

112TH CONGRESS  
1ST SESSION

# H. R. 3322

To establish an Early Learning Challenge Fund to support States in building and strengthening systems of high-quality early learning and development programs, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 2, 2011

Mr. HIMES (for himself, Mr. CONNOLLY of Virginia, Mr. POLIS, and Ms. HIRONO) introduced the following bill; which was referred to the Committee on Education and the Workforce

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## A BILL

To establish an Early Learning Challenge Fund to support States in building and strengthening systems of high-quality early learning and development programs, and for other purposes.

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 “Supporting State Sys-  
5 tems of Early Learning Act”.

1 **SEC. 2. PURPOSE.**

2 The purpose of this Act is to support States in build-  
3 ing and strengthening systems of high-quality early learn-  
4 ing and development programs.

5 **SEC. 3. PROGRAMS AUTHORIZED.**

6 (a) **QUALITY PATHWAYS GRANTS.**—The Secretary of  
7 Education shall use funds made available to carry out this  
8 Act for a fiscal year to award grants, on a competitive  
9 basis, to States that have demonstrated the greatest  
10 progress in establishing and committing to maintain a sys-  
11 tem of high-quality State early learning programs, con-  
12 sistent with section 4.

13 (b) **DEVELOPMENT GRANTS.**—The Secretary may  
14 use funds made available to carry out this Act for a fiscal  
15 year to award grants, on a competitive basis, in accord-  
16 ance with section 5 to States that demonstrate a commit-  
17 ment to establishing and committing to maintain a high-  
18 quality system of early learning that will include the com-  
19 ponents described in section 4(c)(4) but are not—

20 (1) eligible to be awarded a grant under sub-  
21 section (a); or

22 (2) awarded such a grant after application.

23 (c) **RESERVATIONS OF FEDERAL FUNDS.**—

24 (1) **RESEARCH, EVALUATION, AND ADMINISTRA-**  
25 **TION.**—From the amount made available to carry  
26 out this Act for a fiscal year, the Secretary—

1 (A) shall reserve not more than 2 percent  
2 to administer this Act jointly with the Secretary  
3 of Health and Human Services for expenses of  
4 both agencies pursuant to the interagency  
5 agreement described in subsection (h); and

6 (B) shall reserve not more than 5 percent  
7 to carry out activities under section 6.

8 (2) TRIBAL SCHOOL READINESS PLANNING  
9 DEMONSTRATION.—After making the reservations  
10 under paragraph (1), the Secretary shall reserve 5  
11 percent for a competitive grant demonstration pro-  
12 gram for Indian tribes to develop and implement  
13 school readiness plans and programs that—

14 (A) increase access to high-quality State  
15 early learning programs that improve health,  
16 social, emotional, cognitive, and physical out-  
17 comes and school readiness; and

18 (B) support Native culture in a tribally ad-  
19 ministered early learning program, including  
20 American Indian and Alaska Native Head Start  
21 and Early Head Start programs.

22 (d) STATE APPLICATIONS.—In applying for a grant  
23 under this Act, a Governor shall designate or establish a  
24 State-level entity (referred to in this Act as the “State”)  
25 for administration of the grant. Such entity—

1           (1) shall coordinate proposed activities with the  
2           State Advisory Council on Early Childhood Edu-  
3           cation and Care (established pursuant to section  
4           642B(b)(1)(A) of the Head Start Act (42 U.S.C.  
5           9837b(b)(1)(A))) and shall incorporate plans and  
6           recommendations from such Council in the applica-  
7           tion, where applicable; and

8           (2) shall submit the application to the Secretary  
9           at such time, in such manner, and containing such  
10          information as the Secretary may reasonably re-  
11          quire.

12          (e) PRIORITY IN AWARDING GRANTS.—In awarding  
13          grants under this Act, the Secretary shall give priority to  
14          States—

15               (1) whose applications contain assurances that  
16               the State will use, in part, funds reserved under sec-  
17               tion 658G of the Child Care and Development Block  
18               Grant Act of 1990 (42 U.S.C. 9858e) for activities  
19               described in section 4(c)(4);

20               (2) that demonstrate efforts to build public-pri-  
21               vate partnerships, including partnerships with non-  
22               profits and private entities, designed to accomplish  
23               the purpose of this Act; and

24               (3) that have invested their own funds in early  
25               childhood education.

