

113TH CONGRESS
1ST SESSION

S. 1673

To help States develop and improve the qualifications and training of their early childhood educator workforce.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 7, 2013

Mr. FRANKEN introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To help States develop and improve the qualifications and training of their early childhood educator workforce.

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 Care
5 and Education Workforce Improvement Act”.

6 **SEC. 2. PURPOSE.**

7 The purpose of this Act is to help States build their
8 capacity to train, credential, fairly compensate, and retain
9 a highly qualified early childhood care and education
10 workforce.

1 **SEC. 3. DEFINITIONS.**

2 In this Act:

3 (1) CHILD.—The term “child” means a child—

4 (A) who is age 5 or younger; or

5 (B) who has not yet entered kindergarten.

6 (2) EARLY CHILDHOOD CARE AND EDUCATION
7 PROGRAM.—The term “early childhood care and
8 education program” means—

9 (A) any program or provider, regardless of
10 setting or funding source, that provides early
11 care and education for children, including any
12 program operated by a child care center or in
13 a family child care home;

14 (B) any preschool program funded by the
15 Federal Government, a State, or a local edu-
16 cational agency; or

17 (C) an Early Head Start program or Head
18 Start program.

19 (3) EARLY CHILDHOOD EDUCATOR.—The term
20 “early childhood educator” means an individual who
21 works in an early childhood care and education pro-
22 gram that is State-licensed or State-regulated and
23 who is—

24 (A) a center-based or family child care pro-
25 vider;

26 (B) an infant or toddler specialist;

1 (C) an early intervention specialist or early
2 childhood special educator;

3 (D) a Head Start or Early Head Start
4 teacher or teacher assistant;

5 (E) a preschool teacher, other teacher, or
6 teacher assistant; or

7 (F) a provider of training or technical as-
8 sistance.

9 (4) EARLY HEAD START.—The term “Early
10 Head Start” means an Early Head Start program
11 supported under section 645A of the Head Start Act
12 (42 U.S.C. 9840).

13 (5) EARLY LEARNING GUIDELINES.—The term
14 “early learning guidelines” means a set of standards
15 or guidelines that—

16 (A) describe what all children should know
17 and be able to do;

18 (B) are appropriate for each age group
19 (such as infants, toddlers, and preschoolers),
20 for English learners, and for children with dis-
21 abilities or developmental delays;

22 (C) cover all areas of child development
23 and early learning related to the essential do-
24 mains of school readiness, including cognitive,

1 social, emotional, and physical development,
2 and approaches to learning; and

3 (D) are universally designed and develop-
4 mentally, culturally, and linguistically appro-
5 priate.

6 (6) HEAD START.—The term “Head Start”
7 means the Head Start program supported under the
8 Head Start Act (42 U.S.C. 9831 et seq.).

9 (7) INSTITUTION OF HIGHER EDUCATION.—The
10 term “institution of higher education” has the
11 meaning given the term in section 101(a) of the
12 Higher Education Act of 1965 (20 U.S.C. 1001(a)).

13 (8) QUALITY RATING AND IMPROVEMENT SYS-
14 TEM.—The term quality rating and improvement
15 system means a tiered quality rating system for
16 early childhood care and education programs, which
17 shall—

18 (A) contain multiple quality rating levels
19 that build on each other, leading to nationally
20 recognized standards of program quality;

21 (B) appropriately assess the quality of
22 early childhood care and education programs in
23 the State;

24 (C) build on licensing standards and other
25 State regulatory standards for such programs;

1 (D) be designed to improve the quality of
2 different types of early childhood care and edu-
3 cation programs;

4 (E) describe the quality of early childhood
5 care and education programs;

6 (F) build the capacity of State early child-
7 hood care and education programs and commu-
8 nities to promote parents' and families' under-
9 standing of the State's early childhood care and
10 education programs and the ratings of the pro-
11 grams in which the child is enrolled; and

12 (G) provide financial incentives and other
13 supports to early childhood care and education
14 programs to achieve and sustain higher levels of
15 quality.

16 (9) SECRETARIES.—The term “Secretaries”
17 means the Secretary of Education and the Secretary
18 of Health and Human Services.

19 (10) STATE.—The term “State” means each of
20 the several States of the United States, the District
21 of Columbia, the Commonwealth of Puerto Rico, the
22 United States Virgin Islands, Guam, American
23 Samoa, and the Commonwealth of the Northern
24 Mariana Islands.

