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110TH CONGRESS
1ST SESSION**H. R. 1429**

IN THE SENATE OF THE UNITED STATES

MAY 7, 2007

Received; read twice and placed on the calendar

AN ACT

To reauthorize the Head Start Act, to improve program quality, to expand access, 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 (a) SHORT TITLE.—This Act may be cited as the
5 “Improving Head Start Act of 2007”.

6 (b) SENSE OF THE CONGRESS.—The Congress—

7 (1) finds that—

8 (A) while the steady economic growth and
9 low inflation in the United States has yielded
10 unprecedented prosperity, many children and
11 families in this country have not benefited from

1 this prosperity and continue to be
2 socioeconomically disadvantaged,

3 (B) many community- and faith-based or-
4 ganizations have expertise in moving individuals
5 and families from dependency to self-sufficiency
6 by providing families with the tools and skills
7 they need to participate in the community and
8 contribute to our economy,

9 (C) the Head Start Act was established to
10 help prepare low-income young children to suc-
11 ceed in school and in life by addressing the
12 needs of the whole child and providing com-
13 prehensive services such as health and nutri-
14 tion,

15 (D) research confirms that children who
16 attend Head Start programs enter school better
17 prepared than low-income children who do not
18 attend the program, are less likely to need spe-
19 cial education services, to repeat a grade, or
20 commit crimes in adolescence, and are more
21 likely to graduate from high school,

22 (E) community- and faith-based organiza-
23 tions have participated in Head Start programs
24 since the enactment of the Head Start Act in

1 1965 and continue to serve more than 90,000
2 children and their families,

3 (F) parents have an integral role in the de-
4 velopment and implementation of Head Start
5 programs, community- and faith-based pro-
6 viders of Head Start services employ parents
7 and encourage parents to volunteer in the pro-
8 grams because parents are children's most im-
9 portant and influential teachers,

10 (G) community- and faith-based providers
11 of Head Start services not only serve the needs
12 of low-income children and their families but
13 enrich, strengthen and reflect the diversity of
14 the communities wherein they reside, and

15 (H) the Head Start Act is a critical com-
16 ponent of America's civil rights platform, and
17 community and faith-based organizations have
18 been leaders in the civil rights movement in the
19 United States,

20 (2) supports the continued role of community
21 and faith-based organizations in Head Start pro-
22 grams as providers of comprehensive services to chil-
23 dren, families, and communities, and

24 (3) extends its gratitude to community- and
25 faith-based organizations that provide Head Start

1 services, and to the employees and volunteers for
2 their commitment to the education, health, and eco-
3 nomic well-being of low-income children and families.

4 **SEC. 2. STATEMENT OF PURPOSE.**

5 Section 636 of the Head Start Act (42 U.S.C. 9831)
6 is amended to read as follows:

7 **“SEC. 636. STATEMENT OF PURPOSE.**

8 “It is the purpose of this subchapter to promote the
9 school readiness of low-income children—

10 “(1) by enhancing their cognitive, social, and
11 emotional development in a learning environment
12 that supports children’s growth in language, literacy,
13 mathematics, science, social and emotional func-
14 tioning, physical skills, and approaches to learning;
15 and

16 “(2) through the provision to low-income chil-
17 dren and their families of health, educational, nutri-
18 tional, social, and other services that are determined,
19 based on family needs assessments, to be nec-
20 essary.”.

21 **SEC. 3. DEFINITIONS.**

22 Section 637 of the Head Start Act (42 U.S.C. 9832)
23 is amended—

24 (1) by redesignating paragraphs (16) and (17)
25 as paragraphs (23) and (24), respectively,

1 (2) by redesignating paragraph (15) as para-
2 graph (21), respectively,

3 (3) by redesignating paragraphs (11) through
4 (14) as paragraphs (16) through (19), respectively,

5 (4) by redesignating paragraph (10) as para-
6 graph (14),

7 (5) by redesignating paragraphs (2) through
8 (9) as paragraphs (3) through (10), respectively,

9 (6) by inserting after paragraph (1) the fol-
10 lowing:

11 “(2) The term ‘deficiency’ means—

12 “(A) systemic or significant material fail-
13 ure of a Head Start agency in an area of per-
14 formance that the Secretary determines in-
15 volves—

16 “(i) a threat to the health, safety, or
17 civil rights of children or staff;

18 “(ii) a denial to parents of the exer-
19 cise of their full roles and responsibilities
20 related to program governance;

21 “(iii) a failure to perform the require-
22 ments of section 641A(a), as determined
23 by the Secretary;

24 “(iv) the misuse of funds received
25 under this subchapter;

1 “(v) loss of legal status (as deter-
2 mined by the Secretary) or financial viabil-
3 ity, loss of permits, debarment from receiv-
4 ing Federal grants or contracts, or the im-
5 proper use of Federal funds; or

6 “(vi) failure to meet any other of Fed-
7 eral or State requirement; or

8 “(B) material failure of the board of direc-
9 tors of a Head Start agency to meet its legal
10 and fiduciary responsibilities.”,

11 (7) by inserting after paragraph (10), as so re-
12 designated the following:

13 “(11) The term ‘homeless children’ has the
14 meaning given such term in section 725(2) of the
15 McKinney-Vento Homeless Assistance Act (42
16 U.S.C. 11434a(2)).

17 “(12) The term ‘homeless family’ means the
18 family of a homeless child.

19 “(13) The term ‘inclusive classroom’ means a
20 Head Start classroom that contains both children
21 with disabilities and children without disabilities.”,

22 (8) by inserting after paragraph (13), as so re-
23 designated the following:

1 “(14) The terms ‘limited English proficient’
2 and ‘limited English proficiency’ mean with respect
3 to an individual, that such individual—

4 “(A)(i) was not born in the United States
5 or has a native language that is not English;

6 “(ii)(I) is a Native American, an Alaska
7 Native, or a native resident of a territory or
8 possession of the United States; and

9 “(II) comes from an environment in which
10 a language that is not English has had a sig-
11 nificant impact on such individual’s level of
12 English language proficiency; or

13 “(iii) is migratory, has a native language
14 that is not English, and comes from an environ-
15 ment in which a language that is not English
16 is dominant; and

17 “(B) has difficulty in speaking or under-
18 standing the English language to an extent that
19 may be sufficient to prevent such individual
20 from—

21 “(i) successful achievement in class-
22 rooms in which the language of instruction
23 is English; or

24 “(ii) fully participating in society.”,

1 (9) by inserting after paragraph (18), as so re-
2 designated the following:

3 “(19) The term ‘professional development’
4 means high quality activities that will improve the
5 knowledge and skills of Head Start teachers and
6 staff, as relevant to their roles and functions, in pro-
7 gram administration and the provision of services
8 and instruction, as appropriate, in a manner that
9 improves service delivery to eligible children and
10 families, including activities that—

11 “(A) are part of a sustained effort to im-
12 prove overall program quality and outcomes for
13 eligible children and families;

14 “(B) are developed or selected with exten-
15 sive participation of administrators and teach-
16 ers from Head Start programs;

17 “(C) are developmentally appropriate for
18 the children being served;

19 “(D) include instruction in ways that Head
20 Start personnel may work more effectively with
21 parents, as appropriate;

22 “(E) are designed to give teachers and
23 staff the knowledge and skills to provide in-
24 struction and appropriate support services to
25 children of diverse backgrounds, as appropriate;

1 “(F) if a 1-day or short-term workshop or
2 conference, must be as part of the professional
3 development plan defined in section 648A(f)
4 and be delivered by an institution of higher
5 education or other entity with expertise in deliv-
6 ering training in early childhood development,
7 family support, and other assistance designed to
8 improve the delivery of Head Start services;

9 “(G) assist teachers with—

10 “(i) the acquisition of the content
11 knowledge and teaching strategies needed
12 to provide effective instruction and other
13 school readiness services in early language
14 and literacy, early mathematics, early
15 science, cognitive skills, approaches to
16 learning, creative arts, science, physical
17 health and development, and social and
18 emotional development linked to school
19 readiness;

20 “(ii) meeting the requirements in
21 paragraphs (1) and (2) of section 648A(a),
22 as appropriate;

23 “(iii) improving classroom manage-
24 ment skills, as appropriate;

1 “(iv) advancing understanding of ef-
2 fective instructional strategies that are—

3 “(I) based on scientifically based
4 research; and

5 “(II) aligned with—

6 “(aa) the Head Start Child
7 Outcomes Framework developed
8 by the Secretary and State early
9 learning standards, as appro-
10 priate; and

11 “(bb) the curricula, ongoing
12 assessments, and other instruc-
13 tion and services designed to help
14 meet the standards described in
15 section 641A(a)(1);

16 “(v) acquiring the knowledge and
17 skills to provide instruction and appro-
18 priate language and support services to in-
19 crease the English language skills of lim-
20 ited English proficient children, as appro-
21 priate; or

22 “(vi) methods of teaching children
23 with disabilities, as appropriate.”,

24 (10) by inserting after paragraph (20), as so
25 redesignated, the following:

1 “(21) The term ‘scientifically based research’—

2 “(A) means research that involves the ap-
3 plication of rigorous, systematic and objective
4 procedures to obtain reliable and valid knowl-
5 edge relevant to education activities and pro-
6 grams; and

7 “(B) includes research that—

8 “(i) employs systematic, empirical
9 methods that draw on observation or ex-
10 periment;

11 “(ii) involves rigorous data analyses
12 that are adequate to test the stated
13 hypotheses and justify the general conclu-
14 sions drawn;

15 “(iii) relies on measurements or obser-
16 vational methods that provide reliable and
17 valid data across evaluators and observers,
18 across multiple measurements and observa-
19 tions, and across studies by the same or
20 different investigators;

21 “(iv) is evaluated using experimental
22 or quasi-experimental designs in which in-
23 dividuals, entities, programs or activities
24 are assigned to different conditions and
25 with appropriate controls to evaluate the

1 effects of the condition of interest, with a
2 preference for random assignment experi-
3 ments, or other designs to the extent that
4 those designs contain within-condition or
5 across-condition controls;

6 “(v) ensures that experimental studies
7 are presented in sufficient detail and clar-
8 ity to allow for replication or, at a min-
9 imum, offer the opportunity to build sys-
10 tematically on their findings; and

11 “(vi) has been accepted by a peer-re-
12 viewed journal or approved by a panel of
13 independent experts through a comparably
14 rigorous, objective, and scientific review.”,
15 and

16 (11) by amending paragraph (23), as so reded-
17 icated, to read as follows:

18 “(23) The term ‘State’ means a State, the
19 Commonwealth of Puerto Rico, the District of Co-
20 lumbia, Guam, American Samoa, the Virgin Islands
21 of the United States, the Commonwealth of the
22 Northern Mariana Islands, and the Republic of
23 Palau.”.

1 **SEC. 4. AUTHORIZATION OF APPROPRIATIONS.**

2 Section 639 of the Head Start Act (42 U.S.C. 9834)
3 is amended to read as follows:

4 **“SEC. 639. AUTHORIZATION OF APPROPRIATIONS.**

5 “(a) IN GENERAL.—There are authorized to be ap-
6 propriated to carry out this subchapter \$7,350,000,000
7 for fiscal year 2008 and such sums as may be necessary
8 for fiscal years 2009 through 2012.

9 “(b) SPECIFIC PROGRAMS.—From the amount ap-
10 propriated under subsection (a), the Secretary shall make
11 available to carry out research, demonstration, and evalua-
12 tion activities (including longitudinal studies under section
13 649) not more than \$20,000,000 for fiscal year 2008 and
14 such sums as may be necessary for each of the fiscal years
15 2009 through 2012, of which not more than \$7,000,000
16 for each of the fiscal years 2008 through 2012 shall be
17 available to carry out impact studies under section
18 649(g).”.

19 **SEC. 5. ALLOTMENT OF FUNDS; LIMITATION ON ASSIST-**
20 **ANCE.**

21 (a) ALLOTMENT OF FUNDS.—Section 640(a) of the
22 Head Start Act (42 U.S.C. 9835(a)) is amended to read
23 as follows:

24 “(a) ALLOTMENT OF FUNDS.—

25 “(1) IN GENERAL.—Of the funds appropriated
26 under section 639, the Secretary shall allot such

1 amounts in accordance with paragraphs (2) through
2 (4), and subject to paragraphs (5) and (6).

3 “(2) THIRTEEN PERCENT SET-ASIDE.—The
4 Secretary shall reserve 13 percent of the amount ap-
5 propriated for each fiscal year for use in accordance
6 with the following order of priorities:

7 “(A) SPECIAL POPULATIONS.—For Indian
8 Head Start programs, services for children with
9 disabilities, and migrant and seasonal Head
10 Start programs, except that—

11 “(i) there shall be made available for
12 each fiscal year for use by Indian Head
13 Start programs and by migrant and sea-
14 sonal Head Start programs, on a nation-
15 wide basis, not less than the amount that
16 was obligated for use by Indian Head
17 Start programs and by migrant and sea-
18 sonal Head Start programs for fiscal year
19 2007;

20 “(ii) migrant and seasonal Head Start
21 programs shall receive not less than 5 per-
22 cent of the amount appropriated for each
23 fiscal year until such time as the Secretary
24 can make funding decisions to ensure ac-
25 cess to funding for eligible children of mi-

1 grant and seasonal farmworkers is com-
2 parable to access to funding for other eligi-
3 ble children based on the data collected
4 and reported pursuant to section 648(l),
5 except that no future reduction in funding
6 shall result in the termination of Head
7 Start services provided to any eligible child
8 3 years of age or older who is participating
9 in any such program on the date a reduc-
10 tion in funding occurs, and shall, to the ex-
11 tent possible, continue participation for
12 children less than 3 years of age receiving
13 services before such reduction in funding;
14 and

15 “(iii) Indian Head Start programs
16 shall receive not less than 3.5 percent of
17 the amount appropriated for each fiscal
18 year until such time as the Secretary can
19 make funding decisions to ensure access to
20 funding for eligible Indian children is com-
21 parable to access to funding for other eligi-
22 ble children based on the data collected in
23 accordance with the requirements of sec-
24 tion 648(k), except that no future reduc-
25 tion in funding shall result in the termi-

1 nation of Head Start services provided to
2 any eligible child 3 years of age or older
3 who is participating in any such program
4 on the date a reduction in funding occurs,
5 and shall, to the extent possible, continue
6 participation for children less than 3 years
7 of age receiving services before such reduc-
8 tion in funding.

9 “(B) PAYMENTS TO TERRITORIES AND
10 FREELY ASSOCIATED STATES.—Subject to para-
11 graph (7), for payments to Guam, American
12 Samoa, the Commonwealth of the Northern
13 Mariana Islands, the Virgin Islands of the
14 United States, and the Republic of Palau, ex-
15 cept that payments to the Republic of Palau
16 shall not be made after fiscal year 2009.

17 “(C) TRAINING AND TECHNICAL ASSIST-
18 ANCE.—Not less than 2 percent of the amount
19 appropriated for such fiscal year for training
20 and technical assistance activities to foster pro-
21 gram quality and management improvement as
22 described in section 648, of which—

23 “(i) not less than 50 percent shall be
24 available to local Head Start agencies to
25 make program improvements identified by

1 such agencies to use for the training and
2 technical assistance activities described in
3 section 648(j);

4 “(ii) not less than 30 percent shall be
5 available to the Secretary to support a
6 State-based system or a national system,
7 in the case of migrant and seasonal Head
8 Start and Indian Head Start programs, of
9 early childhood education training and
10 technical assistance to local Head Start
11 agencies as described in section 648(n);
12 and

13 “(iii) the remainder of such amount
14 shall be available to the Secretary to assist
15 local Head Start agencies in meeting and
16 exceeding the standards described in sec-
17 tion 641A(a)(1), including financial assist-
18 ance to help Head Start programs address
19 weaknesses identified by monitoring activi-
20 ties conducted by the Secretary under sec-
21 tion 641A(c), except that—

22 “(I) not less than \$3,000,000
23 shall be available to carry out the ac-
24 tivities described in section 648(c)(4);
25 and

1 “(II) no more than \$5,000,000
2 shall be reserved to carry out the ac-
3 tivities described in section 642B(b).

4 “(D) MONITORING AND TERMINATIONS.—
5 For discretionary payments made by the Sec-
6 retary, including payments for all costs (other
7 than compensation of Federal employees) of re-
8 views of Head Start agencies, programs under
9 section 641A(c), and of activities carried out
10 under paragraph (1), (2), or (3) of section
11 641A(d) related to correcting deficiencies and
12 conducting proceedings to terminate the des-
13 ignation of Head Start agencies.

14 “(E) RESEARCH.—For payments for re-
15 search, demonstration, and evaluation activities
16 under section 649.

17 No funds reserved under this paragraph or para-
18 graph (3) may be combined with funds appropriated
19 under any other Act if the purpose of combining
20 funds is to make a single discretionary grant or a
21 single discretionary payment, unless such funds ap-
22 propriated under this subchapter are separately
23 identified in such grant or payment and are used for
24 the purposes of this subchapter.

25 “(3) QUALITY IMPROVEMENT FUNDS.—

1 “(A) DETERMINATION OF FUNDS.—

2 “ (i) For each of the fiscal years 2008
3 through 2012, to provide assistance for ac-
4 tivities specified in subparagraph (B), the
5 Secretary shall reserve, from the amount
6 (if any) by which the funds appropriated
7 under section 639(a) for a fiscal year ex-
8 ceed the adjusted prior year appropriation,
9 a share equal to the sum of—

10 “ (I) 60 percent of such excess
11 amount; and

12 “ (II) any additional part of such
13 excess amount the Secretary may find
14 necessary to address a demonstrated
15 need for such activities.

16 “ (ii) As used in clause (i), the term
17 ‘adjusted prior year appropriation’ means,
18 with respect to a fiscal year, the amount
19 appropriated under section 639(a) for the
20 preceding fiscal year, adjusted to reflect
21 the percentage change in the Consumer
22 Price Index for All Urban Consumers
23 (issued by the Bureau of Labor Statistics)
24 during such preceding fiscal year.

1 “(B) QUALITY IMPROVEMENT ACTIVI-
2 TIES.—Funds reserved under this paragraph
3 shall be used to carry out the following activi-
4 ties:

5 “(i) Not less than one-fourth of the
6 amount reserved under this paragraph, to
7 improve the compensation, salary scales,
8 and benefit standards of educational staff,
9 family service workers, and child coun-
10 selors, as described in sections 644(a) and
11 653, to ensure that salary levels and bene-
12 fits are adequate to attract and retain
13 qualified staff for such programs.

14 “(ii) Providing on-going professional
15 development to teachers that improves
16 their understanding of child development,
17 content knowledge, and appropriate teach-
18 ing strategies needed to provide effective
19 instruction and other school readiness serv-
20 ices in the areas of early language and lit-
21 eracy, early mathematics, cognitive skills,
22 approaches to learning, creative arts,
23 science, physical health and development,
24 and social and emotional development.

1 “(iii) Improving the qualifications and
2 skills of educational personnel to meet the
3 professional standards established under
4 section 648A(a)(1), including providing as-
5 sistance to complete postsecondary course
6 work, subject to section 648A(a)(2)(D).

7 “(iv) Ensuring that the physical envi-
8 ronments of Head Start programs are con-
9 ducive to providing effective program serv-
10 ices to children and families, and are ac-
11 cessible to children with disabilities and
12 other individuals with disabilities.

13 “(v) Employing additional qualified
14 classroom staff necessary to reduce the
15 child to teacher ratio in the classroom and
16 family to staff ratio for family services
17 workers.

18 “(vi) Ensuring that such programs
19 have qualified staff that can promote lan-
20 guage skills and literacy growth of children
21 and that can provide children with a vari-
22 ety of skills that have been identified,
23 through scientifically based reading re-
24 search, as predictive of later reading
25 achievement.

1 “(vii) Increasing hours of program op-
2 eration, including—

3 “(I) conversion of part-day to
4 full-day; and

5 “(II) number of weeks operated
6 in a calendar year.

7 “(viii) Improving the compensation
8 and benefits of staff of Head Start agen-
9 cies in order to improve the quality of
10 Head Start programs.

11 “(ix) Transportation costs associated
12 with transporting Head Start children
13 safely, except that—

14 “(I) no more than ten percent of
15 funds under this paragraph may be
16 used for such purposes;

17 “(II) a Head Start agency shall
18 demonstrate efforts to leverage the
19 costs of transportation through col-
20 laboration with other entities; and

21 “(III) a Head Start agency shall
22 submit information to the Secretary
23 describing how such use of funds is
24 necessary to prevent reduction or ter-
25 mination of transportation services or,

1 in the case of a Head Start agency
2 serving a rural community, how such
3 use of funds is necessary to improve
4 services to such community.