1 (f) USE OF FUNDS.—

2 (1) AUTHORIZED USES OF FUNDS FOR EVALUA-  
3 TIONS.—Funds available under this Act may be used  
4 for evaluating children for the purposes of—

5 (A) improving instruction or classroom en-  
6 vironment;

7 (B) targeting professional development;

8 (C) determining the need for health, men-  
9 tal health, disability, or family support services;

10 (D) informing the quality improvement  
11 process at the State level;

12 (E) program evaluation for the purposes of  
13 program improvement and parent information;

14 (F) research conducted as part of the na-  
15 tional evaluation described under section 5; or

16 (G) assessing children’s level of readiness  
17 for school success across a broad range of do-  
18 mains of learning and development, including  
19 physical well-being and motor development, so-  
20 cial and emotional development, approaches to-  
21 ward learning, language development, and cog-  
22 nition and general knowledge.

23 (2) PROHIBITION ON USE OF FUNDS.—Funds  
24 available under this Act may not be used for any of  
25 the following:

1           (A) Assessments that provide rewards or  
2           sanctions for individual children or teachers.

3           (B) A single assessment used as the pri-  
4           mary or sole method for assessing program ef-  
5           fectiveness.

6           (g) MAINTENANCE OF EFFORT.—With respect to  
7 each period for which a State is awarded a grant under  
8 this Act, the expenditures by the State on State early  
9 learning programs shall not be less than the greater of  
10 the level of the expenditures for such programs in the  
11 prior fiscal year or as of the date of enactment of this  
12 Act.

13          (h) INTERAGENCY AGREEMENT.—

14           (1) IN GENERAL.—The Secretary and the Sec-  
15           retary of Health and Human Services shall jointly  
16           develop policy for, and administer, this Act in ac-  
17           cordance with such terms as the Secretaries shall set  
18           forth in an interagency agreement.

19           (2) OBLIGATION AND DISBURSEMENT OF  
20           FUNDS BY SECRETARY OF EDUCATION.—The Sec-  
21           retary of Education shall be responsible for obli-  
22           gating and disbursing funds and ensuring compli-  
23           ance with applicable laws and administrative require-  
24           ments, in accordance with the General Education  
25           Provisions Act (20 U.S.C. 1221 et seq.) and parts

1 74 through 80 of title 34, Code of Federal Regula-  
2 tions.

3 **SEC. 4. QUALITY PATHWAYS GRANTS.**

4 (a) GRANT PERIOD.—Grants under section 3(a)—

5 (1) may be awarded for a period of 3 years; and

6 (2) may be extended, for a 2-year period, sub-  
7 ject to approval by the Secretary, and based on the  
8 State’s progress in—

9 (A) increasing the number and percentage  
10 of children from low-income families in each age  
11 group of infants, toddlers, and preschoolers, en-  
12 rolled in high-quality State early learning pro-  
13 grams;

14 (B) meeting the components described in  
15 subsection (c)(4);

16 (C) increasing the number of high-quality  
17 State early learning programs in low-income  
18 communities; and

19 (D) incorporating the program quality  
20 findings and recommendations, as appropriate.

21 (b) MATCHING REQUIREMENT.—Subject to section 9,  
22 to be eligible to receive a grant under subsection (a) or  
23 (b) of section 3, a State shall contribute to the activities  
24 assisted under the grant, non-Federal matching funds in

1 an amount equal to not less than 15 percent of the amount  
2 of the grant.

3 (c) STATE APPLICATIONS.—In order to receive a  
4 grant under section 3(a), a State’s application under sec-  
5 tion 3(d) shall include a plan that includes the following:

6 (1) A description of how the State will use  
7 funds prioritized for those programs serving high  
8 proportions of low-income children in accordance  
9 with subsection (e) to improve health, social, emo-  
10 tional, cognitive, physical development, and school  
11 readiness for young children by implementing quality  
12 initiatives to improve State early learning programs  
13 serving disadvantaged children from birth to entry  
14 into kindergarten to lead to a greater percentage of  
15 children from low-income families participating in  
16 high-quality State early learning programs.

