and sign a memorandum
6 of understanding that shall clearly describe the goal,
7 strategy, structure, and governance of the eligible
8 partnership.

9 (2) ADDITIONAL MEMBERS.—An eligible part-
10 nership assisted under this Act may add new mem-
11 bers to the partnership, but each such new member
12 shall enter into and sign the memorandum of under-
13 standing described in paragraph (1).

14 (b) ELIGIBLE PARTNERSHIP DUTIES.—An eligible
15 partnership assisted under this Act shall—

16 (1) coordinate efforts of nonprofit or for-profit
17 private entities, the Federal Government, and State
18 governments in order to implement high quality in-
19 vestments in early childhood development, including
20 parent education and support, child care, preschool,
21 and other related early childhood development activi-
22 ties to better promote healthy child development and
23 school readiness within the State; and

24 (2) serve as the fiscal agent for the grant under
25 this Act and work in coordination with any early
26 childhood council or advisory body in the State that

1 has, as the council or advisory body's primary func-
2 tion, the coordination of early childhood development
3 programs across the State.

4 (c) BOARD OF DIRECTORS.—

5 (1) MEMBERSHIP.—

6 (A) IN GENERAL.—An eligible partnership
7 assisted under this Act shall be led by a board
8 of directors.

9 (B) REPRESENTATION.—The members of
10 the Board shall represent—

11 (i) the private and public sector; and

12 (ii) the range of sectors of child devel-
13 opment (including health and mental
14 health development), including early child-
15 hood development programs and providers,
16 government agencies, philanthropic and
17 business organizations, and other stake-
18 holders.

19 (C) PRIVATE SECTOR REPRESENTATION.—

20 Not less than 51 percent of the representation
21 of the Board shall consist of private sector rep-
22 resentatives, including—

23 (i) representatives of nonprofit enti-
24 ties;

- 1 (ii) representatives of foundations;
2 and
3 (iii) not less than 3 business rep-
4 resentatives.

5 (2) DIVERSITY.—An eligible partnership as-
6 sisted under this Act shall reflect the diversity of the
7 State served by the eligible partnership.

8 (3) GUIDANCE.—The Board shall be guided by
9 the memorandum of understanding described in sub-
10 section (a)(1).

11 (4) BOARD DUTIES.—The Board shall—

12 (A) oversee the vision and strategic plan-
13 ning of the eligible partnership;

14 (B) establish policies and procedures for
15 the ongoing operations and activities of the eli-
16 gible partnership;

17 (C) establish an application process for
18 awarding subgrants to State or community-wide
19 initiatives; and

20 (D) conduct oversight of goals, perform-
21 ance measures, and outcomes of expenditures,
22 for activities assisted under this Act.

23 (d) TIMING.—An eligible partnership assisted under
24 this Act may be a partnership that is in existence on the

1 day before the date of enactment of this Act or is estab-
2 lished on or after such day.

3 **SEC. 7. APPLICATION.**

4 Each eligible partnership desiring a grant under this
5 Act shall submit to the Secretary an application at such
6 time, in such manner, and accompanied by such informa-
7 tion as the Secretary may require. Each application shall
8 contain, at a minimum, the following:

9 (1) A description of—

10 (A) the goals, mission, and activities of the
11 eligible partnership, including specific goals
12 with respect to—

13 (i) serving the complete range of chil-
14 dren from birth to entry into kindergarten,
15 including infants, toddlers, and pre-
16 schoolers; and

17 (ii) serving children from low-income
18 families and communities, children with
19 special needs, children who are English
20 language learners, and children from
21 emerging populations; and

22 (B) how the goals, mission, and activities
23 of the eligible partnership are coordinated and
24 aligned with the overall State strategy (includ-
25 ing the State's goals and benchmarks), and

1 State initiatives in existence on the day before
2 the date the application is submitted, with re-
3 spect to early childhood development programs
4 for all children in the State from birth to entry
5 into kindergarten.

6 (2) A detailed description of the eligible part-
7 nership's structure, including a list of the entities
8 participating in the eligible partnership, the mem-
9 bers of the Board serving the eligible partnership,
10 and the responsibilities of each such entity or mem-
11 ber.

12 (3) A plan for soliciting additional public and
13 private entities to become members of the eligible
14 partnership.

15 (4) A copy of the memorandum of under-
16 standing described in section 6(a)(1).

17 (5) A detailed description of the need assess-
18 ment and cost models used to determine how the
19 funds of the eligible partnership will be distributed
20 within the State.

21 (6) A financing plan for the activities assisted
22 under the grant that includes utilizing existing fund-
23 ing streams and leveraging additional funds to
24 match the Federal share provided under this Act.

1 (7) An explanation of how results and outcomes
2 from activities assisted under the grant will be dem-
3 onstrated and measured.