5 “(C) ALLOCATION.—

6 “(i) Funds reserved under subpara-
7 graph (A) shall be allotted by the Sec-
8 retary as follows:

9 “(I) 80 percent of such funds
10 shall be allotted among the States in
11 the same proportion as the Secretary
12 allots funds among the States under
13 paragraph (4) for the respective fiscal
14 year.

15 “(II) 20 percent of such funds
16 shall be allotted among the States,
17 geographical areas specified in sub-
18 section (a)(2)(B) and Indian Head
19 Start programs and migrant and sea-
20 sonal Head Start programs, and used
21 to make grants to Head Start agen-
22 cies, at the discretion of the Sec-
23 retary.

24 “(ii) Funds allotted under clause (i)
25 shall be used by the Secretary to make

1 grants to Head Start agencies that receive
2 grants from funds allotted under para-
3 graph (4) for such fiscal year, in such
4 amounts as the Secretary considers to be
5 appropriate, for expenditure for activities
6 specified in subparagraph (B).

7 “(iii) Funds received under this sub-
8 paragraph shall be used to supplement, not
9 to supplant, funds received under para-
10 graph (2) or (4).

11 “(4) GRANT DISTRIBUTION.—Subject to section
12 639(b), the Secretary shall allot the remaining
13 amounts appropriated in each fiscal year among the
14 States, in accordance with latest satisfactory data so
15 that—

16 “(A) each State receives an amount which
17 is equal to the amount the State received for
18 fiscal year 2007; and

19 “(B) any amount available after all allot-
20 ments are made under subparagraph (A) for
21 such fiscal year shall be distributed proportion-
22 ately on the basis of the number of children less
23 than 5 years of age from families whose income
24 is below the poverty line.

1 For purposes of this paragraph, for each fiscal year
2 the Secretary shall use the most recent data avail-
3 able on the number of children less than 5 years of
4 age from families whose income is below the poverty
5 line, as published by the Department of Commerce,
6 unless the Secretary and the Secretary of Commerce
7 determine that use of the most recent data available
8 would be inappropriate or unreliable. If the Sec-
9 retary and the Secretary of Commerce determine
10 that some or all of the data referred to in this para-
11 graph are inappropriate or unreliable, the Secre-
12 taries shall issue a report setting forth their reasons
13 in detail.

14 “(5) COLLABORATION GRANTS.—

15 “(A) From amounts reserved and allotted
16 under paragraph (4), the Secretary shall award
17 the collaboration grants described in subpara-
18 graphs (B), (C), and (D).

19 “(B)(i) From the reserved sums, the Sec-
20 retary shall award upon submission of a written
21 request, a collaboration grant to each State and
22 to each national administrative office serving
23 Indian Head Start programs and migrant and
24 seasonal Head Start programs to facilitate col-
25 laboration between Head Start agencies and en-

1 tities (including the State or national adminis-
2 trative office) that carry out other activities de-
3 signed to benefit low-income families and chil-
4 dren from birth to school entry. The national
5 administrative offices shall use the funds made
6 available through the grants to carry out the
7 authorities and responsibilities described in sub-
8 paragraphs (B) and (C).

9 “(ii) Grants described in clause (i) shall be
10 used to—

11 “(I) assist Head Start agencies to col-
12 laborate with entities involved in State and
13 local planning processes to better meet the
14 needs of low-income families and children
15 from birth to school entry;

16 “(II) assist Head Start agencies to co-
17 ordinate activities with the State agency
18 responsible for administering the State
19 program carried out under the Child Care
20 and Development Block Grant Act of 1990
21 (42 U.S.C. 9858 et seq.) and entities pro-
22 viding resource and referral services in the
23 State, to make full-working-day and full
24 calendar year services available to children;

1 “(III) promote alignment of Head
2 Start curricula and continuity of services
3 with the Head Start Child Outcomes
4 Framework and State early learning stand-
5 ards, as appropriate;

6 “(IV) promote better linkages between
7 Head Start agencies and other child and
8 family agencies, including agencies that
9 provide health, mental health, or family
10 services, or other child or family supportive
11 services, such as services provided under
12 section 619 or part C of the Individuals
13 with Disabilities Education Act (20 U.S.C.
14 1419, 1431 et seq.); and

15 “(V) carry out the activities of the
16 State Director of Head Start Collaboration
17 authorized in subparagraph (D).

18 “(C) In order to improve coordination and
19 delivery of early education services to children
20 in the State, a State that receives a collabora-
21 tion grant under subparagraph (B) shall—

22 “(i) appoint or designate an individual
23 to serve as, or carry out the responsibilities
24 of, the State Director of Head Start Col-
25 laboration;

1 “(ii) ensure that the State Director of
2 Head Start Collaboration holds a position
3 with sufficient authority and access to en-
4 sure that the collaboration described in
5 subparagraph (B) is effective and involves
6 a range of State agencies; and

7 “(iii) involve the State Head Start As-
8 sociation in the selection of the Director
9 and involve the Association in determina-
10 tions relating to the ongoing direction of
11 the collaboration office.

12 “(D) The State Director of Head Start
13 Collaboration shall—

14 “(i) not later than 1 year after the
15 State receives a collaboration grant under
16 subparagraph (B), conduct an assessment
17 that—

18 “(I) addresses the needs of Head
19 Start agencies in the State with re-
20 spect to collaboration, coordination,
21 and alignment of services, and align-
22 ment of curricula and assessments
23 with the Head Start Child Outcomes
24 Framework, and with State early
25 learning standards, as appropriate;

1 “(II) shall be updated on an an-
2 nual basis; and

3 “(III) shall be made available to
4 the general public within the State;

5 “(ii) develop a strategic plan that is
6 based on the assessment described in
7 clause (i) that will—

8 “(I) enhance collaboration and
9 coordination of Head Start services
10 with other entities providing early
11 childhood programs and services (such
12 as child care or services offered by
13 museums), health care, mental health
14 care, welfare, child protective services,
15 education and community service ac-
16 tivities, family literacy services, read-
17 ing readiness programs (including
18 such programs offered by public and
19 school libraries), services relating to
20 children with disabilities, other early
21 childhood programs and services for
22 limited English proficient children and
23 homeless children, and services pro-
24 vided for children in foster care and
25 children referred to Head Start pro-

1 grams by child welfare agencies, in-
2 cluding agencies and State officials re-
3 sponsible for such services;

4 “(II) assist Head Start agencies
5 to develop a plan for the provision of
6 full-working-day, full calendar year
7 services for children enrolled in Head
8 Start programs who need such care;

9 “(III) assist Head Start agencies
10 to align curricula and assessments
11 with the Head Start Child Outcomes
12 Framework and to the State early
13 learning standards, as appropriate;
14 and

15 “(IV) enable Head Start agencies
16 in the State to better access profes-
17 sional development opportunities for
18 Head Start staff, such as by—

19 “(aa) working with local
20 Head Start agencies to meet the
21 degree requirements described in
22 section 648A(a)(2)(A), including
23 providing distance learning op-
24 portunities for Head Start staff,
25 where needed to make higher

1 education more accessible to
2 Head Start staff; and

3 “(bb) enabling the State
4 Head Start agencies to better
5 conduct outreach to eligible fami-
6 lies;

7 “(iii) promote partnerships between
8 Head Start agencies, State and local gov-
9 ernments, and the private sector to help
10 ensure that children, who are in Head
11 Start programs, are receiving comprehen-
12 sive services to prepare the children to
13 enter school ready to succeed;

14 “(iv) consult with the chief State
15 school officer, local educational agencies,
16 and providers of early childhood education
17 and care, regarding early care and edu-
18 cation services at both the State and local
19 levels;

20 “(v) promote partnerships between
21 Head Start agencies, schools, law enforce-
22 ment, relevant community-based organiza-
23 tions, and substance abuse and mental
24 health treatment agencies to strengthen
25 family and community environments and

1 to reduce the impact on child development
2 of substance abuse, child abuse, domestic
3 violence, and other high risk behaviors that
4 compromise healthy development;

5 “(vi) promote partnerships between
6 Head Start agencies and other organiza-
7 tions in order to enhance Head Start pro-
8 gram quality, including partnerships to
9 promote inclusion of more books in Head
10 Start classrooms;

11 “(vii) identify other resources and or-
12 ganizations (both public and private) for
13 the provision of in-kind services to Head
14 Start agencies in the State; and

15 “(viii) work with the State Early
16 Learning Council in order to assist the ef-
17 forts of Head Start agencies to engage in
18 effective coordination and collaboration.

19 “(6) EARLY HEAD START.—

20 “(A) AMOUNTS RESERVED.—From
21 amounts reserved and allotted pursuant to
22 paragraphs (2) and (4), the Secretary shall use,
23 for grants for programs described in section
24 645A(a), a portion of the combined total of
25 such amounts that is not less than 12 percent

1 for fiscal year 2008, not less than 14 percent
2 for fiscal year 2009, not less than 16 percent
3 for fiscal year 2010, not less than 18 percent
4 for fiscal year 2011, and not less than 20 per-
5 cent for fiscal year 2012 of the amount appro-
6 priated pursuant to section 639(a).

7 “(B) LIMITATIONS.—

8 “(i) For any fiscal year for which
9 the Secretary determines that the
10 amount appropriated under section
11 639(a) is not sufficient to permit the
12 Secretary to reserve the portion de-
13 scribed in subparagraph (A) without
14 reducing the number of children
15 served by Head Start programs or ad-
16 versely affecting the quality of Head
17 Start services, relative to the number
18 of children served and the quality of
19 the services during the preceding fis-
20 cal year, the Secretary may reduce the
21 percentage of funds required to be re-
22 served for the portion described in
23 subparagraph (A) for the fiscal year
24 for which the determination is made,
25 but not below the percentage required

1 to be so reserved for the preceding fis-
2 cal year.

3 “(ii) For any fiscal year for
4 which the amount appropriated under
5 section 639(a) is reduced to a level
6 that requires a lower amount to be
7 made available under this subchapter
8 to Head Start agencies and entities
9 described in section 645A, relative to
10 the amount made available to such
11 agencies and entities for the preceding
12 fiscal year, adjusted as described in
13 paragraph (3)(A)(ii), the Secretary
14 shall proportionately reduce—

15 “(I) the amounts made
16 available to such entities for pro-
17 grams carried out under section
18 645A; and

19 “(II) the amounts made
20 available to such Head Start
21 agencies for Head Start pro-
22 grams.

23 “(7) For purposes of this subsection, the term
24 ‘State’ does not include Guam, American Samoa, the
25 Virgin Islands, the Commonwealth of the Northern

1 Mariana Islands, the Federated States of Micro-
2 nesia, the Republic of the Marshall Islands, and the
3 Republic of Palau.”.

4 (b) SERVICE DELIVERY MODELS.—Section 640(f) of
5 the Head Start Act (42 U.S.C. 9835(f)) is amended to
6 read as follows:

7 “(f) SERVICE DELIVERY MODELS.—

8 “(1) Not later than 1 year after the date of the
9 enactment of the Improving Head Start Act of
10 2007, the Secretary shall establish procedures to en-
11 able Head Start agencies to develop locally designed
12 or specialized service delivery models to address local
13 community needs, including models that leverage the
14 existing capacity and capabilities of the delivery sys-
15 tem of early childhood education and child care.

16 “(2) In establishing the procedures, the Sec-
17 retary shall establish procedures to provide for—

18 “(A) the conversion of part-day programs
19 to full-day programs or part-day slots to full-
20 day slots; and

21 “(B) serving additional infants and tod-
22 dlers pursuant to section 645(a)(4).”.

23 (c) EXPANSION OF HEAD START PROGRAMS.—Sec-
24 tion 640(g) of the Head Start Act (42 U.S.C. 9835(g))
25 is amended in paragraph (2)—

1 (1) by striking “For the purpose of expanding
2 Head Start programs, in” and inserting “In”, and

3 (2) by amending subparagraphs (C) through
4 (H) to read as follows:

5 “(C) the extent to which the applicant has un-
6 dertaken community-wide strategic planning and
7 needs assessments involving other community orga-
8 nizations and local public agencies serving children
9 and families with Federal, State, or local funds (in-
10 cluding organizations and agencies providing family
11 support services, child abuse prevention services,
12 protective services, and foster care, and organiza-
13 tions serving families in whose homes English is not
14 the language customarily spoken), and individuals,
15 organizations, and public entities serving children
16 with disabilities or homeless children, including the
17 local educational agency liaison designated under
18 section 722(g)(1)(J)(ii) of the McKinney-Vento
19 Homeless Assistance Act (42 U.S.C.
20 11432(g)(1)(J)(ii));

21 “(D) the extent to which the family and com-
22 munity needs assessment of the applicant reflects a
23 need to provide full working-day or full calendar
24 year services and the extent to which, and manner
25 in which, the applicant demonstrates the ability to

1 collaborate and participate with the State and local
2 community providers of child care or preschool serv-
3 ices to provide full working-day full calendar year
4 services;

5 “(E) the number of eligible children in each
6 community who are not participating in a Head
7 Start program or any other early childhood program;

8 “(F) the concentration of low-income families in
9 each community;

10 “(G) the extent to which the applicant proposes
11 to foster partnerships with other service providers in
12 a manner that will leverage the existing delivery sys-
13 tems of such services and enhance the resource ca-
14 pacity of the applicant;

15 “(H) the extent to which the applicant, in pro-
16 viding services, successfully coordinated its activities
17 with the local educational agency serving the com-
18 munity involved, (including the local educational
19 agency liaison designated under section
20 722(g)(1)(J)(ii) of the McKinney-Vento Homeless
21 Assistance Act (42 U.S.C. 11432(g)(1)(J)(ii))) and
22 with schools in which children participating in a
23 Head Start program operated by such agency will
24 enroll following such program, regarding such serv-

1 ices and the education services provided by such
2 local educational agency; and

3 “(I) the amount of funds used by such agency
4 to pay administrative expenses and the amount of
5 available funds received by such agency under this
6 section to service each enrolled child.”.

7 (d) ENROLLMENT.—Section 640(g) of the Head
8 Start Act (42 U.S.C. 9835(g)) is amended by adding at
9 the end the following:

10 “(5) In the event that the amounts appropriated to
11 carry out the program under this subchapter do not exceed
12 the amount appropriated in the prior fiscal year, or exceed
13 the amount appropriated in the prior fiscal year by an
14 amount equal to less than the percentage change in the
15 Consumer Price Index For All Urban Consumers, as pub-
16 lished by the Bureau of Labor Statistics, Head Start
17 grantees may negotiate with the Secretary a reduced fund-
18 ed enrollment level without a reduction in the grant
19 amount if such grantee can demonstrate that such reduc-
20 tion is necessary to maintain the quality of services.

21 “(A) In accordance with this paragraph, the
22 Secretary shall set up a process for grantees to ne-
23 gotiate the above-mentioned reduced funded enroll-
24 ment level.

1 “(B) Under the conditions detailed in this para-
2 graph, the Secretary shall be required to notify
3 grantees of their right to negotiate a reduced funded
4 enrollment level if such grantee can demonstrate
5 that such reduction is necessary to maintain the
6 quality of services.”.

7 (e) TRANSPORTATION SAFETY.—

8 (1) REGULATIONS.—The Secretary shall issue
9 regulations establishing requirements for the safety
10 features, and the safe operation, of vehicles used by
11 Head Start agencies to transport children partici-
12 pating in Head Start programs.

13 (2) GOOD CAUSE WAIVER AUTHORITY.—The
14 Secretary shall allow Head Start agencies to annu-
15 ally request a good cause exception to the require-
16 ments of regulations promulgated under paragraph
17 (1) for one or more vehicles used by the agency or
18 its designee in transporting children enrolled in a
19 Head Start program or an Early Head Start pro-
20 gram if—

21 (A) such requirements would create a safe-
22 ty hazard in the circumstances faced by such
23 agency; or

1 (B) such requirements pertain to child re-
2 straint systems (45 CFR 1310.11, 1310.15(a))
3 or bus monitors (45 CFR 1310.15(e));

4 (C) the agency demonstrates that compli-
5 ance with such requirements will result in a sig-
6 nificant disruption to the Head Start program
7 or the Early Head Start program; and

8 (D) the waiver is in the best interest of the
9 children involved.

10 (f) MIGRANT AND SEASONAL HEAD START PRO-
11 GRAMS.—Section 640(l) of the Head Start Act (42 U.S.C.
12 9835(l)) is amended—

13 (1) by amending paragraph (3) to read as fol-
14 lows:

15 “(3) In carrying out this subchapter, the Secretary
16 shall continue the administrative arrangement at the na-
17 tional level for meeting the needs of Indian children and
18 children of migrant and seasonal farmworkers and shall
19 ensure that appropriate funding is provided to meet such
20 needs, including training and technical assistance and the
21 appointment of a national migrant and seasonal Head
22 Start collaboration director and a national Indian Head
23 Start collaboration director.”, and

24 (2) by adding at the end the following:

1 “(4)(A) For the purposes of paragraph (3), the Sec-
2 retary shall conduct an annual consultation in each af-
3 fected Head Start region, with tribal governments oper-
4 ating Head Start programs and Early Head Start pro-
5 grams.

6 “(B) The consultations shall be for the purpose of
7 better meeting the needs of Indian children and children
8 of Alaskan Natives, and their families, in accordance with
9 subsections (a), (b), and (c) of section 641, taking into
10 consideration funding allocations, distribution formulas,
11 and other issues affecting the delivery of Head Start serv-
12 ices in their geographic locations.

13 “(C) The Secretary shall publish a notification of the
14 consultations in the Federal Register before conducting
15 the consultations.

16 “(D) A detailed report of each consultation shall be
17 prepared and made available within 90 days of the annual
18 consultation to all Indian tribes that receive assistance
19 under this subchapter.”.

20 (g) ENROLLMENT OF HOMELESS CHILDREN; RULE
21 OF CONSTRUCTION; MATERIALS.—Section 640 of the
22 Head Start Act (42 U.S.C. 9835) is amended by adding
23 at the end the following:

24 “(m) ENROLLMENT OF HOMELESS CHILDREN.—The
25 Secretary shall issue rules to establish policies and proce-

1 dures to remove barriers to the enrollment and participa-
2 tion of homeless children in Head Start programs. Such
3 rules shall require Head Start agencies—

4 “(1) to implement policies and procedures to
5 ensure that homeless children are identified and
6 prioritized for enrollment;

7 “(2) to allow homeless families to apply to, en-
8 roll in and attend Head Start programs while re-
9 quired documents, such as proof of residency, immu-
10 nization and other medical records, birth certificates
11 and other documents, are obtained within a reason-
12 able time frame; and

13 “(3) coordinate individual Head Start programs
14 with efforts to implement subtitle B of title VII of
15 the McKinney-Vento Homeless Assistance Act (42
16 U.S.C. 11431–11435).

17 “(n) RULE OF CONSTRUCTION.—Nothing in this sub-
18 chapter shall be construed to require a State to establish
19 a program of early education for children in the State,
20 to require any child to participate in a program of early
21 education, to attend school, or to participate in any initial
22 screening before participating in such program, except as
23 provided under sections 612(a)(3) and 635(a)(5) of the
24 Individuals with Disabilities Education Act.

1 “(o) MATERIALS.—All curricula and instructional
2 materials funded under this subchapter shall be based on
3 scientifically based research, age and developmentally ap-
4 propriate, and focused on all areas of development (cog-
5 nitive, social, emotional, and physical), learning (language
6 and literacy, mathematics, science, and creative arts) and
7 approaches to learning. Parents shall be permitted to in-
8 spect, upon request, any curricula or instructional mate-
9 rials used to carry out this subchapter.”.

10 **SEC. 6. DESIGNATION OF HEAD START AGENCIES.**

11 Section 641 of the Head Start Act (42 U.S.C. 9836)
12 is amended to read as follows:

13 **“SEC. 641. DESIGNATION OF HEAD START AGENCIES.**

14 “(a) AUTHORITY TO DESIGNATE.—The Secretary is
15 authorized to designate as a Head Start agency any local
16 public or private nonprofit agency, including community-
17 based and faith-based organizations, or for-profit agency,
18 within a community, pursuant to the requirements of this
19 section, except that until such time that the Secretary de-
20 velops and implements the system of application review
21 under this section, the Secretary is authorized to designate
22 as a Head Start agency, any local public or private non-
23 profit agency, including community-based and faith-based
24 organizations, or for-profit agency, within a community,
25 in the manner and process utilized by the Secretary prior

1 to the enactment of the Improving Head Start Act of
2 2007.

3 “(b) APPLICATION FOR GRANTS.—Each entity shall
4 submit a plan to the Secretary, at such time and in such
5 manner as the Secretary may require.