17 (2) A description of the benchmarks, consistent  
18 with section 7, the State will establish to dem-  
19 onstrate that a greater percentage of children from  
20 low-income families are participating in high-quality  
21 State early learning programs.

22 (3) A description of how the State will integrate  
23 existing State early learning programs and services  
24 into a comprehensive system for early learning and  
25 development.



1           (4) A description of how the State will imple-  
2           ment a system of high-quality State early learning  
3           programs and services that includes the following  
4           components:

5                   (A) A governance structure.

6                   (B) State early learning standards.

7                   (C) A process to ensure that State early  
8           learning standards are integrated into the in-  
9           structional and programmatic practices of State  
10          early learning programs and services.

11                  (D) A tiered program rating and improve-  
12          ment system that fully integrates early learning  
13          standards, applicable State licensing require-  
14          ments, program quality standards, and other  
15          applicable State regulatory standards, which, at  
16          a minimum, shall include standards regarding  
17          preservice and ongoing training for staff in  
18          early childhood development, health, and safety,  
19          and other program standards as required by the  
20          State, and that—

21                          (i) is designed to improve quality and  
22                          effectiveness across different types of early  
23                          learning settings;

24                          (ii) has progressively higher levels of  
25                          program quality leading to quality levels

1 consistent with or higher than nationally  
2 recognized, high-quality program quality  
3 standards that are valid and reliable for  
4 State early learning programs, such as the  
5 Head Start performance standards de-  
6 scribed in section 641A of the Head Start  
7 Act (42 U.S.C. 9836a);

8 (iii) determines the extent to which in-  
9 dividual programs across different types of  
10 settings integrate the State's early learning  
11 standards for the purpose of improving in-  
12 structional and programmatic practices;

13 (iv) addresses quality for and effective  
14 inclusion of children with disabilities or de-  
15 velopmental delays across all early learning  
16 settings;

17 (v) addresses staff qualifications,  
18 training, and professional development and  
19 education;

20 (vi) addresses the quality of early  
21 learning facilities;

22 (vii) builds the capacity of State early  
23 learning programs and communities to pro-  
24 mote parents' and families' understanding  
25 of the State's early learning system and

1 the rating of the programs in which their  
2 child is enrolled;

3 (viii) provides financial incentives and  
4 other supports designed to achieve and  
5 sustain higher levels of quality; and

6 (ix) includes mechanisms for evalu-  
7 ating how programs are meeting the  
8 State’s program quality standards and pro-  
9 gressively higher levels of quality.

10 (E) A system of program review and moni-  
11 toring that is designed—

12 (i) to rate providers using the system  
13 described in subparagraph (D) in a way  
14 that is accessible and useful to parents;

15 (ii) to assess and improve pro-  
16 grammatic practices and instructional  
17 practices; and

18 (iii) to provide high-quality environ-  
19 ments that can engage children with mate-  
20 rials, curricula, and experiences appro-  
21 priate to the developmental level of the  
22 child.

23 (F) A process to support and increase the  
24 number of State early learning programs inte-  
25 grating instructional and programmatic prac-

1 tices that guide and improve instructional prac-  
2 tice, professional development of staff, and serv-  
3 ices that—

4 (i) include developmentally appro-  
5 priate, culturally and linguistically appro-  
6 priate, ongoing, classroom-based instruc-  
7 tional assessments for each domain of child  
8 development and learning; and

9 (ii) are aligned with the curriculum  
10 used in the State early learning program  
11 and with the State early learning stand-  
12 ards or the Head Start Child Outcomes  
13 Framework (as described in the Head  
14 Start Act (42 U.S.C. 9831 et seq.)), as ap-  
15 plicable.

16 (G) A plan for providing comprehensive  
17 preservice preparation and professional develop-  
18 ment to create, educate, and support a knowl-  
19 edgeable, highly skilled, and well-compensated  
20 workforce, across all types of early childhood  
21 settings serving all children from birth to kin-  
22 dergarten entry.

