

## REFERENCES IN TEXT

Section 301, referred to in text, is section 301 of Pub. L. 106-65, div. A, title III, Oct. 5, 1999, 113 Stat. 556, which is not classified to the Code.

**CHAPTER 75—EARLY LEARNING OPPORTUNITIES**

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**§ 9401. Purposes**

The purposes of this chapter are—

(1) to increase the availability of voluntary programs, services, and activities that support early childhood development, increase parent effectiveness, and promote the learning readiness of young children so that young children enter school ready to learn;

(2) to support parents, child care providers, and caregivers who want to incorporate early learning activities into the daily lives of young children;

(3) to remove barriers to the provision of an accessible system of early childhood learning programs in communities throughout the United States;

(4) to increase the availability and affordability of professional development activities and compensation for caregivers and child care providers; and

(5) to facilitate the development of community-based systems of collaborative service delivery models characterized by resource sharing, linkages between appropriate supports, and local planning for services.

(Pub. L. 106-554, §1(a)(1) [title VIII, §802], Dec. 21, 2000, 114 Stat. 2763, 2763A-80.)

SHORT TITLE; FINDINGS

Pub. L. 106-554, §1(a)(1) [title VIII, §801], Dec. 21, 2000, 114 Stat. 2763, 2763A-79, provided that:

“(a) SHORT TITLE.—This title [enacting this chapter] may be cited as the ‘Early Learning Opportunities Act’.

“(b) FINDINGS.—Congress finds that—

“(1) medical research demonstrates that adequate stimulation of a young child’s brain between birth and age 5 is critical to the physical development of the young child’s brain;

“(2) parents are the most significant and effective teachers of their children, and they alone are responsible for choosing the best early learning opportunities for their child;

“(3) parent education and parent involvement are critical to the success of any early learning program or activity;

“(4) the more intensively parents are involved in their child’s early learning, the greater the cognitive and noncognitive benefits to their children;

“(5) many parents have difficulty finding the information and support the parents seek to help their children grow to their full potential;

“(6) each day approximately 13,000,000 young children, including 6,000,000 infants or toddlers, spend some or all of their day being cared for by someone other than their parents;

“(7) quality early learning programs, including those designed to promote effective parenting, can increase the literacy rate, the secondary school graduation rate, the employment rate, and the college enrollment rate for children who have participated in voluntary early learning programs and activities;

“(8) early childhood interventions can yield substantial advantages to participants in terms of emotional and cognitive development, education, economic well-being, and health, with the latter two advantages applying to the children’s families as well;

“(9) participation in quality early learning programs, including those designed to promote effective parenting, can decrease the future incidence of teenage pregnancy, welfare dependency, at-risk behaviors, and juvenile delinquency for children;

“(10) several cost-benefit analysis studies indicate that for each \$1 invested in quality early learning programs, the Federal Government can save over \$5 by reducing the number of children and families who participate in Federal Government programs like special education and welfare;

“(11) for children placed in the care of others during the workday, the low salaries paid to the child care staff, the lack of career progression for the staff, and the lack of child development specialists involved in early learning and child care programs, make it difficult to attract and retain the quality of staff necessary for a positive early learning experience;

“(12) Federal Government support for early learning has primarily focused on out-of-home care programs like those established under the Head Start Act [42 U.S.C. 9831 et seq.], the Child Care and Development Block Grant [Act] of 1990 [42 U.S.C. 9858 et seq.], and part C of the Individuals with Disabilities Education Act [20 U.S.C. 1431 et seq.], and these programs—

“(A) serve far fewer than half of all eligible children;

“(B) are not primarily designed to provide support for parents who care for their young children in the home; and

“(C) lack a means of coordinating early learning opportunities in each community; and

“(13) by helping communities increase, expand, and better coordinate early learning opportunities for children and their families, the productivity and creativity of future generations will be improved, and the Nation will be prepared for continued leadership in the 21st century.”

## § 9402. Definitions

In this chapter:

### (1) Caregiver

The term “caregiver” means an individual, including a relative, neighbor, or family friend, who regularly or frequently provides care, with or without compensation, for a child for whom the individual is not the parent.

### (2) Child care provider

The term “child care provider” means a provider of non-residential child care services (including center-based, family-based, and in-home child care services) for compensation who or that is legally operating under State law, and complies with applicable State and local requirements for the provision of child care services.

### (3) Early learning

The term “early learning”, used with respect to a program or activity, means learning designed to facilitate the development of cognitive, language, motor, and social-emotional skills for, and to promote learning readiness in, young children.

### (4) Early learning program

The term “early learning program” means—

(A) a program of services or activities that helps parents, caregivers, and child care providers incorporate early learning into the daily lives of young children; or

(B) a program that directly provides early learning to young children.

### (5) Indian tribe

The term “Indian tribe” has the meaning given the term in section 450b of title 25.

### (6) Local Council

The term “Local Council” means a Local Council established or designated under section 9413(a) of this title that serves one or more localities.

### (7) Locality

The term “locality” means a city, county, borough, township, or area served by another general purpose unit of local government, an Indian tribe, a Regional Corporation, or a Native Hawaiian entity.

### (8) Parent

The term “parent” means a biological parent, an adoptive parent, a stepparent, a foster parent, or a legal guardian of, or a person standing in loco parentis to, a child.

### (9) Poverty line

The term “poverty line” means the poverty line (as defined by the Office of Management and Budget, and revised annually in accordance with section 9902(2) of title 42) applicable to a family of the size involved.

### (10) Regional Corporation

The term “Regional Corporation” means an entity listed in section 619(4)(B) of title 42.

### (11) Secretary

The term “Secretary” means the Secretary of Health and Human Services.

### (12) State

The term “State” means each of the several States of the United States, the District of Columbia, and the Commonwealth of Puerto Rico.

### (13) Training

The term “training” means instruction in early learning that—

(A) is required for certification under State and local laws, regulations, and policies;

(B) is required to receive a nationally or State recognized credential or its equivalent;

(C) is received in a postsecondary education program focused on early learning or early childhood development in which the individual is enrolled; or

(D) is provided, certified, or sponsored by an organization that is recognized for its expertise in promoting early learning or early childhood development.

### (14) Young child

The term “young child” means any child from birth to the age of mandatory school attendance in the State where the child resides.

(Pub. L. 106-554, §1(a)(1) [title VIII, §803], Dec. 21, 2000, 114 Stat. 2763, 2763A-81.)

## § 9403. Prohibitions

### (a) Participation not required

No person, including a parent, shall be required to participate in any program of early childhood education, early learning, parent education, or developmental screening pursuant to the provisions of this chapter.

### (b) Rights of parents

Nothing in this chapter shall be construed to affect the rights of parents otherwise established in Federal, State, or local law.

### (c) Particular methods or settings

No entity that receives funds under this chapter shall be required to provide services under this chapter through a particular instructional method or in a particular instructional setting to comply with this chapter.

### (d) Nonduplication

No funds provided under this chapter shall be used to carry out an activity funded under another provision of law providing for Federal child care or early learning programs, unless an expansion of such activity is identified in the local needs assessment and performance goals under this chapter.

(Pub. L. 106-554, §1(a)(1) [title VIII, §804], Dec. 21, 2000, 114 Stat. 2763, 2763A-82.)

## § 9404. Authorization and appropriation of funds

There are authorized to be appropriated to the Department of Health and Human Services to carry out this chapter—