

ily Educational Rights and Privacy Act of 1974')” for “the Family Education Rights and Privacy Act of 1974”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2009 AMENDMENT

Amendment by Pub. L. 111-39 effective as if enacted on the date of enactment of Pub. L. 110-315 (Aug. 14, 2008), see section 3 of Pub. L. 111-39, set out as a note under section 1001 of this title.

PART I—EARLY CHILDHOOD EDUCATION PROFESSIONAL DEVELOPMENT AND CAREER TASK FORCE

§ 1161i. Purpose

The purposes of this part are—

(1) to improve the quality of the early childhood education workforce by creating a statewide early childhood education professional development and career task force for early childhood education program staff, directors, administrators, and faculty; and

(2) to create—

(A) a coherent system of core competencies, pathways to qualifications, credentials, degrees, quality assurances, access, and outreach, for early childhood education program staff, directors, administrators, and faculty that is linked to compensation commensurate with experience and qualifications;

(B) articulation agreements that enable early childhood education professionals to transition easily among degrees; and

(C) compensation initiatives for individuals working in an early childhood education program that reflect the individuals' credentials, degrees, and experience.

(Pub. L. 89-329, title VIII, §811, as added Pub. L. 110-315, title VIII, §801, Aug. 14, 2008, 122 Stat. 3397.)

§ 1161i-1. Definition of early childhood education program

In this part, the term “early childhood education program” means—

(1) a Head Start program or an Early Head Start program carried out under the Head Start Act (42 U.S.C. 9831 et seq.), including a migrant or seasonal Head Start program or an Indian Head Start program;

(2) a State licensed or regulated child care program; or

(3) a State prekindergarten program or a program authorized under section 619 [20 U.S.C. 1419] or part C [20 U.S.C. 1431 et seq.] of the Individuals with Disabilities Education Act, that serves children from birth through age six and that addresses the children's cognitive (including language, early literacy, and pre-numeracy), social, emotional, and physical development.

(Pub. L. 89-329, title VIII, §812, as added Pub. L. 110-315, title VIII, §801, Aug. 14, 2008, 122 Stat. 3398.)

Editorial Notes

REFERENCES IN TEXT

The Head Start Act, referred to in par. (1), is subchapter B (§635 et seq.) of chapter 8 of subtitle A of

title VI of Pub. L. 97-35, Aug. 13, 1981, 95 Stat. 499, which is classified generally to subchapter II (§9831 et seq.) of chapter 105 of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Short Title note set out under section 9801 of Title 42 and Tables.

The Individuals with Disabilities Education Act, referred to in par. (3), is title VI of Pub. L. 91-230, Apr. 13, 1970, 84 Stat. 175. Part C of the Act is classified generally to subchapter III (§1431 et seq.) of chapter 33 of this title. For complete classification of this Act to the Code, see section 1400 of this title and Tables.

§ 1161i-2. Grants authorized

(a) In general

From the amounts appropriated under section 1161i-7 of this title, the Secretary is authorized to award grants to States in accordance with the provisions of this part to enable such States—

(1) to establish a State Task Force described in section 1161i-3 of this title; and

(2) to support activities of the State Task Force described in section 1161i-4 of this title.

(b) Competitive basis

Grants under this part shall be awarded on a competitive basis.

(c) Equitable geographic distribution

In awarding grants under this part, the Secretary shall take into consideration providing an equitable geographic distribution of such grants.

(d) Duration

Grants under this part shall be awarded for a period of five years.

(Pub. L. 89-329, title VIII, §813, as added Pub. L. 110-315, title VIII, §801, Aug. 14, 2008, 122 Stat. 3398.)

§ 1161i-3. State Task Force establishment

(a) State Task Force established

The Governor of a State receiving a grant under this part shall establish, or designate an existing entity to serve as, the State Early Childhood Education Professional Development and Career Task Force (hereafter in this part referred to as the “State Task Force”).