23 (H) Outreach strategies that incorporate  
24 multiple strategies for parent, expectant parent,  
25 and family involvement and education.

1 (I) A plan to promote understanding by  
2 parents and families of—

3 (i) the State’s program rating system,  
4 as described in subparagraph (D); and

5 (ii) the rating of the program in which  
6 their child is enrolled.

7 (J) A coordinated system to facilitate  
8 prompt screening, referral, and provision of  
9 services related to health, mental health, dis-  
10 ability, and family support for children partici-  
11 pating in State early learning programs.

12 (K) A process for evaluating school readi-  
13 ness in children that reflects all of the major  
14 domains of development, and that—

15 (i) is used to guide practice and im-  
16 prove State early learning programs; and

17 (ii) includes multiple measures of  
18 school readiness at kindergarten entry, and  
19 which shall reflect a sample across the  
20 State.

21 (L) A comprehensive plan that promotes  
22 nutrition and wellness in early learning settings,  
23 and which—

1 (i) includes program standards for the  
2 healthful development of infants, toddlers,  
3 and young children;

4 (ii) encourages the provision of foods  
5 and beverages in accordance with the  
6 guidelines of the Richard B. Russell Na-  
7 tional School Lunch Act (42 U.S.C. 1751  
8 et seq.), and which incorporates age appro-  
9 priate recommendations to reduce the con-  
10 sumption and excess of sugar, saturated  
11 fat, and sodium; and

12 (iii) reflects physical activity rec-  
13 ommendations which are appropriate for  
14 young children from birth through kinder-  
15 garten entry.

16 (M) A plan to implement or enhance the  
17 State's data system for early learning pro-  
18 grams, including—

19 (i) alignment and interoperability be-  
20 tween the data system for early learning  
21 programs for children and data systems for  
22 elementary and secondary education so  
23 that progress on key data elements can be  
24 tracked over time with minimal duplica-  
25 tion; and

1 (ii) uniform data collection from all  
2 providers that receive public funding about  
3 the quality of early learning programs, es-  
4 sential information about the children and  
5 families that participate in such programs,  
6 and the qualifications and compensation of  
7 the early learning workforce in such pro-  
8 grams.

9 (N) A plan to ensure effective transitions  
10 between State early learning programs and the  
11 kindergarten through grade 3 public school sys-  
12 tem in the State.

13 (O) A plan for how the State will deter-  
14 mine which State early learning programs re-  
15 ceived significant direct funding under this Act,  
16 and are not making sufficient quality improve-  
17 ment, including a description of the technical  
18 assistance the State will provide to such pro-  
19 grams and how the State shall determine when  
20 to shift unspent funds under this Act to other  
21 State early learning programs in the same geo-  
22 graphic region serving similar populations, to  
23 the extent practicable.

24 (5) A description of how the State will ensure  
25 that programs receiving funds under this Act are

1 participating in the State tiered program rating sys-  
2 tem described in paragraph (4)(D).

3 (6) A description of how the funds provided  
4 under the grant will be targeted to enhance the qual-  
5 ity of early learning programs in order to increase  
6 the number and percentage of children from low-in-  
7 come families in high-quality State early learning  
8 programs, including children—

9 (A) in each age group (infants, toddlers,  
10 and preschoolers);

11 (B) living in rural and urban areas;

12 (C) who are among the most disadvan-  
13 taged children; and

14 (D) who need access to full-day, full-year  
15 State early learning programs.

16 (7) A description of the steps the State will  
17 take to ensure that all center-based child care pro-  
18 grams, family child care programs, State-funded  
19 prekindergarten, Head Start programs under the  
20 Head Start Act (42 U.S.C. 9831 et seq.), and other  
21 State early learning programs are included in the  
22 State system described in paragraph (4).

23 (8) A description of disparities by age group  
24 (infants, toddlers, and preschoolers) and race and  
25 ethnicity of available high-quality State early learn-



1 ing programs in low-income communities and the  
2 steps the State will take to decrease such disparities,  
3 if applicable.