1 **SEC. 4. PROGRAM AUTHORIZED.**

2 From the amounts made available under section 11,
3 the Secretaries, in accordance with the interagency agree-
4 ment described in section 10, are authorized to award
5 grants, on a competitive basis, to States having applica-
6 tions approved under section 5, to enable such States to
7 implement and administer the activities and initiatives de-
8 scribed in section 6.

9 **SEC. 5. APPLICATIONS.**

10 (a) IN GENERAL.—Each State desiring a grant under
11 this Act shall submit an application to the Secretaries at
12 such time, in such manner, and accompanied by such in-
13 formation as the Secretaries may reasonably require.

14 (b) CONTENTS.—Each application submitted under
15 subsection (a) shall include the following:

16 (1) A demonstration of an existing comprehen-
17 sive early childhood educator professional develop-
18 ment system in the State, or a plan for developing
19 such a system that—

20 (A) is developed in collaboration with—

21 (i) the State Advisory Council on
22 Early Childhood Education and Care des-
23 ignated or established under section
24 642B(b)(1)(A) of the Head Start Act (42
25 U.S.C. 9837a(b)(1)(A)), where applicable;

1 (ii) an administrator of a State lead
2 agency (as described in section 658D of
3 the Child Care and Development Block
4 Grant Act of 1990 (42 U.S.C. 9858b));

5 (iii) the State Director of Head Start
6 Collaboration appointed or designated
7 under section 642B(a)(3)(A) of the Head
8 Start Act (42 U.S.C. 9837b(a)(3)(A));

9 (iv) the State educational agency (as
10 defined in section 9101 of the Elementary
11 and Secondary Education Act of 1965 (20
12 U.S.C. 7801));

13 (v) institutions of higher education
14 that award a degree in early childhood
15 education; and

16 (vi) early childhood education profes-
17 sional organizations;

18 (B) uses available early childhood care and
19 education workforce data, such as the percent-
20 age of the early childhood educators who hold
21 a license or certificate in early childhood care
22 and education, in order to assess and provide
23 resources for the State's early childhood care
24 and education workforce needs; and

1 (C) coordinates with the State higher edu-
2 cation agency (as defined in section 103 of the
3 Higher Education Act of 1965 (20 U.S.C.
4 1003)), institution of higher education accred-
5 iting agencies or associations, 2- and 4-year in-
6 stitutions of higher education that award a de-
7 gree in early childhood education, and other or-
8 ganizations or agencies with expertise in early
9 childhood educator preparation that provide the
10 formal education and training necessary to—

11 (i) encourage the establishment or ex-
12 pansion of credit-bearing opportunities
13 that recognize prior learning and expertise;

14 (ii) make higher education in early
15 childhood education more accessible for
16 working adult learners by offering postsec-
17 ondary education courses at accessible
18 times and locations and providing support
19 to adult learners, especially adult learners
20 who are low-income individuals or dual lan-
21 guage learners;

22 (iii) develop articulation agreements
23 between 2- and 4-year public and private
24 institutions of higher education; and

1 (iv) expand the number of degree pro-
2 grams in early childhood education that
3 meet nationally recognized standards for
4 the preparation of early childhood edu-
5 cators.

6 (2) A description of how the State will—

7 (A) adopt professional standards and com-
8 petencies for early childhood educators based on
9 nationally recognized standards for professional
10 preparation of early childhood educators;

11 (B) develop career pathways and link op-
12 portunities to career pathways for early child-
13 hood educators, toward continuous and incre-
14 mental improvement of the early childhood edu-
15 cator workforce;

16 (C) target funds to the highest need areas,
17 which shall be determined based on—

18 (i) the level of access to high-quality,
19 affordable early childhood care and edu-
20 cation programs;

21 (ii) the percentage of children living in
22 poverty; and

23 (iii) the percentage of early childhood
24 educators with degrees and other creden-
25 tials in early childhood education;

1 (D) engage rural communities in partici-
2 pating in early childhood educator workforce
3 improvement activities and how the State will
4 provide technical assistance in rural commu-
5 nities to address unique barriers to the imple-
6 mentation of early childhood educator workforce
7 programs; and

8 (E) establish or enhance compensation and
9 retention initiatives that reward and help retain
10 early childhood educators who achieve a degree
11 in early childhood education to work in a non-
12 school early childhood education program, and
13 to the extent feasible, have parity of compensa-
14 tion with public school elementary teachers in
15 the same geographic area.