(b) Membership

The State Task Force shall include a representative of a State agency, an institution of higher education (including an associate or a baccalaureate degree granting institution of higher education), an early childhood education program, a nonprofit early childhood organization, a statewide early childhood workforce scholarship or supplemental initiative, the State Head Start collaboration director, and any other entity or individual the Governor determines appropriate.

(Pub. L. 89-329, title VIII, §814, as added Pub. L. 110-315, title VIII, §801, Aug. 14, 2008, 122 Stat. 3398.)

§ 1161i-4. State Task Force activities

(a) Activities

The State Task Force shall—

(1) coordinate and communicate regularly with the State Advisory Council on Early Care

and Education (hereafter in this part referred to as “State Advisory Council”) or a similar State entity charged with creating a comprehensive system of early care and education in the State, for the purposes of—

(A) integrating recommendations for early childhood professional development and career activities into the plans of the State Advisory Council; and

(B) assisting in the implementation of professional development and career activities that are consistent with the plans described in subparagraph (A);

(2) conduct a review of opportunities for and barriers to high-quality professional development, training, and higher education degree programs, in early childhood development and learning, including a periodic statewide survey concerning the demographics of individuals working in early childhood education programs in the State, which survey shall include information disaggregated by—

(A) race, gender, and ethnicity;

(B) compensation levels;

(C) type of early childhood education program setting;

(D) specialized knowledge of child development;

(E) years of experience in an early childhood education program;

(F) attainment of—

(i) academic credit for coursework;

(ii) an academic degree;

(iii) a credential;

(iv) licensure; or

(v) certification in early childhood education; and

(G) specialized knowledge in the education of children with limited English proficiency and students with disabilities; and

(3) develop a plan for a comprehensive statewide professional development and career system for individuals working in early childhood education programs or for early childhood education providers, which plan may include—

(A) methods of providing outreach to early childhood education program staff, directors, and administrators, including methods for how outreach is provided to non-English speaking providers, in order to enable the providers to be aware of opportunities and resources under the statewide plan;

(B) developing a unified data collection and dissemination system for early childhood education training, professional development, and higher education programs;

(C) increasing the participation of early childhood educators in high-quality training and professional development by assisting in paying the costs of enrollment in and completion of such training and professional development courses;

(D) increasing the participation of early childhood educators in undergraduate and graduate education programs leading to degrees in early childhood education by providing assistance to pay the costs of enrollment in and completion of such programs, which assistance—

(i) shall only be provided to an individual who—

(I) in the case of an individual pursuing an undergraduate or graduate degree, enters into an agreement under which the individual agrees to work, for a reasonable number of years after receiving such a degree, in an early childhood education program that is located in a low-income area; and

(II) has a family income equal to or less than the annually adjusted national median family income as determined by the Bureau of the Census; and

(ii) shall be provided in an amount that does not exceed \$17,500;

(E) supporting professional development activities and a career lattice for a variety of early childhood professional roles with varying professional qualifications and responsibilities for early childhood education personnel, including strategies to enhance the compensation of such personnel;

(F) supporting articulation agreements between two- and four-year public and private institutions of higher education and mechanisms to transform other training, professional development, and experience into academic credit;

(G) developing mentoring and coaching programs to support new educators in and directors of early childhood education programs;

(H) providing career development advising with respect to the field of early childhood education, including informing an individual regarding—

(i) entry into and continuing education requirements for professional roles in the field;

(ii) available financial assistance for postsecondary education; and

(iii) professional development and career advancement in the field;

(I) enhancing the capacity and quality of faculty and coursework in postsecondary programs that lead to an associate, baccalaureate, or graduate degree in early childhood education;

(J) consideration of the availability of online graduate level professional development offered by institutions of higher education with experience and demonstrated expertise in establishing programs in child development, in order to improve the skills and expertise of individuals working in early childhood education programs; and

(K) developing or enhancing a system of quality assurance with respect to the early childhood education professional development and career system, including standards or qualifications for individuals and entities who offer training and professional development in early childhood education.

(b) Public hearings

The State Task Force shall hold public hearings and provide an opportunity for public comment on the activities described in the statewide plan described in subsection (a)(3).