4 (9) A description of how the State facilitates  
5 access to high-quality State early learning programs  
6 for each of the populations described in subpara-  
7 graphs (A) through (E) of section 10(2), such as  
8 through subsidies for children in State early learning  
9 programs.

10 (10) A description of how the State will align  
11 early learning standards with—

12 (A) appropriate State academic content  
13 standards for kindergarten through grade 3;  
14 and

15 (B) elements of program quality standards.

16 (11) A description of how the State will im-  
17 prove interagency collaboration and coordinate the  
18 early childhood programs and services throughout  
19 the State.

20 (12) A description of the time frame the State  
21 proposes to develop and implement the elements de-  
22 scribed in such State's application.

23 (13) A description of how the State will imple-  
24 ment a process for improving the quality of early  
25 learning services to better meet the needs of the

1 most disadvantaged children, including children who  
2 are limited English proficient and children with dis-  
3 abilities.

4 (14) An assurance that the grant will be used  
5 to improve the quality of State early learning pro-  
6 grams across a range of types of settings and pro-  
7 viders of such programs, and all ages of children  
8 (from birth to kindergarten entry).

9 (15) An assurance that the Governor has des-  
10 ignated or created a State Advisory Council on  
11 Early Childhood Education and Care (established  
12 pursuant to section 642B(b)(1)(A) of the Head  
13 Start Act (42 U.S.C. 9837b(b)(1)(A))), has taken  
14 steps to ensure that membership includes all rep-  
15 resentatives described in section 642B(b)(1)(C) of  
16 such Act, and has consulted with such State Advi-  
17 sory Council on Early Childhood Education and  
18 Care in applying for a grant under this Act.

19 (16) An assurance that the grant will be used  
20 only to supplement, and not to supplant, Federal,  
21 State, and local funds otherwise available to support  
22 existing State early learning programs and services.

23 (17) An assurance that the State will continue  
24 to participate in section 619 and part C of the Indi-

1       viduals with Disabilities Education Act (20 U.S.C.  
2       1419, 1431 et seq.) for the duration of the grant.

3       (d) CRITERIA USED IN AWARDING GRANTS.—In  
4       awarding grants under section 3(a), the Secretary shall  
5       award grants under such section, on a competitive basis,  
6       to those States that have demonstrated the greatest  
7       progress in establishing and committing to maintain a sys-  
8       tem of high-quality State early learning programs, on a  
9       competitive basis, based on the State’s commitment to  
10      meeting and developing, as necessary, the components de-  
11      scribed in subsection (c)(4).

12      (e) STATE USES OF FUNDS.—A State receiving a  
13      grant under section 3(a) shall use the grant funds for ac-  
14      tivities that implement or improve the system components  
15      described in subsection (c)(4) and help State early learn-  
16      ing programs meet and sustain higher levels of program  
17      quality standards and move more low-income children into  
18      higher quality programs, consistent with the plan sub-  
19      mitted in accordance with subsection (c).

20      (f) FUNDS TO EXPAND ACCESS.—A State may apply  
21      to the Secretary to reserve not more than 25 percent of  
22      the amount of the grant to expand access for children  
23      from low-income families, proportional to the disparities  
24      by age group identified in subsection (c)(8), to the highest

1 quality State early learning programs that offer full-day,  
2 full-year services.

3 **SEC. 5. DEVELOPMENT GRANTS.**

4 (a) STATE APPLICATIONS.—In order to receive a  
5 grant under section 3(b), a State shall submit an applica-  
6 tion to the Secretary at such time, in such manner, and  
7 containing such information as the Secretary shall require,  
8 including a description of how the State will develop a plan  
9 consistent with section 4(c).

10 (b) GRANT PERIOD.—Grants under section 3(b)—

11 (1) may be awarded for a period of not to ex-  
12 ceed 3 years; and

13 (2) may be extended, for a 2-year period, sub-  
14 ject to approval by the Secretary, and based on the  
15 State's progress in—

16 (A) increasing the number and percentage  
17 of children from low-income families in each age  
18 group of infants, toddlers, and preschoolers, en-  
19 rolled in high-quality State early learning pro-  
20 grams;

21 (B) increasing the number of high-quality  
22 State early learning programs in low-income  
23 communities; and

24 (C) incorporating the program quality  
25 findings and recommendations, as appropriate.