6 “(c) DEVELOPMENT OF APPLICATION REVIEW SYS-
7 TEM.—

8 “(1) IN GENERAL.—The Secretary shall develop
9 a system that integrates the recommendations of the
10 expert panel convened under paragraph (3) to deter-
11 mine if a Head Start agency is providing a quality
12 comprehensive early learning program that meets
13 the educational, health, and nutritional needs of the
14 children and families it serves, and meets program
15 and financial management requirements and per-
16 formance standards described in section 641A(a)(1),
17 based on—

18 “(A) annual budget data;

19 “(B) program reviews conducted under
20 section 641A(c);

21 “(C) annual audits required under section
22 647;

23 “(D) classroom quality as measured under
24 section 641A(c)(2)(H); and

25 “(E) Program Information Report.

1 “(2) EXPERT PANEL.—No later than six
2 months after the enactment of the Improving Head
3 Start Act of 2007, the Secretary shall convene an
4 expert panel of 7 members to make recommenda-
5 tions to the Secretary on the development of a trans-
6 parent, reliable, and valid system for evaluating
7 grant renewal applications.

8 “(3) COMPOSITION OF EXPERT PANEL.—The
9 Secretary, in convening such panel, shall appoint the
10 following:

11 “(A) Five members, who are competent, by
12 virtue of their training, expertise, and experi-
13 ence, in each of at least one of the following
14 areas:

15 “(i) Early childhood program accredi-
16 tation or quality assessment.

17 “(ii) Research on early childhood de-
18 velopment.

19 “(iii) Governance and finance of non-
20 profit organizations.

21 “(iv) Delivery of services to children
22 and families with limited English pro-
23 ficiency.

24 “(v) Delivery of services to children
25 with disabilities.

1 “(B) An employee from the Office of Head
2 Start.

3 “(C) An executive director of a Head Start
4 agency.

5 “(4) EXPERT PANEL REPORT.—Within 12
6 months of being convened by the Secretary, the ex-
7 pert panel shall issue a report to the Secretary that
8 provides recommendations on a proposed system of
9 application review that takes into account the cri-
10 teria in paragraph (1) to evaluate whether a Head
11 Start grantee is meeting its mission to provide a
12 high quality comprehensive early education program,
13 including adequately meeting its governance and fi-
14 nancial management requirements.

15 “(5) PUBLIC COMMENT; REPORT TO CON-
16 GRESS.—No later than 6 months after receiving the
17 report described in paragraph (4), the Secretary
18 shall publish a proposed system of application review
19 in the Federal Register, providing at least 90 days
20 for public comment and shall provide a report to the
21 Committee on Education and Labor of the House of
22 Representatives and the Committee on Health, Edu-
23 cation, Labor, and Pensions of the Senate that pro-
24 vides a detailed description of such proposed system,
25 including clear rationale for any differences between

1 the proposed system and the recommendations of
2 the expert panel, if any such differences exist.

3 “(6) IMPLEMENTATION OF APPLICATION RE-
4 VIEW SYSTEM.—After the Secretary has reviewed all
5 public comments and finalized the system of applica-
6 tion review, the Secretary will use this system to de-
7 termine which grantees are successfully delivering a
8 high quality comprehensive early education program.
9 Grantees who are determined under such system to
10 be—

11 “(A) successfully delivering a high quality
12 comprehensive early education program shall be
13 designated a Head Start agency for a period of
14 5 years;

15 “(B) under-performing and may enter into
16 an open competition as described in subsection
17 (e); and

18 “(C) notwithstanding paragraph (B), if an
19 Indian Head Start agency is determined to be
20 underperforming, the Secretary shall engage in
21 government-to-government consultation with the
22 appropriate tribal government or governments
23 for the purpose of establishing a performance
24 enhancement plan for that agency. Such plan is
25 to be developed and implemented within 6

1 months of the Secretary's determination. Not
2 more than 6 months after implementation of
3 that plan, the Secretary shall reevaluate the
4 performance of the Indian Head Start agency.
5 If the Indian Head Start agency remains
6 underperforming, the Secretary shall conduct
7 an open competition as described in subsection
8 (e), subject to the following limitations:

9 “(i) Except as provided in paragraph
10 (ii), a non-Indian Head Start agency may
11 not receive a grant to carry out an Indian
12 Head Start program.

13 “(ii) In a community in which there is
14 no Indian Head Start agency available for
15 designation to carry out an Indian Head
16 Start program, a non-Indian Head Start
17 agency, on an interim basis, may receive a
18 grant to carry out an Indian Head Start
19 program, but only until such time as an
20 Indian Head Start agency in such commu-
21 nity becomes available.

22 “(d) **TRANSPARENCY, RELIABILITY, AND VALID-**
23 **ITY.**—The Secretary shall ensure the system of application
24 evaluation is fair, consistent, and transparent and is ap-
25 plied in a manner that designates, in a timely manner

1 grantees as Head Start agencies for a period of 5 years
2 if such grantees are providing a high quality comprehen-
3 sive early education program. The Secretary shall periodi-
4 cally evaluate whether the criteria are being applied in a
5 manner that is transparent, reliable, and valid.

6 “(e) DESIGNATION WHEN NO ENTITY HAS PRI-
7 ORITY.—

8 “(1) IN GENERAL.—If no entity in a commu-
9 nity is determined to be successfully delivering a
10 high quality comprehensive early education program,
11 as specified in subsection (c), the Secretary shall,
12 after conducting an open competition, designate for
13 a 5-year period a Head Start agency from among
14 qualified applicants in such community.

15 “(2) CONSIDERATIONS IN DESIGNATION.—In
16 selecting from among qualified applicants for des-
17 ignation as a Head Start agency, the Secretary shall
18 consider the effectiveness of each such applicant to
19 provide Head Start services, based on—

20 “(A) any past performance of such appli-
21 cant in providing services comparable to Head
22 Start services, including how effectively such
23 applicant provided such comparable services;

24 “(B) the plan of such applicant to provide
25 comprehensive health (including mental and be-

1 havioral health), educational, nutritional, social,
2 and other services needed to prepare children to
3 succeed in school and in life;

4 “(C) the plan of such applicant to attract
5 and retain qualified staff capable of delivering
6 a high quality comprehensive early education
7 program, including demonstrating the ability to
8 provide adequate salary and benefits to main-
9 tain a high quality staff;

10 “(D) the ability of such applicant to main-
11 tain child-teacher ratios and family service
12 worker caseloads that reflect best practices and
13 are tied to high quality service delivery;

14 “(E) the capacity of such applicant to
15 serve eligible children with curriculum and
16 teaching practices that are based on scientif-
17 ically based research, are developmentally ap-
18 propriate, and that promote the school readi-
19 ness of children participating in the program;

20 “(F) the plan of such applicant to meet
21 standards set forth in section 641A(a)(1), with
22 particular attention to the standards set forth
23 in subparagraphs (A) and (B) of such section;

1 “(G) the proposed budget and plan of such
2 applicant to maintain strong fiscal controls and
3 cost effective fiscal management;

4 “(H) the plan of such applicant to coordi-
5 nate the Head Start program the applicant pro-
6 poses to carry out, with other local early learn-
7 ing programs for young children, including—

8 “(i) programs implementing grants
9 under the Early Reading First and Even
10 Start programs under subparts 2 and 3 of
11 part B of title I of the Elementary and
12 Secondary Education Act of 1965 (20
13 U.S.C. 6371 et seq., 6381 et seq.);

14 “(ii) and programs under section 619
15 and part C of the Individuals with Disabil-
16 ities Education Act (20 U.S.C. 1419, 1431
17 et seq.);

18 “(iii) State prekindergarten programs;

19 “(iv) child care programs; and

20 “(v) the educational programs that
21 the children participating in the Head
22 Start program will enter at the age of com-
23 pulsory school attendance;

24 “(I) the plan of such applicant to coordi-
25 nate the Head Start program that the applicant

1 proposes to carry out, with public and private
2 entities that are willing to commit resources to
3 assist the Head Start program in meeting its
4 program needs;

5 “(J) the plan of such applicant—

6 “(i) to seek the involvement of parents
7 (including grandparents and kinship care-
8 givers, as appropriate) of children partici-
9 pating in the proposed Head Start pro-
10 gram, in activities (at home and, if prac-
11 ticable, at the location of the Head Start
12 program) designed to help such parents be-
13 come full partners in the education of their
14 children;

15 “(ii) to afford such parents the oppor-
16 tunity to participate in the development
17 and overall conduct of the program at the
18 local level;

19 “(iii) to offer (directly or through re-
20 ferral to local entities, such as entities car-
21 rying out Even Start programs under sub-
22 chapter 3 of part B of title I of the Ele-
23 mentary and Secondary Education Act of
24 1965 (20 U.S.C. 6381 et seq.), public and
25 school libraries, and entities carrying out

1 family support programs) to such par-
2 ents—

3 “(I) family literacy services; and

4 “(II) parenting skills training;

5 “(iv) to offer to parents of partici-
6 pating children, mental health services (ei-
7 ther directly or through referral to local
8 entities), including substance abuse coun-
9 seling and information on maternal depres-
10 sion and on the effect of drug-exposure on
11 infants and fetal alcohol syndrome;

12 “(v) at the option of such applicant,
13 to offer (directly or through referral to
14 local entities) to such parents—

15 “(I) training in basic child devel-
16 opment (including cognitive, social,
17 and emotional development);

18 “(II) assistance in developing lit-
19 eracy and communication skills;

20 “(III) opportunities to share ex-
21 periences with other parents (includ-
22 ing parent mentor relationships);

23 “(IV) regular in-home visitation;

24 “(V) mental and behavioral
25 health services; or

1 “(VI) any other activity designed
2 to help such parents become full part-
3 ners in the education of their children;

4 “(vi) to provide, with respect to each
5 participating family, a family needs assess-
6 ment that includes consultation with such
7 parents, in a manner and language that
8 such parents can understand, about the
9 benefits of parent involvement and about
10 the activities described in subparagraph
11 (H) in which such parents may choose to
12 become involved (taking into consideration
13 their specific family needs, work schedules,
14 and other responsibilities); and

15 “(vii) to extend outreach to fathers, in
16 appropriate cases, in order to strengthen
17 the role of fathers in families, in the edu-
18 cation of their young children, and in the
19 Head Start program, by working directly
20 with fathers and father figures through ac-
21 tivities such as—

22 “(I) in appropriate cases, includ-
23 ing fathers in home visits and pro-
24 viding culturally appropriate opportu-

1 nities for direct father-child inter-
2 actions; and

3 “(II) targeting increased male
4 participation in the conduct of the
5 program;

6 “(K) the plan of such applicant to meet
7 the needs of limited English proficient children
8 and their families, including procedures to iden-
9 tify such children, plans to provide trained per-
10 sonnel, and plans to provide services to assist
11 the children in making progress toward the ac-
12 quisition of the English language, while making
13 meaningful progress in attaining the knowledge,
14 skills, abilities, and development described in
15 section 641A(a)(1)(B);

16 “(L) the plan of such applicant to meet
17 the diverse cultural needs of the population
18 served;

19 “(M) the plan of such applicant to meet
20 the needs of children with disabilities;

21 “(N) the plan of such applicant who choos-
22 es to assist younger siblings of children who will
23 participate in the Head Start program to obtain
24 health, including mental health, services from
25 other sources;

1 “(O) the plan of such applicant to collabo-
2 rate with other entities carrying out public or
3 private early childhood education and child care
4 programs in the community;

5 “(P) the plan of such applicant to meet the
6 needs of homeless children, including transpor-
7 tation needs, and children in foster care and
8 children and families experiencing toxic stress;

9 “(Q) the plan of such applicant to main-
10 tain a qualified staff, including a teaching staff
11 qualified to implement research-based curricula
12 aligned with the Head Start Child Outcomes
13 Framework developed by the Secretary and to
14 the early learning standards in State in which
15 such program would operate;

16 “(R) the plan of such applicant to enter
17 into memoranda of understanding with local
18 educational agencies within the service area, as
19 described in section 642B(a); and

20 “(S) other factors related to the require-
21 ments of this subchapter.

22 “(3) CONTINUED ELIGIBILITY.—Faith-based
23 and community-based organizations continue to be
24 eligible, on the same basis as other organizations, to

1 participate in any program under this subchapter for
2 which they are otherwise eligible.

3 “(f) INTERIM PROVIDER.—If no agency in the com-
4 munity receives priority designation under subsection (c),
5 and there is no qualified applicant in the community, the
6 Secretary shall designate a qualified agency to carry out
7 the Head Start program in the community on an interim
8 basis until a qualified applicant from the community is
9 so designated.

10 “(g) PARENT AND COMMUNITY PARTICIPATION.—
11 The Secretary shall require that the practice of signifi-
12 cantly involving parents and area residents affected by the
13 program in the selection of Head Start agencies be contin-
14 ued.

15 “(h) COMMUNITY.—For purposes of this subchapter,
16 a community may be a city, county, or multicity or multi-
17 county unit within a State, an Indian reservation (includ-
18 ing Indians in any off-reservation area designated by an
19 appropriate tribal government in consultation with the
20 Secretary) or a neighborhood or other area (irrespective
21 of boundaries or political subdivisions) which provides a
22 suitable organizational base and possesses the com-
23 monality of interest needed to operate a Head Start pro-
24 gram.”.

1 **SEC. 7. QUALITY STANDARDS; MONITORING OF HEAD**
2 **START AGENCIES AND PROGRAMS.**

3 Section 641A of the Head Start Act (42 U.S.C.
4 9836a) is amended to read as follows:

5 **“SEC. 641A. QUALITY STANDARDS; MONITORING OF HEAD**
6 **START AGENCIES AND PROGRAMS.**

7 **“(a) QUALITY STANDARDS.—**

8 **“(1) ESTABLISHMENT OF STANDARDS.—**The
9 Secretary shall modify, as necessary, program per-
10 formance standards by regulation applicable to Head
11 Start agencies, programs, and projects under this
12 subchapter, including—

13 **“(A)** performance standards with respect
14 to services required to be provided, including
15 health, parental involvement, nutritional, social,
16 transition activities described in section 642(d),
17 and other services;

18 **“(B)** scientifically based and develop-
19 mentally appropriate early learning standards
20 related to school readiness that are based on
21 the Head Start Child Outcomes Framework to
22 ensure that the children participating in the
23 program, at a minimum develop and dem-
24 onstrate—

1 “(i) language knowledge and skills, in-
2 cluding oral language and listening com-
3 prehension;

4 “(ii) prereading knowledge and skills
5 that prepare children for early literacy in
6 schools including phonological awareness,
7 print awareness and print skills, and al-
8 phabetic knowledge;

9 “(iii) mathematics knowledge and
10 skills, including aspects of classification,
11 seriation, number, spatial relations, and
12 time;

13 “(iv) science knowledge and skills, in-
14 cluding measurement;

15 “(v) cognitive abilities related to aca-
16 demic achievement and general knowledge;

17 “(vi) social and emotional develop-
18 ment related to early learning, school suc-
19 cess, social problem-solving, and overall
20 well-being;

21 “(vii) approaches to learning related
22 to child development and early learning;

23 “(viii) creative arts; and

24 “(ix) in the case of limited-English
25 proficient children, progress toward acqui-

1 sition of the English language while mak-
2 ing meaningful progress in attaining the
3 knowledge, skills, abilities, and develop-
4 ment described in clauses (i) through (viii),
5 including progress made through the use of
6 culturally and linguistically appropriate in-
7 structional services;

8 “(C) administrative and financial manage-
9 ment standards;

10 “(D) standards relating to the condition
11 and location of facilities for such agencies, pro-
12 grams, and projects; and

13 “(E) such other standards as the Secretary
14 finds to be appropriate.

15 “(2) CONSIDERATIONS IN DEVELOPING STAND-
16 ARDS.—In developing the standards required under
17 paragraph (1), the Secretary shall—

18 “(A) consult with experts in the fields of
19 child development, early childhood education,
20 child health care, family services (including lin-
21 guistically and culturally appropriate services to
22 limited English proficient children and their
23 families), administration, and financial manage-
24 ment, and with persons with experience in the
25 operation of Head Start programs;

1 “(B) take into consideration—

2 “(i) past experience with use of the
3 standards in effect under this subchapter
4 on October 27, 1998;

5 “(ii) changes over the period since Oc-
6 tober 27, 1998, in the circumstances and
7 problems typically facing children and fam-
8 ilies served by Head Start agencies;

9 “(iii) recommendations from the re-
10 port on Developmental Outcomes and As-
11 sessments for Young Children by the Na-
12 tional Academy of Sciences, when it be-
13 comes available;

14 “(iv) developments concerning re-
15 search-based practices with respect to early
16 childhood education and development, chil-
17 dren with disabilities, family services, pro-
18 gram administration, and financial man-
19 agement;

20 “(v) projected needs of an expanding
21 Head Start program;

22 “(vi) guidelines and standards cur-
23 rently in effect or under consideration that
24 promote child health services and physical
25 development, including outdoor activity

1 that supports children’s motor development
2 and overall health and nutrition;

3 “(vii) changes in the population of
4 children who are eligible to participate in
5 Head Start programs, including the lan-
6 guage and cultural background and family
7 structure of such children;

8 “(viii) mechanisms to ensure that chil-
9 dren participating in Head Start programs
10 make a successful transition to the schools
11 that the children will be attending; and

12 “(ix) the unique challenges faced by
13 individual programs, including those that
14 are seasonal or short term, and those that
15 serve rural populations; and

16 “(C)(i) review and revise as necessary the
17 performance standards in effect under this sub-
18 section; and

19 “(ii) ensure that any such revisions in the
20 performance standards will not result in the
21 elimination of or any reduction in quality, scope
22 or types of health, education, parental involve-
23 ment, nutritional, social, or other services re-
24 quired to be provided under such standards as
25 in effect on October 27, 1998.

1 “(3) STANDARDS RELATING TO OBLIGATIONS
2 TO DELEGATE AGENCIES.—In developing standards
3 under this subsection, the Secretary shall describe
4 the obligations of a Head Start agency to a delegate
5 agency to which the Head Start agency has dele-
6 gated responsibility for providing services under this
7 subchapter and determine whether the Head Start
8 agency complies with the standards. The Secretary
9 shall consider such compliance during the review de-
10 scribed in subsection (c)(1)(A) and in determining
11 whether to renew financial assistance to the Head
12 Start agency under this subchapter.

13 “(b) MEASURES.—

14 “(1) IN GENERAL.—The Secretary, in consulta-
15 tion with representatives of Head Start agencies and
16 with experts in the fields of early childhood edu-
17 cation and development, shall use the study on De-
18 velopmental Outcomes and Assessments for Young
19 Children by the National Academy of Sciences to
20 provide guidance to Head Start agencies for utilizing
21 scientifically-based measures that support, as appro-
22 priate—

23 “(A) classroom instructional practices;

24 “(B) identification of special needs; and

25 “(C) program evaluation.

1 “(2) CHARACTERISTICS OF MEASURES.—The
2 measures under this subsection shall—

3 “(A) be developmentally, linguistically, and
4 culturally appropriate for the population served;

5 “(B) be reviewed not less than every 4
6 years, based on advances in the science of early
7 childhood development;

8 “(C) be consistent with relevant, nationally
9 recognized professional and technical standards
10 related to the assessment of young children;

11 “(D) be valid and reliable (in English,
12 Spanish, and any other language, as appro-
13 priate);

14 “(E) be administered by staff with appro-
15 priate training for such administration;

16 “(F) provide appropriate accommodations
17 for children with disabilities and children who
18 are limited English proficient; and

19 “(G) be high-quality research-based meas-
20 ures that have been demonstrated to assist with
21 the purposes for which they were devised.

22 “(3) USE OF MEASURES; LIMITATIONS ON
23 USE.—

24 “(A) Measures shall be designed for the
25 purpose of—

1 “(i) promoting the skills, knowledge,
2 and competencies of children participating
3 in Head Start programs specified in sub-
4 section (a)(1)(B)(ii), with an emphasis on
5 measuring skills that scientifically-based
6 research has demonstrated are related to
7 children’s school readiness and later suc-
8 cess in school;

9 “(ii) improving classroom practices,
10 including reviewing children’s strengths
11 and weaknesses;

12 “(iii) identifying special needs; and

13 “(iv) improving overall program per-
14 formance in order to help programs iden-
15 tify problem areas that may require addi-
16 tional training and technical assistance re-
17 sources.

18 “(B) Such measures shall not be used to
19 exclude children from Head Start programs.

20 “(4) SUSPENDED IMPLEMENTATION OF NA-
21 TIONAL REPORTING SYSTEM.—The Secretary shall—

22 “(A) suspend implementation and termi-
23 nate further development and use of the Na-
24 tional Reporting System; and

1 “(B) incorporate, as appropriate, rec-
2 ommendations from the study on Develop-
3 mental Outcomes and Assessments for Young
4 Children by the National Academy of Sciences
5 into any assessment used in the Head Start
6 programs, in accordance with paragraphs (2)
7 and (3).

8 “(5) SPECIAL RULE.—The use of assessment
9 items and data on any assessment authorized under
10 this subchapter by an agent or agents of the Federal
11 Government to provide rewards or sanctions for indi-
12 vidual children or teachers is prohibited. The Sec-
13 retary shall not use the results of a single assess-
14 ment as the sole or primary method for assessing
15 program effectiveness or making grantee funding de-
16 terminations at the national, regional, or local level.