16 **SEC. 6. STATE USE OF FUNDS.**

17 (a) **IN GENERAL.**—A State that receives a grant
18 under this Act shall ensure that grant funds will be used
19 to support services for early childhood educators and early
20 childhood care and education programs across all early
21 childhood age groups, such as infants, toddlers, and pre-
22 schoolers.

23 (b) **RESERVATION OF FUNDS.**—A State that receives
24 a grant under this Act shall use not more than 5 percent
25 of the grant funds for the administration and provision

1 of technical assistance needed to carry out the initiatives
2 and activities described in subsections (c), (d), and (e),
3 collectively.

4 (c) REQUIRED ACTIVITIES.—

5 (1) IN GENERAL.—A State that receives a
6 grant under this Act shall use grant funds to carry
7 out the following:

8 (A) Providing scholarships for tuition, fees
9 and materials, and support, including college
10 counseling, paid substitutes, and release time,
11 to early childhood educators or individuals who
12 are preparing to be early childhood educators to
13 enable such individuals to earn—

14 (i) a child development associate cre-
15 dential; or

16 (ii) an associate or baccalaureate de-
17 gree in early childhood education, or a
18 closely related field (as determined by the
19 Secretary).

20 (B) In a State with a quality rating and
21 improvement system, enhancing and expanding
22 coaching, mentoring, and other professional de-
23 velopment to help early childhood care and edu-
24 cation programs improve at least 1 level on the
25 State's quality rating and improvement system.

1 (C) Providing ongoing professional devel-
2 opment opportunities for early childhood edu-
3 cators that relate to—

4 (i) the specialized knowledge and
5 skills of early childhood educators for
6 working with different ages and levels of
7 development of children (including infants,
8 toddlers, and preschoolers);

9 (ii) the State’s early learning guide-
10 lines;

11 (iii) high-quality teacher-child inter-
12 actions;

13 (iv) cultural competence for working
14 with a diversity of children and families;

15 (v) dual language learners;

16 (vi) children with disabilities, as de-
17 scribed in parts B and C of the Individuals
18 with Disabilities Education Act (20 U.S.C.
19 1411 et seq. and 1431 et seq.); and

20 (vii) engaging and partnering with
21 parents and families.

22 (D) Encouraging cross-sector training op-
23 portunities for teachers and staff working in
24 Head Start, Early Head Start, child care, early
25 intervention programs, infant and early child-

1 hood mental health programs, home visiting
2 programs, and State-funded prekindergarten
3 and preschool programs that receive funds
4 under title I of the Elementary and Secondary
5 Education Act of 1965 (20 U.S.C. 6301 et
6 seq.), where applicable.

7 (E) Expanding the number of early child-
8 hood educators who are trained to work with in-
9 fants and toddlers.

10 (2) PRIORITY.—In using grant funds received
11 under this Act, a State shall give priority to using
12 such funds to carry out the activities described
13 under subparagraph (A) of paragraph (1).

14 (d) PERMISSIBLE USES OF FUNDS.—A State that re-
15 ceives a grant under this Act may use grant funds to—

16 (1) support directors of early childhood care
17 and education programs in the areas of program
18 management and leadership, adult learning to sup-
19 port staff development, and child development; and

20 (2) expand the number of early childhood edu-
21 cators who have experience in providing professional
22 development, coaching, mentoring, or consultation to
23 early childhood educators about working with in-
24 fants, toddlers, and their families.

1 (e) REPORTS.—A State that receives a grant under
2 this Act shall submit an annual report to the Secretaries
3 at such time, in such manner, and containing such infor-
4 mation as the Secretaries may require, including, at a
5 minimum, the following:

6 (1) In the case of a State that has a quality
7 rating and improvement system, any evidence of an
8 increase in the number of early childhood care and
9 education programs participating in the State’s qual-
10 ity rating and improvement system, that—

11 (A) have improved at least 1 level on the
12 State’s quality rating and improvement system;
13 and

14 (B) received coaching, mentoring, scholar-
15 ships for postsecondary education, or other
16 technical assistance related to professional
17 knowledge and skills to improve quality as de-
18 scribed under subsection (c)(1).