1 (c) STATE USES OF FUNDS.—

2 (1) IN GENERAL.—A State receiving a grant  
3 under section 3(b) shall use the grant funds to un-  
4 dertake activities to develop the components of early  
5 learning services described in section 4(c)(4) that  
6 will allow the State to become eligible and competi-  
7 tive for a grant described in section 3(a).

8 (2) PRIORITY.—In improving the quality of  
9 State early learning programs in the State, the State  
10 shall prioritize the quality of State early learning  
11 programs serving children from low-income families.

12 **SEC. 6. RESEARCH AND EVALUATION.**

13 From funds reserved under section 3(c)(1)(B), the  
14 Secretary and the Secretary of Health and Human Serv-  
15 ices, acting jointly and in accordance with section 11, shall  
16 carry out activities to ensure the success of grants to  
17 States under this Act.

18 **SEC. 7. BENCHMARKS; INDICATORS; REPORTING.**

19 (a) INDICATORS.—The Secretary shall define, by reg-  
20 ulation, indicators to be used to measure success on the  
21 activities carried out under a grant under this Act, the  
22 primary indicator of which shall be increasing the number  
23 and percentage of low-income children in high-quality,  
24 State early learning programs.

1 (b) BENCHMARKS.—Each State receiving a grant  
2 under this Act shall—

3 (1) develop quantifiable benchmarks for the  
4 State and the activities supported under the grant  
5 based on the indicators described in subsection (a)  
6 that are applicable to the State;

7 (2) submit the benchmarks for approval to the  
8 Secretary; and

9 (3) report to the Secretary on progress in meet-  
10 ing such benchmarks as required by the Secretary.

11 (c) DISAGGREGATION.—The indicators and bench-  
12 marks described in this section shall be disaggregated.

13 **SEC. 8. TECHNICAL ASSISTANCE.**

14 The Secretary shall reserve not more than  
15 \$5,000,000 from amounts appropriated under this Act to  
16 directly, or through grant or contract, provide technical  
17 assistance to eligible entities to prepare the entities to  
18 qualify, apply for, and maintain grants under section 4  
19 or 5.

20 **SEC. 9. FINANCIAL HARDSHIP WAIVER.**

21 The Secretary may waive or reduce a requirement  
22 under this Act regarding the non-Federal share of a State  
23 or maintenance of effort of a State if the State dem-  
24 onstrates a need for such waiver or reduction due to finan-  
25 cial hardship.

1 **SEC. 10. DEFINITIONS.**

2 In this Act:

3 (1) CHILD.—The term “child” refers to an in-  
4 dividual from birth through the day the individual  
5 enters kindergarten.

6 (2) DISADVANTAGED.—The term “disadvan-  
7 taged”, when used with respect to a child, means—

8 (A) a child from a low-income family;

9 (B) a homeless child;

10 (C) a child in the custody of a child wel-  
11 fare agency;

12 (D) a child with a developmental delay or  
13 disability; or

14 (E) a child who is limited English pro-  
15 ficient.

16 (3) EARLY LEARNING STANDARDS.—The term  
17 “early learning standards” means a set of expecta-  
18 tions for the learning and development of children  
19 from birth through entry into kindergarten that—

20 (A) emphasize significant developmentally  
21 appropriate content and outcomes that describe  
22 what children should know and be able to do  
23 across all domains, including language, literacy,  
24 mathematics, science, social development, emo-  
25 tional development, health and physical well-  
26 being, and approaches to learning;

1 (B) are based on research about the proc-  
2 esses, sequences, and long-term influence of  
3 early learning and development;

4 (C) identify approaches to learning that  
5 are developmentally appropriate (including cul-  
6 turally and linguistically appropriate) and sup-  
7 portive of positive outcomes for all children;

8 (D) are aligned with the appropriate State  
9 academic content standards for kindergarten  
10 through grade 3;

11 (E) inform providers, programs, teachers,  
12 schools, parents, and the community on what  
13 young children are expected to learn; and

14 (F) guide providers, programs, teachers,  
15 and schools in supporting children to help chil-  
16 dren meet high expectations.