17 “(6) CONFIDENTIALITY.—

18 “(A) The Secretary, through regulation,
19 shall ensure the confidentiality of any person-
20 ally identifiable data, information and records
21 collected or maintained by the Secretary and
22 any Head Start agency. Such regulations shall
23 provide the policies, protections, and rights
24 equivalent to those provided a parent, student,
25 or educational agency or institution under sec-

1 tion 444 of the General Education Provisions
2 Act.

3 “(B) Nothing in this subsection shall be
4 construed to authorize the development of a na-
5 tionwide database of personally identifiable in-
6 formation on children participating in measures
7 under this subsection.

8 “(c) MONITORING OF LOCAL AGENCIES AND PRO-
9 GRAMS.—

10 “(1) IN GENERAL.—To determine whether
11 Head Start agencies meet standards established
12 under this subchapter with respect to program, ad-
13 ministrative, financial management, and other re-
14 quirements and in order to help programs identify
15 areas for improvement and areas of strengths as
16 part of an on-going self-assessment process, the Sec-
17 retary shall develop and use a risk-based assessment
18 system to conduct the following reviews of Head
19 Start agencies, and of the Head Start programs op-
20 erated by such agencies:

21 “(A) A full review of each such agency at
22 least once during each 3-year period.

23 “(B) A review of each newly designated
24 Head Start agency immediately after the com-

1 pletion of the first year such agency carries out
2 a Head Start program.

3 “(C) Followup reviews, including unan-
4 nounced reviews as appropriate, of programs
5 with 1 or more findings of deficiencies not later
6 than 12 months after the date of such finding.

7 “(D) other reviews, including unannounced
8 site inspections of Head Start centers, as ap-
9 propriate.

10 “(2) CONDUCT OF REVIEWS.—The Secretary
11 shall ensure that reviews described in subparagraphs
12 (A) through (C) of paragraph (1)—

13 “(A) are conducted by review teams that—

14 “(i) include individuals who are
15 knowledgeable about Head Start programs
16 and, to the maximum extent practicable,
17 the diverse (including linguistic and cul-
18 tural) needs of eligible children (including
19 children with disabilities) and limited-
20 English proficient children and their fami-
21 lies; and

22 “(ii) include, to the maximum extent
23 practicable, current or former employees of
24 the Department of Health and Human

1 Services who are knowledgeable about
2 Head Start programs;

3 “(B) include as part of the reviews of the
4 programs, a review and assessment of program
5 strengths and areas in need of improvement;

6 “(C) include as part of the reviews of the
7 programs, a review and assessment of whether
8 programs have adequately addressed the popu-
9 lation and community needs (including popu-
10 lations of children with limited English pro-
11 ficiency and children of migrant and seasonal
12 farm-working families);

13 “(D) include as part of the review the ex-
14 tent to which the program addresses the com-
15 munity needs and strategic plan identified in
16 section 640(g)(2)(C);

17 “(E) include as part of the review the im-
18 plementation by qualified individuals with dem-
19 onstrated reliability, of a valid and reliable re-
20 search-based observational instrument that as-
21 sses classroom quality, including multiple di-
22 mensions of teacher-child interactions that are
23 linked to positive child development and later
24 achievement;

1 “(F) are conducted in a manner that eval-
2 uates program performance, quality, and overall
3 operations with consistency and objectivity, and
4 based on a transparent and reliable system of
5 review;

6 “(G) in the case of Early Head Start pro-
7 grams, are conducted by a review team that in-
8 cludes individuals who are knowledgeable about
9 the development of infants and toddlers; and

10 “(H) include as part of the review a pro-
11 tocol for fiscal management that shall be used
12 to assess the compliance with program require-
13 ments for—

14 “(i) using Federal funds appro-
15 priately;

16 “(ii) using Federal funds specifically
17 to purchase property and to compensate
18 personnel;

19 “(iii) securing and using qualified fis-
20 cal officer support; and

21 “(iv) reporting financial information
22 and implementing appropriate internal
23 controls to safeguard Federal funds.

24 “(3) USE OF REVIEW FINDINGS.—The findings
25 of the review shall, at a minimum—

1 “(A) be presented to an agency in a timely,
2 transparent, and uniform manner that conveys
3 information of program strengths and weak-
4 nesses and assists with program improvement;
5 and

6 “(B) be used by the Head Start agencies
7 to inform the development and implementation
8 of their plan for training and technical assist-
9 ance.

10 “(d) EVALUATIONS AND CORRECTIVE ACTIONS FOR
11 DELEGATE AGENCIES.—

12 “(1) PROCEDURES.—The Head Start agency
13 shall establish procedures relating to its delegate
14 agencies, including—

15 “(A) procedures for evaluating delegate
16 agencies;

17 “(B) procedures for defunding delegate
18 agencies; and

19 “(C) procedures for appealing a defunding
20 decision relating to a delegate agency.

21 “(2) EVALUATIONS.—Each Head Start agen-
22 cy—

23 “(A) shall evaluate its delegate agencies
24 using the procedures established under this sec-
25 tion; and

1 “(B) shall inform the delegate agencies of
2 the deficiencies identified through the evalua-
3 tion that are required to be corrected.

4 “(3) REMEDIES TO ENSURE CORRECTIVE AC-
5 TIONS.—If the Head Start agency identifies a defi-
6 ciency of a delegate agency through the evaluation,
7 the Head Start agency may—

8 “(A) initiate procedures to terminate the
9 designation of the delegate agency unless such
10 agency corrects the deficiency; and

11 “(B) conduct monthly monitoring visits to
12 such delegate agency until all deficiencies are
13 corrected or the Head Start agency decides to
14 defund such delegate agency.

15 “(4) RULE OF CONSTRUCTION.—Nothing in
16 this subsection shall be construed to modify, super-
17 sede, or affect the powers, duties, or functions of the
18 Secretary with respect to Head Start agencies or
19 delegate agencies that receive financial assistance
20 under this subchapter.

21 “(e) CORRECTIVE ACTION; TERMINATION.—

22 “(1) DETERMINATION.—If the Secretary deter-
23 mines, on the basis of a review pursuant to sub-
24 section (c), that a Head Start agency designated
25 pursuant to section 641 fails to meet the standards

1 described in subsection (a) or fails to adequately ad-
2 dress the community needs and strategic plan identi-
3 fied in section 640(g)(2)(C), the Secretary shall—

4 “(A) inform the agency of the deficiencies
5 that shall be corrected;

6 “(B) with respect to each identified defi-
7 ciency, require the agency—

8 “(i) to correct the deficiency imme-
9 diately, if the Secretary finds that the defi-
10 ciency threatens the health or safety of
11 staff or program participants or poses a
12 threat to the integrity of Federal funds;

13 “(ii) to correct the deficiency not later
14 than 90 days after the identification of the
15 deficiency if the Secretary finds, in the dis-
16 cretion of the Secretary, that such a 90-
17 day period is reasonable, in light of the na-
18 ture and magnitude of the deficiency; or

19 “(iii) in the discretion of the Sec-
20 retary (taking into consideration the seri-
21 ousness of the deficiency and the time rea-
22 sonably required to correct the deficiency),
23 to comply with the requirements of para-
24 graph (2) concerning a quality improve-
25 ment plan; and

1 “(C) initiate proceedings to terminate the
2 designation of the agency unless the agency cor-
3 rects the deficiency.

4 “(2) QUALITY IMPROVEMENT PLAN.—

5 “(A) AGENCY AND PROGRAM RESPONSIBIL-
6 ITIES.—To retain a designation as a Head
7 Start agency under this subchapter, or in the
8 case of a Head Start program to continue to re-
9 ceive funds from such agency, a Head Start
10 agency, or Head Start program that is the sub-
11 ject of a determination described in paragraph
12 (1) (excluding an agency or program required
13 to correct a deficiency immediately or during a
14 90-day period under clause (i) or (ii) of para-
15 graph (1)(B)) shall—

16 “(i) develop in a timely manner, a
17 quality improvement plan that shall be
18 subject to the approval of the secretary, or
19 in the case of a program, the sponsoring
20 agency, and which shall specify—

21 “(I) the deficiencies to be cor-
22 rected;

23 “(II) the actions to be taken to
24 correct such deficiencies; and

1 “(III) the timetable for accom-
2 plishment of the corrective actions
3 specified; and

4 “(ii) eliminate each deficiency identi-
5 fied, not later than the date for elimination
6 of such deficiency specified in such plan
7 (which shall not be later than 10 months
8 after the date the agency or program ob-
9 tains approval of its quality improvement
10 plan).

11 “(B) SECRETARIAL RESPONSIBILITY.—Not
12 later than 30 days after receiving from a Head
13 Start agency a proposed quality improvement
14 plan pursuant to subparagraph (A), the Sec-
15 retary shall either approve such proposed plan
16 or specify the reasons why the proposed plan
17 cannot be approved.

18 “(C) AGENCY RESPONSIBILITY FOR PRO-
19 GRAM IMPROVEMENT.—Not later than 30 days
20 after receiving from a Head Start program, a
21 proposed quality improvement plan pursuant to
22 subparagraph (A), the Head Start agency shall
23 either approve such proposed plan or specify
24 the reasons why the proposed plan cannot be
25 approved.

1 “(3) TRAINING AND TECHNICAL ASSISTANCE.—

2 The Secretary shall provide training and technical
3 assistance to Head Start agencies and programs
4 with respect to the development or implementation
5 of such quality improvement plans to the extent the
6 Secretary finds such provision to be feasible and ap-
7 propriate given available funding and other statutory
8 responsibilities.

9 “(f) SUMMARIES OF MONITORING OUTCOMES.—Not
10 later than 120 days after the end of each fiscal year, the
11 Secretary shall publish a summary report on the findings
12 of reviews conducted under subsection (c) and on the out-
13 comes of quality improvement plans implemented under
14 subsection (e), during such fiscal year. Such report shall
15 be made available to all parents with children receiving
16 assistance under this subchapter in an understandable and
17 uniform format, and to the extent practicable, provided
18 in a language that the parents can understand, and in ad-
19 dition, make the information widely available through pub-
20 lic means such as distribution through public agencies,
21 and at a minimum posting such information on the Inter-
22 net immediately upon publication. Such reports shall con-
23 tain detailed data on compliance with specific performance
24 standards and measures sufficient to allow individual

1 Head Start agencies to use such data to improve the qual-
2 ity of their program.

3 “(g) SELF-ASSESSMENTS.—

4 “(1) IN GENERAL.—Not less frequently than
5 once each program year, with the consultation and
6 participation of policy councils, and as applicable,
7 policy committees, and as appropriate, other commu-
8 nity members, each Head Start agency and each del-
9 egate agency that receives financial assistance under
10 this subchapter shall conduct a comprehensive self-
11 assessment of its effectiveness and progress in meet-
12 ing program goals and objectives (including profes-
13 sional development plans) and in implementing and
14 complying with Head Start program performance
15 standards.

16 “(2) REPORT AND IMPROVEMENT PLANS.—

17 “(A) REPORT.—An agency conducting a
18 self-assessment shall report the findings of the
19 self-assessment to the relevant policy council,
20 policy committee, governing body, and Sec-
21 retary. Each self-assessment shall identify areas
22 of strength and weakness.

23 “(B) IMPROVEMENT PLAN.—The agency
24 shall develop and report to the Secretary an im-
25 provement plan approved by the governing body

1 of the agency to strengthen any areas identified
2 in the self-assessment as weaknesses or in need
3 of improvement.

4 “(3) ONGOING MONITORING.—Each Head Start
5 agency, delegate Head Start agency, and entity that
6 carries out an Early Head Start program shall es-
7 tablish and implement procedures for the ongoing
8 monitoring of their respective programs, to ensure
9 that the operations of the programs work toward
10 meeting program goals and objectives and Head
11 Start performance standards.

12 “(h) ENROLLMENT REPORTING REQUIREMENT.—

13 “(1) Head Start agencies shall report on a reg-
14 ular basis to the Secretary—

15 “(A) the actual enrollment in such pro-
16 gram; and

17 “(B) if such actual enrollment is less than
18 the funded enrollment, any apparent reason for
19 such enrollment shortfall.

20 “(2) The Secretary shall determine on a regular
21 basis which Head Start agencies are operating with
22 an actual enrollment that is less than the funded en-
23 rollment and shall provide appropriate and timely
24 training and technical assistance to increase actual
25 enrollment, as appropriate.

1 “(3) In this subsection:

2 “(A) The term ‘actual enrollment’ means,
3 with respect to a Head Start program, the ac-
4 tual number of children enrolled in such pro-
5 gram in a given month.

6 “(B) The term ‘base grant’ means, with
7 respect to Head Start agency for a fiscal year,
8 that portion of the grant derived from—

9 “(i) amounts reserved for use in ac-
10 cordance with section 640(a)(2)(A), for a
11 Head Start agency administering an In-
12 dian Head Start program or migrant and
13 seasonal Head Start program;

14 “(ii) amounts reserved for payments
15 under section 640(a)(2)(B); or

16 “(iii) amounts available under section
17 640(a)(2)(D) or allotted among States
18 under section 640(a)(4).

19 “(C) The term ‘funded enrollment’ means,
20 with respect to the program of a Head Start
21 agency in a fiscal year, the number of children
22 that the agency is funded to serve through a
23 grant for the program during such fiscal year,
24 as indicated in the grant award.

1 “(i) REDISTRIBUTION OF FUNDS.—Funds held by
2 the Secretary as a result of recapturing, withholding, or
3 reducing a base grant, except when such action is the re-
4 sult of an open competition 641(d)) or termination 646(d)
5 shall be redistributed in such fiscal year as follows:

6 “(1) If such funds are derived from an Indian
7 Head Start program, then such funds shall be redis-
8 tributed to increase enrollment in such fiscal year in
9 1 or more Indian Head Start programs.

10 “(2) If such funds are derived from the oper-
11 ation of a migrant and seasonal Head Start pro-
12 gram, then such funds shall be redistributed to in-
13 crease enrollment in such fiscal year in 1 or more
14 migrant and seasonal Head Start programs.

15 “(3) If such funds are derived from the oper-
16 ation of a Head Start program in a State (excluding
17 Indian Head Start program and migrant and sea-
18 sonal Head Start programs), then such funds shall
19 be redistributed to increase enrollment in such fiscal
20 year in 1 or more Head Start programs (excluding
21 Indian Head Start programs and migrant and sea-
22 sonal Head Start programs) that are carried out in
23 such State, except that—

24 “(A) not less than 50 percent of the funds
25 shall be prioritized to increase the program par-

1 ticipation of children and families served under
2 Early Head Start; and

3 “(B) not less than 25 percent of the funds
4 shall be prioritized to increase program partici-
5 pation of underserved populations of eligible
6 children.”.

7 **SEC. 8. POWERS AND FUNCTIONS OF HEAD START AGEN-**
8 **CIES.**

9 Section 642 of the Head Start Act (42 U.S.C. 9837)
10 is amended to read as follows:

11 **“SEC. 642. POWERS AND FUNCTIONS OF HEAD START AGEN-**
12 **CIES.**

13 “(a) **LEGAL AUTHORITY.**—To be designated as a
14 Head Start agency under this subchapter, an agency must
15 have authority under its charter or applicable law to re-
16 ceive and administer funds under this subchapter, funds
17 and contributions from private or local public sources
18 which may be used in support of a Head Start program,
19 and funds under any Federal or State assistance program
20 pursuant to which a public or private nonprofit or for-
21 profit agency (as the case may be) organized in accordance
22 with this subchapter, could act as grantee, contractor, or
23 sponsor of projects appropriate for inclusion in a Head
24 Start program. Such an agency must also be empowered
25 to transfer funds so received, and to delegate powers to

1 other agencies, subject to the powers of its governing
2 board and its overall program responsibilities. The power
3 to transfer funds and delegate powers must include the
4 power to make transfers and delegations covering compo-
5 nent projects in all cases where this will contribute to effi-
6 ciency and effectiveness or otherwise further program ob-
7 jectives.

8 “(b) FAMILY AND COMMUNITY INVOLVEMENT; FAM-
9 ILY SERVICES.—To be so designated, a Head Start agency
10 shall, at a minimum, do all the following to involve and
11 serve families and communities:

12 “(1) Establish effective procedures by which
13 parents and area residents concerned will be enabled
14 to directly participate in decisions that influence the
15 character of programs affecting their interests.

16 “(2) Seek the involvement of parents, area resi-
17 dents, and local business in the design and imple-
18 mentation of the program.

19 “(3) Establish effective procedures to facilitate
20 and seek the involvement of parents of participating
21 children in activities designed to help such parents
22 become full partners in the education of their chil-
23 dren, and to afford such parents the opportunity to
24 participate in the development and overall conduct of
25 the program at the local level, including a process

1 through which parents of children currently partici-
2 pating in a Head Start program or an Early Head
3 Start program select the parent representatives to
4 serve on the council under section 642(b)(4)(B)(ii).

5 “(4) Offer (directly or through referral to local
6 entities, such as entities carrying out Even Start
7 programs under subpart 3 of part B of title I of the
8 Elementary and Secondary Education Act of 1965
9 (20 U.S.C. 2741 et seq.)), to parents of partici-
10 pating children, family literacy services and par-
11 enting skills training.

12 “(5) Offer to parents of participating children
13 mental health services (either directly or through re-
14 ferral to local entities), including substance abuse
15 counseling, and including information on maternal
16 depression and on drug-exposed infants and fetal al-
17 cohol syndrome.

18 “(6) At the option of such agency, offer (di-
19 rectly or through referral to local entities) to such
20 parents—

21 “(A) training in basic child development
22 (including cognitive, social, and emotional devel-
23 opment);

24 “(B) assistance in developing literacy and
25 communication skills;

1 “(C) opportunities to share experiences
2 with other parents (including parent-mentor re-
3 lationships);

4 “(D) mental and behavioral health serv-
5 ices;

6 “(E) regular in-home visitation; or

7 “(F) any other activity designed to help
8 such parents become full partners in the edu-
9 cation of their children.

10 “(7) Provide, with respect to each participating
11 family, a family needs assessment that includes con-
12 sultation with such parents, in a manner and lan-
13 guage that such parents can understand, about the
14 benefits of parent involvement and about the activi-
15 ties described in paragraphs (5) through (8) in
16 which such parents may choose to be involved (tak-
17 ing into consideration their specific family needs,
18 work schedules, and other responsibilities).

19 “(8) Consider providing services to assist
20 younger siblings of children participating in its Head
21 Start program to obtain health, including mental
22 health, services from other sources.

23 “(9) Perform community outreach to encourage
24 individuals previously unaffiliated with Head Start

1 programs to participate in its Head Start program
2 as volunteers.

3 “(10)(A) Inform custodial parents in single-par-
4 ent families that participate in programs, activities,
5 or services carried out or provided under this sub-
6 chapter about the availability of child support serv-
7 ices for purposes of establishing paternity and ac-
8 quiring child support; and

9 “(B) Refer eligible parents to the child support
10 offices of State and local governments.

11 “(11) Provide parents of limited English pro-
12 ficient children outreach and services under this sub-
13 chapter, in an understandable and uniform format
14 and, to the extent practicable, in a language that
15 such parents can understand.

16 “(12) Provide technical and other support need-
17 ed to enable parents and area residents to secure on
18 their own behalf available assistance from public and
19 private sources.

20 “(13) Promote the continued involvement of the
21 parents (including grandparents and kinship care-
22 givers, as appropriate) of children that participate in
23 Head Start programs in the education of their chil-
24 dren upon transition to school, the Head Start agen-
25 cy shall work with the local educational agency—

1 “(A) to provide training to the parents;

2 “(i) to inform the parents about their
3 rights and responsibilities concerning the
4 education of their children; and

5 “(ii) to enable the parents—

6 “(I) to understand and work with
7 schools in order to communicate with
8 teachers and other school personnel;

9 “(II) to support the schoolwork
10 of their children; and

11 “(III) to participate as appro-
12 priate in decisions relating to the edu-
13 cation of their children; and

14 “(B) to take other actions, as appropriate
15 and feasible, to support the active involvement
16 of the parents with schools, school personnel,
17 and school-related organizations.

18 “(14) Provide parents of a child suspected of
19 having a disability information about services avail-
20 able under section 619 or part C of the Individuals
21 With Disabilities Education Act (20 U.S.C. 1419,
22 1431 et seq.) and refer such child to the appropriate
23 agency for an evaluation of eligibility under such
24 Act.

1 “(c) PROGRAM GOVERNANCE.—Head Start agencies
2 must establish and maintain a formal structure of shared
3 governance through which an independent governing body
4 with legal and fiscal responsibility for administering and
5 overseeing programs under this subchapter and a parent
6 policy council and parent policy committee, as appropriate,
7 shall ensure that such agency operates a high quality
8 Head Start program in compliance with all applicable
9 Federal, State, and local laws.