(c) Periodic review

The State Task Force shall meet periodically to review implementation of the statewide plan

and to recommend any changes to the statewide plan the State Task Force determines necessary.

(Pub. L. 89-329, title VIII, §815, as added Pub. L. 110-315, title VIII, §801, Aug. 14, 2008, 122 Stat. 3398.)

§ 1161i-5. State application and report

(a) In general

Each State desiring a grant under this part shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may reasonably require. Each such application shall include a description of—

- (1) the membership of the State Task Force;
- (2) the activities for which the grant assistance will be used;
- (3) other Federal, State, local, and private resources that will be available to support the activities of the State Task Force described in section 1161i-4 of this title;
- (4) the availability within the State of training, early childhood educator preparation, professional development, compensation initiatives, and career systems, related to early childhood education; and
- (5) the resources available within the State for such training, educator preparation, professional development, compensation initiatives, and career systems.

(b) Report to the Secretary

Not later than two years after receiving a grant under this part, a State shall submit a report to the Secretary that shall describe—

- (1) other Federal, State, local, and private resources that will be used in combination with a grant under this section to develop or expand the State's early childhood education professional development and career activities;
- (2) the ways in which the State Advisory Council (or similar State entity) will coordinate the various State and local activities that support the early childhood education professional development and career system; and
- (3) the ways in which the State Task Force will use funds provided under this part and carry out the activities described in section 1161i-4 of this title.

(Pub. L. 89-329, title VIII, §816, as added Pub. L. 110-315, title VIII, §801, Aug. 14, 2008, 122 Stat. 3401.)

§ 1161i-6. Evaluations

(a) State evaluation

Each State receiving a grant under this part shall—

- (1) evaluate the activities that are assisted under this part in order to determine—
 - (A) the effectiveness of the activities in achieving State goals;
 - (B) the impact of a career lattice for individuals working in early childhood education programs;
 - (C) the impact of the activities on licensing or regulating requirements for individ-

uals in the field of early childhood development;

(D) the impact of the activities, and the impact of the statewide plan described in section 1161i-4(a)(3) of this title, on the quality of education, professional development, and training related to early childhood education programs that are offered in the State;

(E) the change in compensation and retention of individuals working in early childhood education programs within the State resulting from the activities; and

(F) the impact of the activities on the demographic characteristics of individuals working in early childhood education programs; and

(2) submit a report at the end of the grant period to the Secretary regarding the evaluation described in paragraph (1).

(b) Secretary's evaluation

Not later than September 30, 2013, the Secretary, in consultation with the Secretary of Health and Human Services, shall prepare and submit to the authorizing committees an evaluation of the State reports submitted under subsection (a)(2).

(Pub. L. 89-329, title VIII, §817, as added Pub. L. 110-315, title VIII, §801, Aug. 14, 2008, 122 Stat. 3401.)

§ 1161i-7. Authorization of appropriations

There are authorized to be appropriated to carry out this part such sums as may be necessary for fiscal year 2009 and each of the five succeeding fiscal years.

(Pub. L. 89-329, title VIII, §818, as added Pub. L. 110-315, title VIII, §801, Aug. 14, 2008, 122 Stat. 3402.)

PART J—IMPROVING SCIENCE, TECHNOLOGY, ENGINEERING, AND MATHEMATICS EDUCATION WITH A FOCUS ON ALASKA NATIVE AND NATIVE HAWAIIAN STUDENTS

§ 1161j. Improving science, technology, engineering, and mathematics education with a focus on Alaska Native and Native Hawaiian students

(a) Purpose

The purposes of this section are—

(1) to develop or expand programs for the development of professionals in the fields of science, technology, engineering, and mathematics; and

(2) to focus resources on meeting the educational and cultural needs of Alaska Natives and Native Hawaiians.

(b) Definitions

In this section:

(1) Alaska Native

The term “Alaska Native” has the meaning given such term in section 7546 of this title.

(2) Eligible partnership

The term “eligible partnership” means a partnership that includes—