17 (4) HOMELESS CHILDREN.—The term “home-  
18 less children” has the meaning given the term  
19 “homeless children and youths” in section 725(2) of  
20 the McKinney-Vento Homeless Assistance Act (42  
21 U.S.C. 11434a(2)).

22 (5) INDIAN TRIBE.—The term “Indian tribe”  
23 has the meaning given such term in section 4 of the  
24 Indian Self-Determination and Education Assistance  
25 Act (25 U.S.C. 450b).



1           (6) LIMITED ENGLISH PROFICIENT.—The term  
2 “limited English proficient” has the meaning given  
3 the term in section 637 of the Head Start Act (42  
4 U.S.C. 9832).

5           (7) LOW-INCOME.—The term “low-income”,  
6 when used with respect to a child, means a child  
7 whose family income is described in section  
8 658P(4)(B) of the Child Care and Development  
9 Block Grant Act of 1990 (42 U.S.C. 9858n(4)(B)).

10          (8) PROGRAM QUALITY STANDARDS.—The term  
11 “program quality standards” means the characteris-  
12 tics of State early learning programs, across a range  
13 of settings, that have an impact on children’s devel-  
14 opment and learning. Such characteristics include—

15               (A) the ratio of early learning providers to  
16 children;

17               (B) staff qualifications;

18               (C) the quality and effectiveness of inter-  
19 actions between early learning providers and  
20 children and the children’s families in the pro-  
21 gram;

22               (D) the program philosophy and cur-  
23 riculum;

24               (E) the quality and quantity of equipment  
25 and materials;

1 (F) the quality of the physical environ-  
2 ment; and

3 (G) safety and health provisions and other  
4 applicable Federal or State requirements with  
5 respect to State early learning programs.

6 (9) SECRETARY.—The term “Secretary” means  
7 the Secretary of Education.

8 (10) STATE.—The term “State” has the mean-  
9 ing given the term in section 9101 of the Elemen-  
10 tary and Secondary Education Act of 1965 (20  
11 U.S.C. 7801).

12 (11) STATE EARLY LEARNING PROGRAM.—The  
13 term “State early learning program” has the mean-  
14 ing given the term “early childhood education pro-  
15 gram” in section 103 of the Higher Education Act  
16 of 1965 (20 U.S.C. 1003).

17 **SEC. 11. RESEARCH AND EVALUATION; BENCHMARKS AND**  
18 **CONSULTATION.**

19 (a) RESEARCH AND EVALUATION.—

20 (1) IN GENERAL.—The Secretary shall transfer  
21 amounts reserved for research and evaluation under  
22 section 3(c)(1)(B) to the Institute of Education  
23 Sciences, to be used—

24 (A) for the evaluation of grants or other  
25 assistance funded under such section;

1 (B) to support research on policies and  
2 practices related to such grants; and

3 (C) to disseminate the results of such re-  
4 search and evaluation.

5 (2) COLLABORATION.—The evaluation and re-  
6 search described in paragraph (1) shall be carried  
7 out in collaboration with—

8 (A) the appropriate evaluation divisions  
9 within the Department of Education;

10 (B) the office within the Department of  
11 Education administering the grants that are the  
12 subject of the evaluation and research; and

13 (C) the Department of Health and Human  
14 Services and the Department of Labor as ap-  
15 propriate.

16 (b) DEVELOPING INDICATORS AND BENCHMARKS.—  
17 In developing indicators and benchmarks for programs  
18 funded under this Act, the Secretary shall consult with  
19 the Secretary of Health and Human Services and the Di-  
20 rector of the Institute of Education Sciences.

21 **SEC. 12. APPROPRIATIONS.**

22 (a) IN GENERAL.—There are authorized to be appro-  
23 priated to carry out this Act \$350,000,000 for fiscal year  
24 2012 and such sums as may be necessary for each of the  
25 4 succeeding fiscal years.

1           (b) AVAILABILITY OF FUNDS.—Funds appropriated  
2 under this section for fiscal year 2012 shall be available  
3 through September 30, 2013.

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