10 “(1) GOVERNING BODY.—

11 “(A) COMPOSITION.—The governing body
12 shall be composed as follows:

13 “(i) Not less than 1 member with sig-
14 nificant financial management or account-
15 ing experience.

16 “(ii) Not less than 1 member shall
17 have a background and expertise in early
18 childhood development.

19 “(iii) Not less than 1 member shall be
20 a licensed attorney familiar with issues
21 that come before the governing body.

22 “(iv) Additional members shall be se-
23 lected for their expertise in education,
24 business administration, and community

1 affairs and shall reflect the community
2 served.

3 “(v) Exceptions shall be made when
4 members of the governing body oversee a
5 public entity and are selected by public
6 election or are political appointments.

7 “(B) CONFLICT OF INTEREST.—Members
8 of the governing body shall—

9 “(i) not have a conflict of interest
10 with the Head Start agency or delegate
11 agencies, exceptions shall be made when a
12 board member of a public entity is selected
13 by election or politically appointed;

14 “(ii) not receive compensation for the
15 purposes of serving on the governing body
16 or for providing services to the Head Start
17 agency, exceptions shall be made when a
18 board member of a public entity is selected
19 by election or politically appointed;

20 “(iii) not be employed nor shall mem-
21 bers of their immediate family be employed
22 by the Head Start agency or one of its del-
23 egate agencies, exceptions shall be made
24 when a board member of a public entity is

1 selected by election or politically appointed;
2 and

3 “(iv) operate as an entity independent
4 of staff employed by the Head Start agen-
5 cy entity or applicant, exceptions shall be
6 made when a board member of a public en-
7 tity is selected by election or politically ap-
8 pointed.

9 “(C) CONSULTANTS.—In the case that
10 persons described in subparagraph (A) are not
11 available to serve as members, the governing
12 body shall make use of consultants in the areas
13 described in subparagraph (A) to work directly
14 with the governing body.

15 “(D) TRAINING.—All members of the gov-
16 erning body shall receive training in manage-
17 ment responsibilities and obligations, ethics,
18 and financial literacy management.

19 “(E) RESPONSIBILITIES OF GOVERNING
20 BODY.—The governing body shall be responsible
21 for—

22 “(i) adoption of practices that assure
23 active, independent and informed govern-
24 ance of the Head Start agency;

1 “(ii) oversight to ensure that the
2 Head Start agency under the direction of
3 the executive director is delivering high
4 quality services to children and families in
5 compliance with all applicable standards in
6 effect under this subchapter and with the
7 applicable performance measures estab-
8 lished by the Secretary under section 644;

9 “(iii) establish an audit and finance
10 committee whose primary responsibility
11 shall be—

12 “(I) to approve annually the op-
13 erating budget of the Head Start
14 agency;

15 “(II) to review and recommend
16 to the governing body the selection of
17 independent auditors who shall report
18 all critical accounting policies and
19 practices to the finance and audit
20 committee, except when the auditor is
21 assigned by the State under State
22 law;

23 “(III) to review and recommend
24 to the governing body the termination

1 or extension of the existing audit firm
2 at least once every 5 years;

3 “(IV) to review and advise the
4 governing body of the audit manage-
5 ment letter provided pursuant to the
6 chapter 75 of title 31, United States
7 Code, and of any audit findings; and

8 “(V) to monitor agency actions to
9 correct any such audit findings or
10 other actions necessary to comply with
11 applicable laws (including regulations)
12 governing financial statements and ac-
13 counting practices;

14 “(iv) approve all major policies of the
15 agency, including the mission of the agency
16 and policies addressing accounting, finan-
17 cial management, procurement, record con-
18 fidentiality, and personnel (including spe-
19 cific standards governing salaries, salary
20 adjustments, travel and per diem allow-
21 ances, and other employee benefits);

22 “(v) approve all major financial ex-
23 penditures of the agency;

24 “(vi) approve the selection or dis-
25 missal of the Head Start Director or the

1 equivalent position within the Head Start
2 agency;

3 “(vii) approve or disapprove all poli-
4 cies, applications, and decisions of the Pol-
5 icy Council made under the authority of
6 paragraph (2);

7 “(viii) to oversee the program plan-
8 ning of the Head Start agency, including
9 adoption of policies for setting long- and
10 short-range goals and objectives;

11 “(ix) oversee and approve the agency’s
12 applications to receive funds made avail-
13 able under this subchapter; and

14 “(x) to establish, adopt and periodi-
15 cally update written standards of conduct
16 that establish standards and formal proce-
17 dures for disclosing, addressing, and re-
18 solving—

19 “(I) any conflict of interest, and
20 any appearance of a conflict of inter-
21 est, by members of the governing
22 body, officers, employees, consultants
23 and agents who provide services or
24 furnish goods to the Head Start agen-
25 cy; and

1 “(II) complaints, including inves-
2 tigations, when appropriate.

3 “(2) POLICY COUNCIL.—

4 “(A) COMPOSITION.—The Policy Council
5 or Policy Committee, as appropriate, shall be
6 composed as follows:

7 “(i) Members of the Policy Council
8 shall be either parents of children currently
9 enrolled in the Head Start agency’s (or
10 delegate’s) Head Start or Early Head
11 Start program or that are parents of chil-
12 dren who were enrolled in the program in
13 the previous year (Parent Members) or
14 shall be members of the community served
15 by the Head Start agency or delegate
16 (Community Members).

17 “(ii) Parent members of the Policy
18 Council shall constitute a majority of the
19 members of the Policy Council and shall be
20 elected by parents of currently enrolled
21 children.

22 “(iii) Parent members shall represent,
23 proportionately, all program options and
24 settings operated by the Head Start agen-
25 cy or delegate.

1 “(iv) The term of a Policy Council
2 member shall be no more than 2 years and
3 no Policy Council member shall serve
4 longer than 6 years.

5 “(B) RESPONSIBILITIES OF POLICY COUN-
6 CIL.—In order to be designated as a Head
7 Start agency, an entity or delegate of such an
8 entity shall have a Policy Council which shall
9 approve and submit to the governing body deci-
10 sions about the following activities:

11 “(i) The strategic direction of the pro-
12 gram, including long and short-term plan-
13 ning goals and objectives (such planning
14 and goals shall take into account the an-
15 nual community assessment and self-as-
16 sessment).

17 “(ii) Selection of delegate agencies
18 and their service areas.

19 “(iii) Recruitment, selection and en-
20 rollment priorities.

21 “(iv) Funding applications and
22 amendments to funding applications for
23 Head Start or Early Head Start prior to
24 submission of such applications.

1 “(v) Budget planning for program ex-
2 penditures.

3 “(vi) Bylaws for the operation of the
4 Policy Council including procedures by
5 which Policy Council members are chosen.

6 “(vii) Program personnel policies, in-
7 cluding standards of conduct for program
8 staff, contractors and volunteers.

9 “(viii) Decisions regarding employ-
10 ment of Head Start staff other than the
11 director and executive director.

12 “(ix) Activities to support the active
13 involvement of parents in supporting pro-
14 gram operations.

15 “(x) Program responsiveness to com-
16 munity and parent needs.

17 “(C) TRAINING.—Appropriate training and
18 technical assistance shall be provided to the
19 members of the Policy Council to ensure that
20 the members understand the information the
21 members receive and effectively oversee and
22 participate in the programs of the Head Start
23 agency or delegate.

24 “(3) IMPASSE POLICY.—The Secretary shall de-
25 velop policies and procedures describing how Head

1 Start agencies will implement shared decision-mak-
2 ing, including a process for resolving any impasse
3 between the Governing Body and the Policy Council.

4 “(d) COLLABORATION AND COORDINATION.—To be
5 so designated, a Head Start agency must collaborate and
6 coordinate with public and private entities to improve the
7 available services to Head Start children and families, in-
8 cluding the following activities:

9 “(1) Conduct outreach to schools in which chil-
10 dren participating in Head Start programs enroll,
11 local educational agencies, the local business commu-
12 nity, community-based organizations, faith-based or-
13 ganizations, museums, and libraries to generate sup-
14 port and leverage the resources of the entire local
15 community in order to improve school readiness.

16 “(2) In communities where both public pre-
17 kindergarten programs and Head Start programs
18 operate, a Head Start agency shall collaborate and
19 coordinate activities with the local educational agen-
20 cy or other public agency responsible for the oper-
21 ation of the prekindergarten program and providers
22 of prekindergarten, including outreach activities to
23 identify eligible children, as possible.

24 “(3) Head Start agency staff shall, with the
25 permission of the parents of children enrolled in

1 Head Start programs, regularly communicate with
2 the elementary schools such children will be attend-
3 ing—

4 “(A) to share information about such chil-
5 dren; and

6 “(B) to ensure a smooth transition to ele-
7 mentary school for such children.

8 “(4) Each Head Start agency shall collaborate,
9 as appropriate, with providers of social and commu-
10 nity services available to children and families par-
11 ticipating in Head Start programs, and may support
12 such partnerships with financial agreements, when
13 applicable, for the provision of such services.

14 “(5) A Head Start agency shall take steps to
15 coordinate activities with the local educational agen-
16 cy serving the community involved and with schools
17 in which children participating in a Head Start pro-
18 gram operated by such agency will enroll following
19 such program, including—

20 “(A) collaborating on the shared use of
21 transportation and facilities;

22 “(B) collaborating to enhance the effi-
23 ciency of services while increasing the program
24 participation of underserved populations of eli-
25 gible children; and

1 “(C) exchanging information on the provi-
2 sion of noneducational services to such children.

3 “(6) The Secretary, in consultation with the
4 Secretary of Education, shall—

5 “(A) evaluate the effectiveness of the
6 projects and activities funded under section
7 642A;

8 “(B) disseminate to Head Start agencies
9 information (including information from the
10 evaluation required by subparagraph (A)) on ef-
11 fective policies and activities relating to the
12 transition of children from Head Start pro-
13 grams to public schools; and

14 “(C) provide technical assistance to such
15 agencies to promote and assist such agencies to
16 adopt and implement such effective policies and
17 activities.

18 “(e) QUALITY STANDARDS, CURRICULA AND ASSESS-
19 MENT.—To be so designated, each Head Start agency
20 shall—

21 “(1) take steps to ensure, to the maximum ex-
22 tent possible, that children maintain the develop-
23 mental and educational gains achieved in Head Start
24 programs and build upon such gains in further
25 schooling;

1 “(2) establish a program with standards set
2 forth in section 641A(a)(1), with particular atten-
3 tion to the standards set forth in subparagraphs (A)
4 and (B) of such section;

5 “(3) implement a research-based early child-
6 hood curriculum that promotes young children’s
7 school readiness in the areas of language and cog-
8 nitive development, early reading and
9 premathematics skills, socio-emotional development,
10 physical development, and approaches to learning.
11 Such curricula shall be—

12 “(A) based on scientifically based research
13 and have standardized training procedures and
14 curriculum materials to support implementa-
15 tion;

16 “(B) comprehensive, linked to ongoing as-
17 sessment, with developmental and learning
18 goals and measurable objectives; and focused on
19 improving the learning environment, teaching
20 practices, family involvement, and child out-
21 comes across all areas of development; and

22 “(C) aligned to the Head Start Child Out-
23 comes Framework developed by the Secretary
24 and to State early learning standards, as appro-
25 priate;

1 “(4) use ongoing, research-based assessment
2 methods that are developmentally appropriate, cul-
3 turally and linguistically responsive, and tied to chil-
4 dren’s daily activities in order to support the edu-
5 cational instruction of children in the program, in-
6 cluding language skills, prereading knowledge and
7 premathematics knowledge. Assessment instruments
8 shall be those designed and validated for making de-
9 cisions about teaching and learning and aligned with
10 the programs curricula and section 641A(a)(1);

11 “(5) use high-quality research-based develop-
12 mental screening tools that have been demonstrated
13 to be standardized, reliable, valid, and accurate for
14 children from a range of racial, ethnic, linguistic,
15 and cultural backgrounds, for the purpose of meet-
16 ing the relevant performance standards;

17 “(6) adopt, in consultation with experts in child
18 development and with classroom teachers, an assess-
19 ment to be used when hiring or evaluating any class-
20 room teacher in a center-based Head Start program.
21 Such assessment shall measure whether such teacher
22 has mastered the functions described in section
23 648A(a)(1) and attained a level of literacy appro-
24 priate to implement Head Start curricula;

1 “(7) use the information provided from the as-
2 sessment conducted under section 640A(c)(2)(H) to
3 adopt a professional development plan that leads to
4 improved teacher effectiveness;

5 “(8) establish measurable objectives for the pro-
6 vision of health, educational, nutritional, and social
7 services related to the program mission and to
8 school readiness and provided under this subchapter;
9 and

10 “(9) develop procedures for identifying children
11 as limited English proficient, and inform the parents
12 of such children as to the instructional services used
13 to help children make progress towards acquiring
14 the knowledge and skills described in section
15 641A(a)(1)(B) and acquisition of the English lan-
16 guage.

17 “(f) FUNDED ENROLLMENT; WAITING LIST.—Each
18 Head Start agency shall enroll 100 percent of its funded
19 enrollment and maintain an active waiting list at all times
20 with ongoing outreach to the community and activities to
21 identify underserved populations.

22 “(g) TECHNICAL ASSISTANCE AND TRAINING
23 PLAN.—In order to receive funds under this subchapter,
24 a Head Start agency shall develop an annual technical as-
25 sistance and training plan. Such plan shall be based on

1 the agency’s self-assessment, the community-wide needs
2 assessment, the needs of parents and children to be serv-
3 iced by such agency, and the results of the reviews con-
4 ducted under section 641A(e).

5 “(h) FINANCIAL MANAGEMENT.—In order to receive
6 funds under this subchapter, a Head Start agency shall
7 document strong fiscal controls, including the employment
8 of well-qualified fiscal staff with a history of successful
9 management of a public or private organization.”.

10 **SEC. 9. HEAD START TRANSITION AND ALIGNMENT WITH K-**
11 **12 EDUCATION.**

12 Section 642A of the Head Start Act (42 U.S.C.
13 9837a) is amended to read as follows:

14 **“SEC. 642A. HEAD START TRANSITION AND ALIGNMENT**
15 **WITH K-12 EDUCATION.**

16 “Each Head Start agency shall take steps to coordi-
17 nate with the local educational agency serving the commu-
18 nity involved and with schools in which children partici-
19 pating in a Head Start program operated by such agency
20 will enroll following such program to promote continuity
21 of services and effective transitions, including—

22 “(1) developing and implementing a systematic
23 procedure for transferring, with parental consent,
24 Head Start program records for each participating
25 child to the school in which such child will enroll;

1 “(2) establishing ongoing channels of commu-
2 nication between Head Start staff and their counter-
3 parts in the schools (including teachers, social work-
4 ers, McKinney-Vento liaisons as established under
5 section 722 (g)(1)(J)(ii) of the McKinney-Vento
6 Homeless Assistance Act (42 U.S.C.
7 11432(g)(1)(J)(ii)), and health staff) to facilitate co-
8 ordination of programs;

9 “(3) establish on-going communication for de-
10 veloping continuity of developmentally appropriate
11 curricula between Head Start and local educational
12 agencies to ensure an effective transition and appro-
13 priate shared expectations for children’s learning
14 and development as they make such transition to
15 school;

16 “(4) organizing and participating in joint train-
17 ing, including transition-related training for school
18 staff and Head Start staff;

19 “(5) conducting meetings involving parents,
20 kindergarten or elementary school teachers, and
21 Head Start program teachers to discuss the edu-
22 cational, developmental, and other needs of indi-
23 vidual children;

24 “(6) helping parents of limited English Pro-
25 ficient children understand the method of instruction

1 and other services provided by the school in which
2 such child will enroll after participation in Head
3 Start and as appropriate, information provided to
4 parents of limited English proficient children under
5 section 3302 of title III of the Elementary and Sec-
6 ondary Education Act of 1965 (20 U.S.C. 7012);

7 “(7) developing and implementing a family out-
8 reach and support program in cooperation with enti-
9 ties carrying out parental involvement efforts under
10 title I of the Elementary and Secondary Education
11 Act of 1965 (20 U.S.C. 6301 et seq.) and family
12 outreach and support efforts under subtitle B of title
13 VII of the McKinney-Vento Homeless Assistance Act
14 (42 U.S.C. 11431–11435);

15 “(8) assisting families, administrators, and
16 teachers in enhancing educational and developmental
17 continuity and continuity in parental involvement ac-
18 tivities between Head Start services and elementary
19 school classes;

20 “(9) linking the services provided in such Head
21 Start program with the education services, including
22 services relating to language, literacy, and
23 numeracy, provided by such local educational agen-
24 cy;

1 “(10) helping parents (including grandparents
2 and kinship caregivers, as appropriate) to under-
3 stand the importance of parental involvement in a
4 child’s academic success while teaching them strate-
5 gies for maintaining parental involvement as their
6 child moves from Head Start to elementary school;

7 “(11) developing and implementing a system to
8 increase program participation of underserved popu-
9 lations of eligible children; and

10 “(12) coordinating activities and collaborating
11 to ensure that curricula used in the Head Start pro-
12 gram are aligned with—

13 “(A) the Head Start Child Outcomes
14 Framework as developed by the Secretary; and

15 “(B) State early learning standards, as ap-
16 propriate, with regard to cognitive, social, emo-
17 tional, and physical competencies that children
18 entering kindergarten are expected to dem-
19 onstrate.”.

20 **SEC. 10. LOCAL AND STATE INTEGRATION OF EARLY**
21 **CHILDHOOD EDUCATION.**

22 The Head Start Act (42 U.S.C. 9831) is amended
23 by inserting after section 642A the following:

1 **“SEC. 642B. LOCAL AND STATE INTEGRATION OF EARLY**
2 **CHILDHOOD EDUCATION.**

3 “(a) LOCAL INTEGRATION.—In general, Head Start
4 agencies shall enter into ongoing partnerships with local
5 educational agencies and with State-funded preschool and
6 other early childhood programs.

7 “(1) MEMORANDA OF UNDERSTANDING.—Each
8 Head Start agency shall enter into a memorandum
9 of understanding with any local educational agencies
10 or local councils, responsible for managing publicly
11 funded prekindergarten programs in the service area
12 of the Head Start agency (or if such agencies and
13 such councils are not applicable in the service area,
14 with the largest provider of publicly funded pre-
15 kindergarten in the service area), that shall include
16 plans to coordinate the following activities:

17 “(A) Educational activities, curricula, and
18 instruction.

19 “(B) Public information dissemination and
20 access to programs for families contacting any
21 of the early childhood programs.

22 “(C) Selection priorities for eligible chil-
23 dren to be served by programs.

24 “(D) Service delivery areas.

25 “(E) Staff training, including opportunities
26 for joint staff training on topics such as aca-

1 demic content standards, instructional methods,
2 and social and emotional development.

3 “(F) Program technical assistance.

4 “(G) Provision of additional services to
5 meet the needs of working parents.

6 “(H) Planning and parent education for
7 smooth transitions to kindergarten as required
8 in section 642A(3) and 642A(6).

9 “(I) Provision and use of facilities, trans-
10 portation, and other program elements.

11 “(J) Other elements mutually agreed to by
12 the parties to such memorandum.

13 “(2) TIMING OF MEMORANDA.—Each Head
14 Start agency shall enter into a memorandum of un-
15 derstanding under paragraph (1) not later than 1
16 year after the effective date of this section.

17 “(3) SECRETARIAL REVIEW.—Each memo-
18 randum of understanding entered into under para-
19 graph (1) shall be submitted to the Secretary not
20 later than 30 days after entering into such memo-
21 randum.

22 “(A) If a Head Start agency is unable to
23 comply with the requirement in paragraph (1)
24 the Head Start agency shall notify the Sec-
25 retary and the chief executive officer of the

1 State not later than 30 days after determining
2 that they are unable to enter into such memo-
3 randum. The Secretary, in cooperation with the
4 State Early Learning Council and the State Di-
5 rector of Head Start Collaboration, shall evalu-
6 ate the causes of failure to enter into a memo-
7 randum of understanding under paragraph (1).
8 With the assistance of the State Early Learning
9 Council and the State Director of Head Start
10 Collaboration, all parties shall again attempt to
11 enter into a memorandum of understanding
12 under paragraph (1). Then if no such memo-
13 randum of understanding is entered into, the
14 Secretary shall make 1 of the following deter-
15 minations:

16 “(i) The local educational agency,
17 local council, or other appropriate entity is
18 unable or unwilling to enter into such a
19 memorandum despite reasonable efforts on
20 the part of the Head Start agency.

21 “(ii) The Head Start agency has not
22 engaged in reasonable efforts to success-
23 fully negotiate and enter into a memo-
24 randum of understanding pursuant to
25 paragraph (1).