4 **SEC. 8. USES OF FUNDS.**

5 Grant funds made available under this Act shall be
6 used—

7 (1) to strengthen the financing of services and
8 systems of early childhood development across set-
9 tings and sectors in a State for all children from
10 birth to kindergarten, including the financing of pro-
11 grams under the Child Care and Development Block
12 Grant Act of 1990 (42 U.S.C. 9858 et seq.), under
13 the Head Start Act (42 U.S.C. 9831 et seq.), and
14 under section 645A of the Head Start Act (42
15 U.S.C. 9840a) (Early Head Start programs), State
16 or local prekindergarten programs, and home vis-
17 iting and other parent education programs; and

18 (2) to accomplish the purpose of this Act by
19 providing subgrants to State or community-wide ini-
20 tiatives that may include activities to—

21 (A) enhance and develop quality parenting
22 support and education;

23 (B) provide education and professional de-
24 velopment to and improved compensation for

1 the early childhood workforce and teachers, in
2 order to—

3 (i) enhance the knowledge and skills
4 of the early childhood workforce and teach-
5 ers; and

6 (ii) attract and retain quality early
7 childhood development program staff;

8 (C) provide services, training, and tech-
9 nical assistance, outreach, quality improve-
10 ments, and support to early childhood develop-
11 ment programs serving children who are from
12 low-income families and communities, children
13 with special needs, and children who are
14 English language learners, especially such pro-
15 grams serving the needs of working families, by
16 providing full-day, full-year opportunities for
17 children;

18 (D) renovate and upgrade early childhood
19 facilities or establish pooled early childhood fa-
20 cility funds, except that not more than 10 per-
21 cent of the grant funds awarded to an eligible
22 partnership under this Act may be used for
23 construction;

24 (E) provide developmental screenings,
25 health consultations, and mental health con-

1 sultations, in early childhood development pro-
2 grams; and

3 (F) increase coordination between and
4 among early childhood development providers
5 and local educational agencies in order to—

6 (i) ease the transition for children be-
7 tween preschool and kindergarten;

8 (ii) ensure the effective and efficient
9 delivery of services to children; and

10 (iii) provide joint professional develop-
11 ment for early childhood educators and
12 teachers in kindergarten through grade 2
13 to improve curriculum alignment and en-
14 sure the school readiness of the children.

15 **SEC. 9. ADMINISTRATION.**

16 (a) FEDERAL SHARE.—The Federal share of the cost
17 of the activities assisted under this Act shall be 50 percent
18 for the first year of the grant, 40 percent for the second
19 year of the grant, and 30 percent for each succeeding year
20 of the grant.

21 (b) NON-FEDERAL SHARE.—The non-Federal share
22 of the cost of the activities assisted under this Act may
23 be provided in cash or in kind, fairly evaluated, including
24 plant, equipment, and services, and may be provided from
25 State, local, or private sources.

1 (c) MAINTENANCE OF EFFORT.—The Secretary shall
2 not award a grant under this Act to any eligible partner-
3 ship unless the Secretary first determines that the total
4 expenditures by the State and its political subdivisions to
5 support early childhood development programs (other than
6 funds used to pay the non-Federal share under this sec-
7 tion) for the fiscal year for which the determination is
8 made is equal to or greater than such expenditures for
9 the preceding fiscal year.

10 (d) SUPPLEMENT NOT SUPPLANT.—Grant funds re-
11 ceived under this Act shall be used to supplement and not
12 supplant other Federal, State, and local public funds ex-
13 pended to promote early childhood development programs
14 and activities.

15 (e) RESERVATION FOR ADMINISTRATION, TECH-
16 NICAL ASSISTANCE, AND EVALUATION.—The Secretary
17 shall reserve not more than a total of 3 percent of the
18 funds appropriated under section 11 for a fiscal year for
19 the costs of administering this Act, providing technical as-
20 sistance under this Act, and evaluating activities assisted
21 under this Act.

22 **SEC. 10. REPORT.**

23 Each eligible partnership receiving a grant under this
24 Act shall submit a written report, on an annual basis, to
25 the Secretary that describes—

1 (1) the progress made by the eligible partner-
2 ship with respect to the goals described in section
3 7(1) and the activities assisted under the grant; and
4 (2) how the activities assisted under the grant
5 were aligned with and supported the State's goals
6 and benchmarks in early childhood education.

7 **SEC. 11. AUTHORIZATION OF APPROPRIATIONS.**

8 There are authorized to be appropriated to carry out
9 this Act \$8,000,000,000 for fiscal year 2008,
10 \$10,000,000,000 for fiscal year 2009, and such sums as
11 may be necessary for each of the fiscal years 2010, 2011,
12 and 2012.

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