19 (2) The number of scholarships provided by the
20 State, as described under subsection (c)(1)(A),
21 disaggregated by—

22 (A) whether the scholarships support the
23 pursuit of—

24 (i) a child development associate cre-
25 dential;

1 (ii) an associate degree in early child-
2 hood education, or a closely related field
3 (as determined by the Secretary); or

4 (iii) a baccalaureate degree in early
5 childhood education, or a closely related
6 field (as determined by the Secretary);

7 (B) the race, gender, annual income, and
8 native language of the individual receiving such
9 scholarship;

10 (C) in the case of a scholarship recipient
11 who is, at the time the scholarship is awarded,
12 working as an early childhood educator—

13 (i) the age of the children with whom
14 the early childhood educator works;

15 (ii) the type of early childhood care
16 and education program setting in which
17 the early childhood educator works, and
18 the percentage of children in such program
19 setting who are—

20 (I) eligible for Early Head Start
21 or Head Start; or

22 (II) receiving child care services
23 for which financial assistance is pro-
24 vided in accordance with the Child

1 Care and Development Block Grant of
2 1990 (42 U.S.C. 9858 et seq.); and

3 (iii) the number of years that the
4 early childhood educator has worked in the
5 field of early childhood education prior to
6 receiving such scholarship; and

7 (D) the number of scholarship recipients
8 who are working in the field of early childhood
9 education 2 years after receiving a credential or
10 degree described in subsection (c)(1)(A), wheth-
11 er such recipient is—

12 (i) working in the same early child-
13 hood care and education program;

14 (ii) in a different early childhood care
15 and education program; or

16 (iii) in the same role or in a different
17 role within the field of early childhood edu-
18 cation.

19 (3) Data describing the professional develop-
20 ment activities offered to early childhood educators,
21 including information about such activities relating
22 to the categories described in clauses (i) through
23 (vii) of subsection (c)(1)(C), as appropriate.

1 (4) Data describing the cross-sector training
2 opportunities provided, as described in subsection
3 (c)(1)(D), including—

4 (A) the primary role of professionals who
5 participated in a cross-sector training;

6 (B) the primary setting in which such pro-
7 fessionals work;

8 (C) the topic of the training; and

9 (D) the sources of funding for the training.

10 (5) If applicable, evidence of an increase in the
11 number of early childhood educators working with—

12 (A) infants and toddlers;

13 (B) children with developmental delays or
14 disabilities; and

15 (C) dual language learners.

16 (6) Data describing any increase in early child-
17 hood care and education programs in the State.

18 **SEC. 7. MATCHING FUNDS REQUIREMENT.**

19 (a) AMOUNT OF MATCHING FUNDS.—A State that
20 receives a grant under this Act shall contribute to the ac-
21 tivities assisted under such grant by providing matching
22 funds from non-Federal sources in an amount as follows:

23 (1) For the first year of the grant award, an
24 amount equal to not less than 20 percent of the
25 amount of the grant.

1 (2) For the second year of the grant award, an
2 amount equal to not less than 30 percent of the
3 amount of the grant.

4 (3) For the third year of the grant award, an
5 amount equal to not less than 40 percent of the
6 amount of the grant.

7 (4) For the fourth and fifth years of the grant
8 award, an amount equal to not less than 50 percent
9 of the amount of the grant.

10 (b) **MATCHING FUNDS REQUIREMENT.**—The match-
11 ing funds requirement under subsection (a) may be met
12 by contributions that are—

13 (1) in cash or in kind; and

14 (2) from any private source or State or local
15 funds.

16 **SEC. 8. SUPPLEMENT AND NOT SUPPLANT.**

17 Grant funds provided under this Act shall supple-
18 ment, and not supplant, other Federal, State, and local
19 funds that are available for early childhood workforce im-
20 provement programs. States receiving grant funds under
21 this Act may provide additional funds, other than funds
22 received under this Act, to enhance the early childhood
23 provider quality initiatives and activities that are sup-
24 ported by such grant funds.

1 **SEC. 9. MAINTENANCE OF EFFORT.**

2 A State that receives funds under this Act for a fiscal
3 year shall maintain the fiscal effort provided by the State
4 for the activities supported by the funds under this Act
5 at a level equal to or greater than the level of such fiscal
6 effort for the preceding fiscal year.

7 **SEC. 10. INTERAGENCY AGREEMENT.**

8 The Secretary of Education and the Secretary of
9 Health and Human Services shall jointly develop policies
10 for, and administer activities under, this Act in accordance
11 with such terms as the Secretaries shall set forth in an
12 interagency agreement. Such interagency agreement, at a
13 minimum, shall include a description of the respective
14 roles and responsibilities of the Secretaries in carrying out
15 this Act.

16 **SEC. 11. AUTHORIZATION OF APPROPRIATIONS.**

17 There are authorized to be appropriated to carry out
18 this Act such sums as may be necessary for fiscal years
19 2014 through 2019.

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