1 “(iii) There is an absence of publicly
2 funded prekindergarten in the service area
3 of the Head Start agency.

4 “(B) If the Secretary determines the Head
5 Start agency is not making reasonable efforts
6 to enter into a memorandum of understanding
7 pursuant to paragraph (1), the Head Start
8 agency shall be found to be noncompliant with
9 program performance standards.

10 “(C) If the Secretary concludes that the
11 local educational agency, local council, or other
12 appropriate entity is not making reasonable ef-
13 forts to reach such a memorandum of under-
14 standing, the Head Start agency shall not be
15 found out of compliance with paragraph (1).

16 “(4) REVISION OF MEMORANDA.—Each memo-
17 randum of understanding shall be revised and re-
18 newed annually by the parties to such memorandum,
19 in alignment with the beginning of the school year.

20 “(5) ABSENCE OF PREKINDERGARTEN.—In the
21 absence of publicly funded prekindergarten in the
22 service area of a Head Start agency, the Head Start
23 agency shall submit notice to the Secretary and the
24 chief executive officer of the State and shall work
25 with the State Early Learning Council and the State

1 Director of Head Start Collaboration to improve co-
2 ordination in their service area.

3 “(b) STATE EARLY LEARNING COUNCILS.—From
4 the amounts reserved under section 640(a)(2)(C)(iii), the
5 Secretary shall award, upon submission of a written re-
6 quest and pursuant to the requirements of paragraph (2),
7 an early learning collaboration grant to each State for the
8 purposes of supporting a State Early Learning Council re-
9 sponsible for advancing the development of a coordinated
10 early childhood services delivery system in the State. A
11 State that receives a grant under this subparagraph
12 shall—

13 “(1) establish a State Early Learning Council,
14 which shall include—

15 “(A) the State Director of Head Start Col-
16 laboration;

17 “(B) representatives from the State pre-
18 school programs;

19 “(C) representatives of local educational
20 agencies;

21 “(D) the State official who oversees child
22 care programs;

23 “(E) the State official who oversees section
24 619 and part C of the Individuals with Disabil-

1 ities Education Act (20 U.S.C. 1419, 1431 et
2 seq.);

3 “(F) the State official who oversees the
4 State educational agency;

5 “(G) representatives from Head Start
6 agencies located in the State, including migrant
7 and seasonal Head Start programs and Indian
8 Head Start programs;

9 “(H) representatives of local child care
10 programs or organizations; and

11 “(I) a representative of the State agency
12 responsible for health and mental health care;

13 except that the chief executive officer of the State
14 may designate an existing entity to serve as the
15 Early Learning Council if such entity includes rep-
16 resentatives described in this paragraph;

17 “(2) ensure that allotted funds distributed to a
18 State for a fiscal year to carry out this subsection
19 may be used by the State to pay not more than 50
20 percent of the cost of carrying out this subsection;

21 “(3) direct the early learning council to improve
22 the coordination and quality of early childhood serv-
23 ices within the State, including—

24 “(A) to increase coordination and collabo-
25 ration among State preschool, Head Start pro-

1 grams, child care programs, early childhood
2 special education, and other early childhood
3 programs, including in the areas of outcomes
4 and standards, technical assistance, coordina-
5 tion of services, cross-sector professional devel-
6 opment and training, community outreach, com-
7 munication, and better serving the needs of
8 working families through provision of full-day
9 and full-year early education services;

10 “(B) to work with State agencies respon-
11 sible for education, child care, and early inter-
12 vention to provide leadership and assistance to
13 local Head Start programs, local education
14 agencies, and State and locally funded pre-
15 school and child care programs to increase inte-
16 gration among early childhood programs
17 through adoption of local memoranda of under-
18 standing described in subparagraph (A) and
19 other means;

20 “(C) to work with State agencies respon-
21 sible for education, child care, and early inter-
22 vention to provide leadership and assistance to
23 develop developmentally appropriate standards
24 for children birth through the early elementary

1 grades to effect a smooth transition to and suc-
2 cess in the early elementary grades;

3 “(D) to develop or conduct periodic State-
4 wide needs assessments concerning early care
5 and education programs for children from birth
6 to school entry;

7 “(E) to work to identify and address bar-
8 riers to and opportunities for integration be-
9 tween entities carrying out Federal and State
10 child development, child care, and early child-
11 hood education programs;

12 “(F) to develop recommendations regard-
13 ing means of establishing a unified data collec-
14 tion system for early care and education pro-
15 grams operating throughout the State;

16 “(G) to address coordination of early
17 learning programs with health care (including
18 mental and behavioral health care), welfare,
19 family literacy and services for homeless chil-
20 dren;

21 “(H) to support a State system of early
22 childhood education, and training and technical
23 assistance that improves the quality of early
24 learning programs and the capacity of such pro-

1 grams to deliver services pursuant to section
2 648(b);

3 “(I) to develop a plan for increasing the
4 participation of children underrepresented in
5 State early childhood education and child care
6 programs, including Head Start, State pre-
7 school programs, and programs carried out
8 under the Child Care and Development Block
9 Grant Act of 1990 (42 U.S.C. 9858 et seq.);

10 “(J) developing a Statewide professional
11 development and career ladder plan for early
12 care and education in the State; and

13 “(K) assisting 2- and 4-year public and
14 private institutions of higher education to de-
15 velop articulation agreements concerning de-
16 grees in early childhood and related fields.

17 “(4) Nothing in this subsection shall be con-
18 strued to provide the Early Learning Council with
19 authority to modify, supersede, or affect the oper-
20 ation of this subchapter.

21 “(5) Funds made available under this section
22 shall be used to supplement, and not supplant, other
23 Federal, State, and local funds that would otherwise
24 be expended to carry out the purposes of this sec-
25 tion.”.

1 **SEC. 11. ADMINISTRATIVE REQUIREMENTS AND STAND-**
2 **ARDS.**

3 Section 644 of the Head Start Act (42 U.S.C. 9839)
4 is amended—

5 (1) by amending subsection (a) to read as fol-
6 lows:

7 “(a) IN GENERAL.—

8 “(1) STANDARDS.—Each Head Start agency
9 shall observe standards of organization, manage-
10 ment, and administration which will ensure, so far
11 as reasonably possible, that all program activities
12 are conducted in a manner consistent with the pur-
13 poses of this subchapter and the objective of pro-
14 viding assistance effectively, efficiently, and free of
15 any taint of partisan political bias or personal or
16 family favoritism. Each such agency shall establish
17 or adopt rules to carry out this section, which shall
18 include rules to assure full staff accountability in
19 matters governed by law, regulations, or agency pol-
20 icy. Each agency shall also provide for reasonable
21 public access to information, including public hear-
22 ings at the request of appropriate community groups
23 and reasonable public access to books and records of
24 the agency or other agencies engaged in program ac-
25 tivities or operations involving the use of authority
26 or funds for which it is responsible.

1 “(2) ANNUAL REPORT.—Each Head Start
2 agency shall make available to the public a report
3 published at least once in each fiscal year that dis-
4 closes the following information from the then most
5 recently concluded fiscal year, except that reporting
6 such information shall not reveal personally identifi-
7 able information about an individual child or parent:

8 “(A) The total amount of public and pri-
9 vate funds received and the amount from each
10 source.

11 “(B) An explanation of budgetary expendi-
12 tures and proposed budget for the following fis-
13 cal year.

14 “(C) The total number of children and
15 families served and percent of average monthly
16 enrollment, including the percent of eligible
17 children served.

18 “(D) The results of the most recent review
19 by the Secretary and the financial audit.

20 “(E) The percentage of enrolled children
21 that received medical and dental exams.

22 “(F) Information about parent involvement
23 activities.

24 “(G) The agency’s efforts to prepare chil-
25 dren for kindergarten.

1 “(H) Any other information required by
2 the Secretary.

3 “(3) PROCEDURAL CONDUCT.—Each such
4 agency shall adopt for itself and other agencies
5 using funds or exercising authority for which it is
6 responsible, rules designed to—

7 “(A) establish specific standards governing
8 salaries, salary increases, travel and per diem
9 allowances, and other employee benefits;

10 “(B) assure that only persons capable of
11 discharging their duties with competence and
12 integrity are employed and that employees are
13 promoted or advanced under impartial proce-
14 dures calculated to improve agency performance
15 and effectiveness;

16 “(C) guard against personal or financial
17 conflicts of interest; and

18 “(D) define employee duties in an appro-
19 priate manner which will in any case preclude
20 employees from participating, in connection
21 with the performance of their duties, in any
22 form of picketing, protest, or other direct action
23 which is in violation of law.”, and

24 (2) by amending subsection (f) to read as fol-
25 lows:

1 “(f) FACILITIES.—

2 “(1) The Secretary shall establish uniform pro-
3 cedures for Head Start agencies to request approval
4 to purchase facilities, or to request approval of the
5 purchase (after December 31, 1986) of facilities, to
6 be used to carry out Head Start programs. The Sec-
7 retary shall suspend any proceedings pending
8 against any Head Start agency to claim costs in-
9 curred in purchasing such facilities until the agency
10 has been afforded an opportunity to apply for ap-
11 proval of the purchase and the Secretary has deter-
12 mined whether the purchase will be approved. The
13 Secretary shall not be required to repay claims pre-
14 viously satisfied by Head Start agencies for costs in-
15 curred in the purchase of such facilities.

16 “(2) Financial assistance provided under this
17 subchapter may not be used by a Head Start agency
18 to purchase a facility (including paying the cost of
19 amortizing the principal and paying interest on
20 loans) to be used to carry out a Head Start program
21 unless the Secretary approves a request that is sub-
22 mitted by such agency and contains—

23 “(A) a description of the consultation con-
24 ducted by the Head Start agency with the pro-
25 viders in the community demonstrating capacity

1 and capability to provide services under this
2 subchapter, and of the potential for collabora-
3 tion with such providers and the cost effective-
4 ness of such collaboration as opposed to the
5 cost effectiveness of the purchase of a facility;

6 “(B) a description of the site of the facility
7 proposed to be purchased or that was previously
8 purchased;

9 “(C) the plans and specifications of such
10 facility;

11 “(D) information demonstrating that—

12 “(i) the proposed purchase will result,
13 or the previous purchase has resulted, in
14 savings when compared to the costs that
15 would be incurred to acquire the use of an
16 alternative facility to carry out such pro-
17 gram; or

18 “(ii) the lack of alternative facilities
19 will prevent, or would have prevented, the
20 operation of such program;

21 “(E) in the case of a request regarding a
22 previously purchased facility, information dem-
23 onstrating that the facility will be used prin-
24 cipally as a Head Start center, or a direct sup-
25 port facility for a Head Start program; and

1 “(F) such other information and assur-
2 ances as the Secretary may require.

3 “(3) Upon a determination by the Secretary
4 that suitable facilities are not otherwise available to
5 Indian tribes to carry out Head Start programs, and
6 that the lack of suitable facilities will inhibit the op-
7 eration of such programs, the Secretary may author-
8 ize the use of financial assistance, from the amount
9 reserved under section 640(a)(2)(A), to make pay-
10 ments for the purchase of facilities owned by such
11 tribes. The amount of such a payment for such a fa-
12 cility shall not exceed the fair market value of the
13 facility.”.

14 **SEC. 12. PARTICIPATION IN HEAD START PROGRAMS.**

15 Section 645 of the Head Start Act (42 U.S.C. 9840)
16 is amended—

17 (1) in subsection (a)—

18 (A) by amending paragraph (1)(B)(i) to
19 read as follows:

20 “(i) programs assisted under this sub-
21 chapter may include, to a reasonable ex-
22 tent, participation of children in the area
23 served who would benefit from such pro-
24 grams, including children referred by child
25 welfare services, but whose families do not

1 meet the low-income criteria prescribed
2 pursuant to subparagraph (A) (A homeless
3 child shall be deemed to meet the low-in-
4 come criteria.); and”, and
5 (B) by adding at the end the following:

6 “(3) The amount of a basic allowance provided under
7 section 403 of title 37, United States Code, on behalf of
8 an individual who is a member of the uniformed services
9 for housing that is acquired or constructed under the au-
10 thority of subchapter IV of chapter 169 of title 10, United
11 States Code, or any other related provision of law, shall
12 not be considered to be income for purposes of deter-
13 mining the eligibility of a child of the individual for pro-
14 grams assisted under this subchapter.

15 “(4)(A) Upon written request and pursuant to the
16 requirements of this paragraph, a Head Start agency may
17 use funds under section 640(a) to serve infants and tod-
18 dlers if the agency submits an application to the Secretary
19 containing the following information, as specified in rules
20 issued by the Secretary—

21 “(i) the amount of funds under section 640(a)
22 that are proposed to be used in accordance with sec-
23 tion 645A(b);

1 “(ii) a community-wide needs assessment dem-
2 onstrating how the use of such funds would best
3 meet the needs of the community;

4 “(iii) a description of how the needs of preg-
5 nant women, and of infants and toddlers, will be ad-
6 dressed in accordance with section 645A(b), and
7 with regulations prescribed by the Secretary pursu-
8 ant to section 641A in areas including the agency’s
9 approach to child development and provision of
10 health services, approach to family and community
11 partnerships, and approach to program design and
12 management;

13 “(iv) a description of how the needs of eligible
14 Head Start children will be met in the community;

15 “(v) assurances that the agency will participate
16 in technical assistance activities (including a plan-
17 ning period, start-up site visits, and national train-
18 ing activities) in the same manner as recipients of
19 grants under section 645A; and

20 “(vi) evidence that the agency meets the same
21 eligibility criteria as recipients of grants under sec-
22 tion 645A.

23 “(B) An application that satisfies the requirements
24 specified in subparagraph (A) shall be approved by the
25 Secretary unless the Secretary finds that—

1 “(i) the agency lacks adequate capacity and ca-
2 pability to carry out an effective Early Head Start
3 program; or

4 “(ii) the information provided under subpara-
5 graph (A) is inadequate.

6 “(C) Any Head Start agency approved under sub-
7 paragraph (B) shall be considered to be an entity that re-
8 ceives assistance under section 645A, and such funds
9 under (i) shall be subject to the same rules, regulations,
10 and conditions as apply to recipients of grants under sec-
11 tion 645A.

12 “(5)(A) Upon written request and pursuant to the
13 requirements of this paragraph, a Head Start agency may
14 consider children from low-income families to be eligible
15 for participation in programs assisted under this sub-
16 chapter if their family income is at or above the poverty
17 line but below 130 percent of the poverty line, if the agen-
18 cy submits an application to the Secretary containing the
19 following information, as specified in rules issued by the
20 Secretary—

21 “(i) a description of how the needs of eligible
22 Head Start children, as described in paragraph
23 (1)(A) are being adequately met in the agency’s
24 service area;

1 “(ii) a description of outreach efforts to the
2 community to reach full enrollment under the eligi-
3 bility guidelines under paragraph (1), including
4 using outreach efforts that are linguistically and cul-
5 turally appropriate;

6 “(iii) assurance that the agency will prioritize
7 serving children currently eligible under the guide-
8 lines under paragraph (1); and

9 “(iv) a description of why increasing the num-
10 ber of infants and toddlers being served, as de-
11 scribed in paragraph (4), is not appropriate based
12 upon the communitywide needs assessment or the
13 agency’s capability.

14 “(B) In approving such applications, the Secretary
15 shall take into account the—

16 “(i) cost of living for families living in the area
17 served by the Head Start agency;

18 “(ii) the efforts the Head Start agency has un-
19 dertaken to be fully enrolled under the eligibility cri-
20 teria in paragraph (1); and

21 “(iii) the policies and procedures the Head
22 Start agency will implement to ensure that children
23 currently eligible under the criteria described under
24 paragraph (1) will be prioritized.

1 “(C) No more than 20 percent of children served by
2 such Head Start agency may be from families above the
3 poverty line.”,

4 (2) in subsection (c) by striking “(age 3 to
5 compulsory school attendance)”, and

6 (3) in subsection (d) by adding at the end the
7 following:

8 “(4) Notwithstanding any other provision of this Act,
9 an Indian tribe that operates both a Head Start program
10 and an Early Head Start program under section 645A
11 may, at its discretion, at any time during the grant period
12 involved, reallocate funds between the Head Start pro-
13 gram and the Early Head Start program in order to ad-
14 dress fluctuations in client population, including pregnant
15 women and children birth to compulsory school age. The
16 reallocation of such funds between programs by an Indian
17 tribe shall not serve as the basis for the Secretary to re-
18 duce a base grant (as defined in section 641A(g)(1)) for
19 either program in succeeding years.”.

20 **SEC. 13. EARLY HEAD START PROGRAMS.**

21 Section 645A of the Head Start Act (42 U.S.C.
22 9840a) is amended to read as follows:

1 **“SEC. 645A. EARLY HEAD START PROGRAMS FOR FAMILIES**
2 **WITH CHILDREN UNDER 3 YEARS OF AGE.**

3 “(a) IN GENERAL.—The Secretary shall make
4 grants, in accordance with this section for programs (to
5 be known as ‘Early Head Start programs’) that provide
6 family-centered services for low-income families with very
7 young children designed to promote the development of the
8 children, and to enable their parents to fulfill their roles
9 as parents and to move toward self-sufficiency. Faith-
10 based and community-based organizations continue to be
11 eligible, on the same basis as other organizations, to par-
12 ticipate in any program under this section for which they
13 are otherwise eligible.

14 “(b) SCOPE AND DESIGN OF PROGRAMS.—In car-
15 rying out a program described in subsection (a), an entity
16 receiving assistance under this section shall—

17 “(1) provide, either directly or through referral,
18 early, continuous, intensive, and comprehensive child
19 development and family support services that will
20 enhance the physical, social, emotional, and intellec-
21 tual development of participating children;

22 “(2) ensure that the level of services provided
23 to families responds to their needs and cir-
24 cumstances;

25 “(3) promote positive parent-child interactions;

1 “(4) provide services to parents to support their
2 role as parents (including parenting skills training
3 and training in basic child development) and to help
4 the families move toward self-sufficiency (including
5 educational and employment services as appro-
6 priate);

7 “(5) coordinate services with services provided
8 by programs in the State (including home-based
9 services) and programs in the community (including
10 programs for infants and toddlers with disabilities
11 and programs for homeless infants and toddlers) to
12 ensure a comprehensive array of services (such as
13 health and mental health services and family support
14 services);

15 “(6) ensure formal linkages with local Head
16 Start programs in order to provide for continuity of
17 services for children and families;

18 “(7) in the case of a Head Start agency that
19 operates a program and that also provides Head
20 Start services through the age of mandatory school
21 attendance, ensure that children and families partici-
22 pating in the program receive such services through
23 such age;

24 “(8) ensure formal linkages with the agencies
25 and entities described in section 644(b) of the Indi-

1 individuals with Disabilities Education Act (20 U.S.C.
2 1444(b)) and providers of early intervention services
3 for infants and toddlers with disabilities under the
4 Individuals with Disabilities Education Act (20
5 U.S.C. 1400 et seq.) and the agency responsible for
6 administering section 106 of the Child Abuse Pre-
7 vention and Treatment Act (42 U.S.C. 5106a);

8 “(9) develop and implement a systematic proce-
9 dure for transitioning children and parents from an
10 Early Head Start program under this section into a
11 Head Start program or other local early childhood
12 education program;

13 “(10) establish channels of communication be-
14 tween staff of Early Head Start programs under
15 this section and staff of Head Start programs or
16 other local early childhood education programs, to
17 facilitate the coordination of programs; and

18 “(11) meet such other requirements concerning
19 design and operation of the program described in
20 subsection (a) as the Secretary may establish.

21 “(c) PERSONS ELIGIBLE TO PARTICIPATE.—Persons
22 who may participate in programs described in subsection
23 (a) include—

24 “(1) pregnant women; and

25 “(2) families with children under age 3;

1 who meet the income criteria specified for families in sec-
2 tion 645(a)(1).

3 “(d) ELIGIBLE SERVICE PROVIDERS.—To be eligible
4 to receive assistance under this section, an entity shall
5 submit an application to the Secretary at such time, in
6 such manner, and containing such information as the Sec-
7 retary may require. Entities that may apply to carry out
8 activities under this section include—

9 “(1) entities operating Head Start programs
10 under this subpart;

11 “(2) Indian Head Start programs; and

12 “(3) other public entities, and nonprofit or for-
13 profit private entities, including community-based
14 and faith-based organizations, capable of providing
15 child and family services that meet the standards for
16 participation in programs under this subchapter and
17 meet such other appropriate requirements relating to
18 the activities under this section as the Secretary may
19 establish.

20 “(e) SELECTION OF GRANT RECIPIENTS.—From the
21 portion specified in section 640(a)(6), the Secretary shall
22 award grants under this subsection on a competitive basis
23 to applicants meeting the criteria specified in subsection
24 (d) (giving priority to entities with a record of providing

1 early, continuous, and comprehensive childhood develop-
2 ment and family services).

3 “(f) DISTRIBUTION.—In awarding grants to eligible
4 applicants under this section, the Secretary shall—

5 “(1) ensure an equitable national geographic
6 distribution of the grants; and

7 “(2) award grants to applicants proposing to
8 serve communities in rural areas and to applicants
9 proposing to serve communities in urban areas.

10 “(g) MONITORING, TRAINING, TECHNICAL ASSIST-
11 ANCE, AND EVALUATION.—

12 “(1) REQUIREMENT.—To ensure the successful
13 operation of programs assisted under this section,
14 the Secretary shall use funds from the portion speci-
15 fied in section 640(a)(6) to monitor the operation of
16 such programs, evaluate their effectiveness, and pro-
17 vide training and technical assistance tailored to the
18 particular needs of such programs.

19 “(2) TRAINING AND TECHNICAL ASSISTANCE
20 ACCOUNT.—

21 “(A) IN GENERAL.—Of the amount made
22 available to carry out this section for any fiscal
23 year, not less than 5 percent, and not more
24 than 10 percent, shall be reserved to fund a
25 training and technical assistance account. In

1 determining the amount so reserved, the Sec-
2 retary shall consider the number of new pro-
3 grams serving pregnant women, infants, tod-
4 dlers, and their families, recognizing their need
5 for more intensive training and technical assist-
6 ance services during program expansion.

7 “(B) ACTIVITIES.—Of the funds in the ac-
8 count described in subparagraph (A)—

9 “(i) not less than 50 percent shall be
10 available to local entities that carry out
11 Early Head Start programs for training
12 and technical assistance activities in order
13 to make program improvements identified
14 by such entities;

15 “(ii) not less than 30 percent shall be
16 available to the Secretary to support a
17 State-based system of early childhood edu-
18 cation training and technical assistance to
19 local entities that carry out Early Head
20 Start programs that shall meet the re-
21 quirements of subparagraph (C), including
22 the creation, management, and support of
23 a national network of the State-based in-
24 fant-toddler specialists specified in such
25 subparagraph; and

1 “(iii) the remainder of such amount
2 shall be available to the Secretary to assist
3 local entities that carry out Early Head
4 Start programs in meeting and exceeding
5 the standards described in section
6 641A(a)(1), including—

7 “(I) making grants to, and enter-
8 ing into contracts with, organizations
9 with specialized expertise relating to
10 infants, toddlers, and families and the
11 capacity needed to provide direction
12 and support to a national training
13 and technical assistance system, in
14 order to provide such direction and
15 support;

16 “(II) providing ongoing training
17 and technical assistance on Early
18 Head Start program development and
19 improvement for regional staff
20 charged with monitoring and over-
21 seeing the administration of the pro-
22 gram carried out under this section;

23 “(III) developing training and
24 technical assistance materials and re-
25 sources to support program develop-

1 ment and improvement and best prac-
2 tices in providing services to children
3 and families served by Early Head
4 Start programs;

5 “(IV) creating special training
6 and technical assistance initiatives
7 targeted to serving high risk popu-
8 lations, such as children in the child
9 welfare system and homeless children;

10 “(V) providing ongoing training
11 and technical assistance to Early
12 Head Start grantees, and support and
13 program planning and implementation
14 assistance for new recipients of such
15 grants, including the conversion of
16 Head Start grants to Early Head
17 Start grants; and

18 “(VI) providing professional de-
19 velopment designed to increase pro-
20 gram participation for underserved
21 populations of eligible children.

22 “(C) CONTRACTS.—For the purposes of
23 delivering a State-based training and technical
24 assistance system, as described in subparagraph
25 (B)(ii), that will meet the needs of local grant-

1 ees and provide high quality, sustained, and in-
2 tensive training and technical assistance on pro-
3 gramming for infants and toddlers to Early
4 Head Start programs and in order to help such
5 programs meet or exceed the program perform-
6 ance standards described in section 641A(a)(1),
7 the Secretary shall—

8 “(i) enter into contracts in each State
9 with 1 or more entities that have a dem-
10 onstrated expertise in supporting the deliv-
11 ery of high quality programs for pregnant
12 women and children less than 3 years of
13 age, except that bi-State or multi-State
14 contracts may be entered into if the demo-
15 graphics of proximal States make such a
16 system more appropriate;

17 “(ii) ensure that contracts awarded
18 under clause (I) are in an amount suffi-
19 cient to provide for each state a minimum
20 of one full-time specialist with expertise in
21 the development of children under age
22 three and programming for pregnant
23 women and such children;

24 “(iii) to the maximum extent prac-
25 ticable, ensure that the contracts awarded

1 Under clause (I) and the services provided
2 therein are integrated with and augment
3 the contract or contracts awarded and
4 services provided under section 648 (n);
5 and

6 “(iv) ensure that the entities de-
7 scribed in clause (I) determine the types of
8 services to be provided through consulta-
9 tion with—

10 “(I) local entities that carry out
11 Early Head Start programs;

12 “(II) the State Head Start col-
13 laboration office; and

14 “(III) the State Head Start As-
15 sociation.

16 “(h) CENTER-BASED STAFF.—The Secretary shall
17 ensure that, not later than September 30, 2009, all teach-
18 ers providing direct services to children and families par-
19 ticipating in early Head Start programs located in early
20 Head Start centers have a minimum of a child develop-
21 ment associate credential, and have been trained (or have
22 equivalent course work) in early childhood development.

23 “(i) STAFF QUALIFICATIONS AND DEVELOPMENT.—

24 “(1) HOME VISITOR STAFF STANDARDS.—In
25 order to further enhance the quality of home visiting

1 services provided to families of children participating
2 in home-based, center-based, or combination pro-
3 gram options under this subchapter, the Secretary
4 shall establish standards for training, qualifications,
5 and the conduct of home visits for home visitor staff
6 in Early Head Start programs.

7 “(2) CONTENTS OF STANDARDS.—The stand-
8 ards for training, qualifications, and the conduct of
9 home visits shall include content related to—

10 “(A) structured child-focused home visiting
11 that promotes parents’ ability to support the
12 child’s cognitive, social, emotional, and physical
13 development;

14 “(B) effective strengths-based parent edu-
15 cation, including methods to encourage parents
16 as their child’s first teachers;

17 “(C) early childhood development with re-
18 spect to children from birth through age 3;

19 “(D) methods to help parents promote
20 emergent literacy in their children from birth
21 through age 3;

22 “(E) ascertaining what health and develop-
23 mental services the family receives and working
24 with these providers to eliminate gaps in service
25 by offering annual health, vision, hearing, and

1 developmental screening for children from birth
2 to entry into kindergarten, when needed;

3 “(F) strategies for helping families coping
4 with crisis; and

5 “(G) the relationship of health and well-
6 being of pregnant women to prenatal and early
7 child development.”.

8 **SEC. 14. PARENTAL CONSENT REQUIREMENT FOR HEALTH**
9 **CARE SERVICES.**

10 The Head Start Act (42 U.S.C. 9831) is amended
11 by inserting after section 645A the following:

12 **“SEC. 645B. PARENTAL CONSENT REQUIREMENT FOR**
13 **HEALTH CARE SERVICES.**

14 “(a) DEFINITIONS.—For purposes of this section:

15 “(1) The term ‘health care service’ includes—

16 “(A) any nonemergency intrusive physical
17 examination; and

18 “(B) any screening, including but not lim-
19 ited to, a medical, dental, developmental, men-
20 tal health, social, or behavioral screening.

21 “(2) The term ‘nonemergency intrusive physical
22 examination’ means, with respect to a child, a phys-
23 ical examination that—

1 “(A) is not immediately necessary to pro-
2 tect the health or safety of such child, or the
3 health or safety of another individual; and

4 “(B) includes incision or is otherwise
5 invasive, or includes exposure of private body
6 parts.

7 “(b) REQUIREMENT.—Before administering any
8 health care service to a child (or referring a child to obtain
9 such service) in connection with participation in a program
10 under this subchapter, a Head Start agency and an entity
11 that receives assistance under section 645A shall obtain
12 the written consent of a parent of such child indicating
13 consent for each specific health care service to be per-
14 formed.

15 “(c) RULE OF CONSTRUCTION.—

16 “(1) Nothing in this section shall be construed
17 to prohibit a Head Start agency or an entity that re-
18 ceives assistance under section 645A from using es-
19 tablished methods for handling cases of suspected or
20 known child abuse and neglect, that are in compli-
21 ance with applicable Federal, State, or tribal law.

22 “(2) Nothing in this subchapter shall be con-
23 strued to permit a Head Start agency, an entity that
24 receives assistance under section 645A, or the per-
25 sonnel of such agency or entity to administer any

1 health care service to a child (or to refer a child to
2 obtain such service) without the informed written
3 consent of a parent of such child indicating consent
4 for each specific health care service to be performed.

5 “(3) Nothing in this section shall be construed
6 to require a Head Start agency or an entity that re-
7 ceives assistance under section 645A to provide sep-
8 arate consent forms for each specific health care
9 service.”.

10 **SEC. 15. APPEALS, NOTICE, AND HEARING.**

11 Section 646(a)(3) of the Head Start Act (42 U.S.C.
12 9841(a)(3)) is amended to read as follows:

13 “(3) if financial assistance under this sub-
14 chapter is terminated or reduced, an application for
15 a noncompeting continuation award is denied based
16 on a previous failure to comply with terms applicable
17 to financial assistance previously provided under this
18 subchapter, or suspension of financial assistance is
19 continued for more than 30 days, the recipient with
20 respect to whom such action is taken shall have the
21 opportunity to appeal such action in accordance with
22 such procedures, except that no funds made avail-
23 able under this subchapter may be used to reimburse
24 any such recipient for legal fees and other costs in-
25 curred in pursuing such an appeal; and”.

1 **SEC. 16. RECORDS AND AUDITS.**

2 Section 647 of the Head Start Act (42 U.S.C. 9842)
3 is amended by adding at the end the following:

4 “(c) Each recipient of financial assistance under this
5 subchapter shall—

6 “(1) maintain, and annually submit to the Sec-
7 retary, a complete accounting of its administrative
8 expenses (including a detailed statement identifying
9 the amount of financial assistance provided under
10 this subchapter used to pay expenses for salaries
11 and compensation and the amount (if any) of other
12 funds used to pay such expenses);

13 “(2) within 30 days after the completion of an
14 audit conducted in the manner and to the extent
15 provided in chapter 75 of title 31, United States
16 Code (commonly known as the ‘Single Audit Act
17 Amendments of 1996’), submit to the Secretary a
18 copy of the audit management letter and of any
19 audit findings as it relates to the Head Start pro-
20 gram; and

21 “(3) provide such additional documentation as
22 the Secretary may require.”.

23 **SEC. 17. TECHNICAL ASSISTANCE AND TRAINING.**

24 Section 648 of the Head Start Act (42 U.S.C. 9843)
25 is amended to read as follows:

1 **“SEC. 648. TECHNICAL ASSISTANCE AND TRAINING.**

2 “(a) The Secretary shall provide, directly or through
3 grants or other arrangements—

4 “(1) technical assistance to communities in de-
5 veloping, conducting, and administering programs
6 under this subchapter; and

7 “(2) training for specialized or other personnel
8 needed in connection with Head Start programs, in
9 accordance with the process, and the provisions for
10 allocating resources, set forth in subsections (b) and
11 (c).

12 “(b) The process for determining the technical assist-
13 ance and training activities to be carried out under this
14 section shall—

15 “(1) ensure that the needs of local Head Start
16 agencies and programs relating to improving pro-
17 gram quality and to program expansion are ad-
18 dressed to the maximum extent feasible;

19 “(2) incorporate mechanisms to ensure respon-
20 siveness to local needs, including an ongoing proce-
21 dure for obtaining input from the individuals and
22 agencies carrying out Head Start programs; and

23 “(3) ensure the provision of technical assistance
24 to assist Head Start agencies, entities carrying out
25 other child care and early childhood programs, com-
26 munities, and States in collaborative efforts to pro-

1 vide quality full-working-day, full calendar year serv-
2 ices, including technical assistance related to identi-
3 fying and assisting in resolving barriers to collabora-
4 tion.

5 “(c) In allocating resources for technical assistance
6 and training under this section, the Secretary shall—

7 “(1) give priority consideration to—

8 “(A) activities to correct program and
9 management deficiencies identified through re-
10 views carried out pursuant to section 641A(c)
11 (including the provision of assistance to local
12 programs in the development of quality im-
13 provement plans under section 641A(d)(2));
14 and

15 “(B) assisting Head Start agencies in—

16 “(i) ensuring the school readiness of
17 children; and

18 “(ii) meeting the educational perform-
19 ance measures described in section
20 641A(b)(4);

21 “(2) supplement amounts provided under sec-
22 tion 640(a)(3)(C)(ii) in order to address the training
23 and career development needs of classroom staff (in-
24 cluding instruction for providing services to children
25 with disabilities), and nonclassroom staff, including

1 home visitors and other staff working directly with
2 families, including training relating to increasing
3 parent involvement and services designed to increase
4 family literacy and improve parenting skills;

5 “(3) assist Head Start agencies in the develop-
6 ment of collaborative initiatives with States and
7 other entities within the States, to foster effective
8 early childhood professional development systems;

9 “(4) provide technical assistance and training,
10 either directly or through a grant, contract, or coop-
11 erative agreement with an entity that has experience
12 in the development and operation of successful fam-
13 ily literacy services programs, for the purpose of—

14 “(A) assisting Head Start agencies pro-
15 viding family literacy services, in order to im-
16 prove the quality of such family literacy serv-
17 ices; and

18 “(B) enabling those Head Start agencies
19 that demonstrate effective provision of family
20 literacy services, based on improved outcomes
21 for children and their parents, to provide tech-
22 nical assistance and training to other Head
23 Start agencies and to service providers that
24 work in collaboration with such agencies to pro-
25 vide family literacy services;

1 “(5) assist Head Start agencies and programs
2 in conducting and participating in community-wide
3 strategic planning and needs assessment, including
4 the needs of homeless children and their families;

5 “(6) assist Head Start agencies and programs
6 in developing and implementing full-working-day and
7 full-calendar-year programs where community need
8 is clearly identified and making the transition to
9 such programs, with particular attention to involving
10 parents and programming for children throughout
11 the day, and assist the agencies and programs in ex-
12 pediting the sharing of information about innovative
13 models for providing full-working-day, full calendar
14 year services for children;

15 “(7) assist Head Start agencies in better serv-
16 ing the needs of families with very young children;

17 “(8) assist Head Start agencies and programs
18 in the development of sound management practices,
19 including financial management procedures;

20 “(9) assist in efforts to secure and maintain
21 adequate facilities for Head Start programs;

22 “(10) assist Head Start agencies in developing
23 innovative program models, including mobile and
24 home-based programs;

1 “(11) provide support for Head Start agencies
2 (including policy councils and policy committees)
3 that meet the standards described in section
4 641A(a) but that have, as documented by the Sec-
5 retary through reviews conducted pursuant to sec-
6 tion 641A(c), significant programmatic, quality, and
7 fiscal issues to address;

8 “(12) assist Head Start agencies and programs
9 in increasing program participation of homeless chil-
10 dren;

11 “(13) assist Head Start agencies and Head
12 Start programs in improving outreach to, and the
13 quality of services available to, limited English pro-
14 ficient children and their families, particularly in
15 communities that have experienced a large percent-
16 age increase in the population of limited English
17 proficient individuals, as measured by the Bureau of
18 the Census;

19 “(14) assist Head Start agencies in developing
20 appropriate methods and approaches for identifying
21 and working with children and families experiencing
22 toxic stress;

23 “(15) assist programs in improving outreach to
24 serve additional children with disabilities, if such
25 program’s enrollment opportunities or funded enroll-

1 ment for children with disabilities is less than 10
2 percent;

3 “(16) provide assistance to address the unique
4 needs of programs located in rural communities, in-
5 cluding—

6 “(A) removing barriers related to the re-
7 cruitment and retention of Head Start teachers
8 in rural communities;

9 “(B) developing innovative and effective
10 models of professional development for improv-
11 ing staff qualifications and skills for staff living
12 in rural communities;

13 “(C) removing barriers related to outreach
14 efforts to eligible families in rural communities;

15 “(D) removing barriers to parent involve-
16 ment in Head Start programs in rural commu-
17 nities;

18 “(E) removing barriers to providing home
19 visiting services in rural communities; and

20 “(F) removing barriers to obtaining health
21 screenings for Head Start participants in rural
22 communities; and

23 “(17) assist Head Start agencies and programs
24 to increase the capacity of classroom staff to meet
25 the needs of eligible children in inclusive classrooms.

1 “(d) The Secretary may provide, either directly or
2 through grants to public or private nonprofit entities,
3 training for Head Start personnel in the use of the per-
4 forming and visual arts and interactive programs using
5 electronic media to enhance the learning experience of
6 Head Start children. Special consideration shall be given
7 to entities that have demonstrated effectiveness in edu-
8 cational programming for preschool children that includes
9 components for parental involvement, care provider train-
10 ing, and developmentally appropriate related activities.

11 “(e) The Secretary shall provide, either directly or
12 through grants or other arrangements, funds from pro-
13 grams authorized under this subchapter to support an or-
14 ganization to administer a centralized child development
15 and national assessment program leading to recognized
16 credentials for personnel working in early childhood devel-
17 opment and child care programs, training for personnel
18 providing services to limited English proficient children
19 (including services to promote the acquisition of the
20 English language), training for personnel providing serv-
21 ices to children determined to be abused or neglected,
22 training for personnel providing services to children re-
23 ferred by or receiving child welfare services, training for
24 personnel in helping children cope with community vio-
25 lence, resource access projects for personnel working with

1 disabled children, and training for appropriate personnel
2 to recognize common health, including mental health,
3 problems in children for appropriate referral.

4 “(f) The Secretary shall provide, either directly or
5 through grants, or other arrangements, funds for training
6 of Head Start personnel in addressing the unique needs
7 of migrant and seasonal working families, families with
8 1 or more children with disabilities, families with a limited
9 English proficiency, homeless families, and children and
10 families experiencing toxic stress.

11 “(g) More than 50 percent of funds expended under
12 this section shall be used to provide high quality, sus-
13 tained, intensive, and classroom-focused training and tech-
14 nical assistance in order to have a positive and lasting im-
15 pact on classroom instruction. Funds shall be used to
16 carry out activities related to any or all of the following:

17 “(1) Education and early childhood develop-
18 ment.

19 “(2) Child health, nutrition, and safety.

20 “(3) Family and community partnerships and
21 services.

22 “(4) Other areas that impact the quality or
23 overall effectiveness of Head Start programs.

24 “(h) The Secretary shall develop and implement a
25 program of outreach to recruit and train minority men

1 to become Head Start teachers in order to reflect the com-
2 munities in which Head Start children live and to increase
3 the provision of quality services and instruction to children
4 with diverse backgrounds.

5 “(i) Funds under this subchapter used for training
6 shall be used for needs identified annually by a grant ap-
7 plicant or delegate agency in their program improvement
8 plan, except that funds shall not be used for long-distance
9 travel expenses for training activities available locally or
10 regionally or for training activities substantially similar to
11 locally or regionally available training activities.

12 “(j) Funds made available under section
13 640(a)(2)(C)(i) shall be used by a Head Start agency for
14 any of the following:

15 “(1) Activities that ensure that Head Start pro-
16 grams meet or exceed the program performance
17 standards described in section 641A(a)(1).

18 “(2) Activities that ensure that Head Start pro-
19 grams have adequate numbers of trained, qualified
20 staff who have skills in working with children and
21 families, including children and families who are lim-
22 ited English proficient and children with disabilities.

23 “(3) Activities to pay expenses, including direct
24 training for expert consultants working with any

1 staff, to improve the management and implementa-
2 tion of Head Start services and systems.

3 “(4) Activities that help ensure that Head Start
4 programs have qualified staff who can promote lan-
5 guage skills and literacy growth of children and who
6 can provide children with a variety of skills that
7 have been identified as predictive of later reading
8 achievement, school success, and the skills, knowl-
9 edge, abilities, development, and progress described
10 in section 641A(a)(1)(B)(ii).

11 “(5) Activities to improve staff qualifications
12 and to assist with the implementation of career de-
13 velopment programs and to encourage the staff to
14 continually improve their skills and expertise, includ-
15 ing developing partnerships with programs that re-
16 cruit, train, place, and support college students in
17 Head Start centers to deliver an innovative early
18 learning program to preschool children.

19 “(6) Activities that help local programs ensure
20 that the arrangement, condition, and implementation
21 of the learning environments in Head Start pro-
22 grams are conducive to providing effective program
23 services to children and families.

24 “(7) Activities to provide training necessary to
25 improve the qualifications of Head Start staff and to

1 support staff training, child counseling, health serv-
2 ices, and other services necessary to address the
3 needs of children enrolled in Head Start programs,
4 including children from families in crises, children
5 who experience chronic violence or homelessness,
6 children who experience substance abuse in their
7 families, and children under 3 years of age, where
8 applicable.

9 “(8) Activities to provide classes or in-service-
10 type programs to improve or enhance parenting
11 skills, job skills, adult and family literacy, including
12 financial literacy, or training to become a classroom
13 aide or bus driver in a Head Start program.

14 “(9) Additional activities deemed appropriate to
15 the improvement of Head Start agencies’ programs,
16 as determined by the agencies’ technical assistance
17 and training plans.

18 “(10) Any other activities regarding the use of
19 funds as determined by the Secretary.

20 “(k) The Secretary shall—

21 “(1) work in collaboration with the Head Start
22 agencies that carry out Indian Head Start pro-
23 grams, the Indian Head Start collaboration director,
24 and other appropriate entities, including tribal gov-

1 ernments and the National Indian Head Start Di-
2 rectors Association—

3 “(A) to undertake a study or set of studies
4 designed to focus on the American Indian and
5 Alaska Native Head Start-eligible population,
6 with a focus on issues such as curriculum devel-
7 opment, availability and need for services, ap-
8 propriate research methodologies and measures
9 for these populations, and best practices for
10 teaching and educating American Indian and
11 Alaska Native Head Start Children;

12 “(B) to accurately determine the number
13 of children nationwide who are eligible to par-
14 ticipate in Indian Head Start programs each
15 year;

16 “(C) to document how many of these chil-
17 dren are receiving Head Start services each
18 year;

19 “(D) to the extent practicable, to ensure
20 that access to Indian Head Start programs for
21 eligible children is comparable to access to other
22 Head Start programs for other eligible children;
23 and

24 “(E) to make the funding decisions re-
25 quired in section 640(a)(2)(A)(iii), after com-

1 pletion of the studies required in that section,
2 taking into account:

3 “(i) the Federal government’s unique
4 trust responsibility to American Indians
5 and Alaska Natives;

6 “(ii) limitations faced by tribal com-
7 munities in accessing non-Federal sources
8 of funding to supplement Federal funding
9 for early childhood programs; and

10 “(iii) other factors that uniquely and
11 adversely impact children in American In-
12 dian and Alaska Native communities such
13 as highly elevated poverty, unemployment
14 and violent crime rates, as well as de-
15 pressed levels of educational achievement
16 and limited access to non-Federal health,
17 social and educational resources;

18 “(2) in carrying out paragraph (1), consult with
19 the Secretary of Education about the Department of
20 Education’s systems for collecting and reporting
21 data about, and maintaining records on, American
22 Indian and Alaska Native students;

23 “(3) not later than 9 months after the effective
24 date of this subsection, publish in the Federal Reg-
25 ister a notice of how the Secretary plans to carry out

1 paragraph (1) and shall provide a period for public
2 comment. To the extent practicable, the Secretary
3 shall consider comments received before submitting
4 a report to the Congress;

5 “(4) not later than 1 year after the effective
6 date of this subsection, submit a report to the Com-
7 mittee on Education and Labor of the House of
8 Representatives and the Committee on Health, Edu-
9 cation, Labor, and Pensions of the Senate, detailing
10 how the Department of Health and Human Services
11 plans to carry out paragraph (1);

12 “(5) through regulation, ensure the confiden-
13 tiality of any personally identifiable data, informa-
14 tion, and records collected or maintained by the Sec-
15 retary, by Head Start agencies that carry out Indian
16 Head Start programs, and by State Directors of
17 Head Start Collaboration, by the Indian Head Start
18 Collaboration Project Director and by other appro-
19 priate entities pursuant to this subsection (Such reg-
20 ulations shall provide the policies, protections, and
21 rights equivalent to those provided a parent, stu-
22 dent, or educational agency or institution under sec-
23 tion 444 of the General Education Provisions Act.);
24 and

1 “(6) ensure that nothing in this subsection shall
2 be construed to authorize the development of a na-
3 tionwide database of personally identifiable informa-
4 tion on individuals involved in studies or other col-
5 lections of data under this subsection.

6 “(l) The Secretary shall—

7 “(1) in order to increase access to Head Start
8 services for eligible migrant and seasonal children,
9 work in collaboration with migrant and seasonal
10 Head Start providers, the Department of Agri-
11 culture (land grant universities), the Department of
12 Labor, the Bureau of Migrant Health, and the De-
13 partment of Education to—

14 “(A) establish a system for collecting and
15 reporting data on farm workers and their fami-
16 lies in order to adequately account for the num-
17 ber of seasonal and migrant children that are
18 eligible for Head Start and determine how
19 many of these eligible children receive services;

20 “(B) identify barriers that prevent eligible
21 migrant and seasonal children from accessing
22 Head Start services and develop a plan for
23 eliminating barriers and increasing enrollment;
24 and

1 “(C) develop a system through which mi-
2 grant and seasonal Head Start programs can
3 effectively track health records and educational
4 documents as a child moves from State to
5 State;

6 “(2) not later than 6 months after the effective
7 date of this subsection, publish in the Federal Reg-
8 ister a notice on how the Secretary plans to carry
9 out the activities identified in paragraph (1) and
10 shall provide a period for public comment. To the
11 extent practicable, the Secretary shall consider com-
12 ments received before implementing any of the ac-
13 tivities identified in paragraph (1);

14 “(3) not later than 1 year after the effective
15 date of this subsection, submit a report to the Com-
16 mittee on Education and Labor of the House of
17 Representatives and the Health, Education, Labor
18 and Pensions Committee of the Senate detailing how
19 the Secretary plans to carry out the activities identi-
20 fied in (1);

21 “(4) submit a report to Congress annually on
22 the migrant and seasonal Head Start program in-
23 cluding a report on the progress made in carrying
24 out the activities identified in paragraph (1), the
25 progress made in reaching out to and serving eligible

1 migrant and seasonal children, and information on
2 states where migrant and seasonal children are still
3 underserved;

4 “(5) through regulation, ensure the protection
5 of the confidentiality of any personally identifiable
6 data, information, and records collected or main-
7 tained by the Secretary, by Head Start agencies that
8 carry out migrant and seasonal Head Start pro-
9 grams, by the State director of Head Start Collabo-
10 ration, by the Migrant and Seasonal Farmworker
11 Collaboration project Director (Such regulations
12 shall provide the policies, protections, and rights
13 equivalent to those provided a parent, student, or
14 educational agency or institution under section 444
15 of the General Education Provisions Act.); and

16 “(6) ensure that nothing in this subsection shall
17 be construed to authorize the development of a na-
18 tionwide database of personally identifiable informa-
19 tion on individuals involved in studies or other col-
20 lections of data under this subsection.

21 “(m) For purposes of this section, the term ‘eligible
22 entities’ means an institution of higher education or other
23 entity with expertise in delivering training in early child-
24 hood development, family support, and other assistance
25 designed to improve the delivery of Head Start services.

1 “(n) For the purposes of delivering a State-based
2 training and technical assistance system, as described in
3 section 640(a)(C)(ii), that will meet the needs of local
4 grantees and provide high quality, sustained, and intensive
5 training and technical assistance to Head Start programs
6 in order to help them meet or exceed the program per-
7 formance standards described in section 641A(a)(1), the
8 Secretary shall—

9 “(1) enter into contracts in each State with 1
10 or more entities who have a demonstrated expertise
11 in supporting the delivery of high quality early edu-
12 cation programs, except that bi-State contracts may
13 be entered in to if the demographics of proximal
14 States make such a system more appropriate;

15 “(2) ensure that the entities described in sub-
16 paragraph (1) determine the types of services to be
17 provided through consultation with—

18 “(A) local Head Start agencies;

19 “(B) the State Head Start collaboration
20 office; and

21 “(C) the State Head Start Association;

22 “(3) provide a report, to the Committee on
23 Education and Labor of the House of Representa-
24 tives and the Committee on Health, Education,
25 Labor, and Pensions of the Senate. No later than 90

1 days after the end of the fiscal year, summarizing
2 the funding for such contracts and the activities car-
3 ried out thereunder.

4 “(4) periodically evaluate the usefulness of the
5 delivery of services in each State and their effective-
6 ness in promoting program quality; and

7 “(5) ensure that in entering into such contracts
8 as described in paragraph (1), such entities will ad-
9 dress the needs of grantees in both urban and rural
10 communities.

11 “(o) To support enhanced early language and
12 preliteracy development of children in Head Start pro-
13 grams, and to provide the children with high-quality oral
14 language skills, and environments that are rich in lit-
15 erature, in which to acquire language and preliteracy
16 skills, each Head Start agency shall ensure that—

17 “(1) all of the agency’s Head Start teachers re-
18 ceive ongoing training in language and emergent lit-
19 eracy (referred to in this subsection as ‘literacy
20 training’), and including appropriate curricula and
21 assessment to improve instruction and learning;

22 “(2) such literacy training shall include training
23 in methods to promote vocabulary development and
24 phonological awareness (including phonemic aware-
25 ness) in a developmentally, culturally, and linguis-

1 tically appropriate manner and support children’s
2 development in their home language;

3 “(3) the literacy training shall include training
4 in how to work with parents to enhance positive lan-
5 guage and early literacy development at home;

6 “(4) the literacy training shall include specific
7 methods to best address the needs of children who
8 are limited English proficient; and

9 “(5) the literacy training shall include training
10 on how to best address the language and literacy
11 needs of children with disabilities, including training
12 on how to work with specialists in language develop-
13 ment.

14 “(p) The Secretary is encouraged to contract, on a
15 competitive basis, with an institution of higher education
16 (as defined in section 102 of the Higher Education Act
17 of 1965) to develop an on-line graduate-level professional
18 development program with the goal of improving the lead-
19 ership of those working in Head Start programs and im-
20 proving teacher quality and the capacity of effective Head
21 Start teachers.

22 “(q) INDOOR AIR QUALITY.—The Secretary shall
23 consult with experts on issues of air quality related to chil-
24 dren’s health and inform Head Start agencies of existing

1 programs or combination of programs that provide meth-
2 ods for improving indoor air quality.

3 “(r) DEMONSTRATION FOR CAREER LADDER PART-
4 NERSHIPS WITH TRIBAL COLLEGES AND HISPANIC-SERV-
5 ING INSTITUTIONS.—

6 “(1) TRIBAL COLLEGE CAREER LADDER DEM-
7 ONSTRATION PROGRAM.—The Secretary is author-
8 ized to award demonstration grants, for periods of
9 not less than 5 years, to tribal colleges and univer-
10 sities to—

11 “(A) implement education programs that
12 include education concerning tribal culture and
13 language and increase the number of associate,
14 baccalaureate, and graduate degrees in early
15 childhood and related fields that are earned by
16 Indian Head Start agency staff members, par-
17 ents of children served by such an agency, and
18 members of the tribal community involved;

19 “(B) develop and implement the programs
20 under subparagraph (A) in technology-mediated
21 formats, including providing the programs
22 through such means as distance learning and
23 use of advanced technology, as appropriate; and

24 “(C) provide technology literacy programs
25 for Indian Head Start agency staff members

1 and children and families of children served by
2 such an agency.

3 “(2) HISPANIC-SERVING INSTITUTIONS CAREER
4 LADDER DEMONSTRATION PROGRAM.—The Sec-
5 retary is authorized to award demonstration grants,
6 for periods of not less than 5 years, to Hispanic-
7 serving institutions to—

8 “(A) provide assistance for stipends and
9 costs related to tuition, fees, and books for en-
10 rolling Head Start agency staff members and
11 parents of children served by such an agency in
12 courses required to complete the degree and
13 certification requirements to become bilingual
14 teachers in early childhood education and re-
15 lated fields;

16 “(B) develop career ladder program cur-
17ricula to increase the number of associate’s,
18 bachelor’s, and graduate degrees earned by
19 Head Start agency staff who have the linguistic
20 skills and expertise to teach in programs serv-
21 ing a large number of limited English proficient
22 children and parents of children served by such
23 an agency; and

24 “(C) other activities to upgrade the skills
25 and qualifications of noncertified educational

1 personnel to meet the professional standards in
2 section 648A(a)(1), including certification and
3 licensure as bilingual education teachers and
4 other educational personnel who serve limited
5 English proficient children.

6 “(3) REQUIREMENT.—Individuals who receive
7 assistance under paragraphs (1) and (2) shall subse-
8 quently teach in a Head Start center for a period of
9 time equivalent to the period for which they received
10 assistance or repay the amount of funds.

11 “(s) HISTORICALLY BLACK COLLEGES AND UNIVER-
12 SITIES HEAD START PARTNERSHIPS.—In order to pro-
13 mote quality services and instruction to children with di-
14 verse backgrounds, the Secretary shall work in collabora-
15 tion with Historically Black Colleges and Universities to—

16 “(1) implement education programs that in-
17 clude education to increase the number of associate,
18 baccalaureate, and advanced degrees in early child-
19 hood education and related fields that are earned by
20 Head Start agency staff members, and parents of
21 children served by such an agency; and

22 “(2) carry out other activities to upgrade the
23 skills and qualifications of noncertified educational
24 personnel to meet the professional standards in sec-
25 tion 648A(a).

1 Individuals who receive assistance under this paragraph
2 shall subsequently teach in a center-based Head Start pro-
3 gram for a period of time equivalent to the period for
4 which they received assistance or shall repay such assist-
5 ance.”.

6 **SEC. 18. STAFF QUALIFICATIONS AND DEVELOPMENT.**

7 Section 648A of the Head Start Act (42 U.S.C.
8 9843a) is amended—

9 (1) in subsection (a)—

10 (A) by striking “(a)” and all that follows
11 through paragraph (2), and inserting the fol-
12 lowing:

13 “(a) CLASSROOM TEACHERS.—

14 “(1) PROFESSIONAL REQUIREMENTS.—The
15 Secretary shall ensure that each Head Start class-
16 room in a center-based program is assigned 1 teach-
17 er who has demonstrated competency to perform
18 functions that include—

19 “(A) planning and implementing learning
20 experiences that advance the intellectual and
21 physical development of children, including im-
22 proving the readiness of children for school by
23 developing their literacy, phonemic, and print
24 awareness, their understanding and use of lan-
25 guage, their understanding and use of increas-

1 ingly complex and varied vocabulary, their ap-
2 preciation of books, their understanding of early
3 math and early science, their problem solving
4 abilities, and their approaches to learning;

5 “(B) establishing and maintaining a safe,
6 healthy learning environment;

7 “(C) supporting the social and emotional
8 development of children; and

9 “(D) encouraging the involvement of the
10 families of the children in a Head Start pro-
11 gram and supporting the development of rela-
12 tionships between children and their families.

13 “(2) DEGREE REQUIREMENTS.—

14 “(A) IN GENERAL.—The Secretary shall
15 ensure that not later than September 30, 2013,
16 at least 50 percent of all Head Start teachers
17 nationwide in center-based programs have—

18 “(i) a baccalaureate, or advanced de-
19 gree in early childhood education;

20 “(ii) a baccalaureate or advanced de-
21 gree in a field related to early childhood
22 education, with experience in teaching pre-
23 school children; or

24 “(iii) except that teachers providing
25 services in migrant and seasonal Head

1 Start classrooms that serve children under
2 age 3 shall be required to meet the teacher
3 requirements described in section 645A(h).

4 “(B) PROGRESS REPORT.—

5 “(i) On an annual basis, each Head
6 Start agency shall provide to the Secretary
7 a report indicating the number and per-
8 centage of classroom instructors with child
9 development/early childhood education as-
10 sociate credentials and associate, bacca-
11 laurate, or advanced degrees, and number
12 of classroom instructors who successfully
13 transferred associate credit and completed
14 a baccalaureate degree disaggregated by
15 race, ethnicity, and proficiency in a lan-
16 guage other than English, with a descrip-
17 tion of those languages.

18 “(ii) Not later than September 30,
19 2008 the Secretary shall compile and
20 transmit reports received under (i) to the
21 Committee on Education and Labor of the
22 House of Representatives and the Com-
23 mittee on Health, Education, Labor, and
24 Pensions of the Senate.

1 “(C) PROGRESS.—Each Head Start agen-
2 cy shall provide to the Secretary a report indi-
3 cating the number and percentage of teachers
4 and teacher’s aides with child development as-
5 sociate credentials and associate, baccalaureate,
6 or advanced degrees. The Secretary shall com-
7 pile all program reports and make them avail-
8 able to the Committee on Education and Labor
9 of the House of Representatives and the Com-
10 mittee on Health, Education, Labor, and Pen-
11 sions of the Senate.

12 “(D) REQUIREMENT FOR NEW HEAD
13 START TEACHERS.—In accordance with rules
14 issued by the Secretary and made effective 2
15 years after the effective date of this subpara-
16 graph, all Head Start agencies shall require
17 that all Head Start teachers hired after such
18 rules take effect to provide Head Start services
19 in center-based programs—

20 “(i) have an associate, baccalaureate,
21 or advanced degree in early childhood edu-
22 cation or a related field; or

23 “(ii) be currently enrolled in a pro-
24 gram of study leading to an associate de-
25 gree in early childhood education or a re-

1 lated field, and agree to complete degree
2 requirements not later than 3 years after
3 the date of hire.

4 “(E) SERVICE REQUIREMENTS.—The Sec-
5 retary shall establish requirements to ensure
6 that individuals who receive financial assistance
7 under this subchapter in order to comply with
8 the requirements under section 648A(a)(2)
9 shall subsequently teach in a Head Start center
10 for a period of time equivalent to the period for
11 which they received assistance or repay the
12 amount of the funds.

13 “(F) LIMITATION.—The Secretary shall re-
14 quire that any Federal funds provided directly
15 or indirectly to comply with subparagraph (A)
16 shall be used toward degrees awarded by an in-
17 stitution of higher education, as defined by sec-
18 tion 101 or 102 of the Higher Education Act
19 (20 U.S.C. 1001, 1002).”, and

20 (B) in paragraph (3)—

21 (i) in subparagraph (B) by striking
22 “or” at the end,

23 (ii) in subparagraph (C) by striking
24 the period at the end and inserting “; or”,
25 and

1 (iii) by adding at the end, the fol-
2 lowing:

3 “(D) a baccalaureate and has been admit-
4 ted into the Teach For America program,
5 passed a rigorous early childhood content exam,
6 such as the Praxis II, participated in a Teach
7 For America summer training institute that in-
8 cludes teaching preschool children, and is re-
9 ceiving ongoing professional development and
10 support from Teach For America’s professional
11 staff.”, and

12 (2) by amending subsection (c) to read as fol-
13 lows:

14 “(c) FAMILY SERVICE WORKERS.—To improve the
15 quality and effectiveness of staff providing in-home and
16 other services (including needs assessment, development of
17 service plans, family advocacy, and coordination of service
18 delivery) to families of children participating in Head
19 Start programs, the Secretary, in coordination with con-
20 cerned public and private agencies and organizations ex-
21 amining the issues of standards and training for family
22 service workers, shall—

23 “(1) review and, as necessary, revise or develop
24 new qualification standards for Head Start staff
25 providing such services;

1 “(2) review, and as necessary, revise or develop
2 maximum caseload requirements, as suggested by
3 best practices;

4 “(3) promote the development of model cur-
5 ricula (on subjects including parenting training and
6 family literacy) designed to ensure the attainment of
7 appropriate competencies by individuals working or
8 planning to work in the field of early childhood and
9 family services; and

10 “(4) promote the establishment of a credential
11 that indicates attainment of the competencies and
12 that is accepted nationwide.”, and

13 (3) is amended by adding at the end the fol-
14 lowing:

15 “(f) PROFESSIONAL DEVELOPMENT PLANS.—Each
16 Head Start agency and program shall create, in consulta-
17 tion with an employee, a professional development plan for
18 all full-time Head Start employees who provide direct serv-
19 ices to children and shall ensure that such plans are regu-
20 larly evaluated for their impact on teacher and staff effec-
21 tiveness.

22 “(g) STAFF RECRUITMENT AND SELECTION PROCE-
23 DURES.—Before a Head Start agency employs an indi-
24 vidual, such agency shall—

25 “(1) conduct an interview of such individual;

1 “(2) verify the personal and employment ref-
2 erences provided by such individual; and

3 “(3) obtain—

4 “(A) a State, tribal, or Federal criminal
5 record check covering all jurisdictions where the
6 grantee provides Head Start services to chil-
7 dren;

8 “(B) a State, tribal, or Federal criminal
9 record check as required by the law of the juris-
10 diction where the grantee provides Head Start
11 services; or

12 “(C) a criminal record check as otherwise
13 required by Federal law.

14 “(h) INCENTIVES FOR HEAD START TEACHERS AND
15 EARLY HEAD START TEACHERS.—

16 “(1) STATEMENT OF PURPOSE.—It is the pur-
17 pose of this subsection to encourage individuals to
18 begin and continue teaching in Head Start programs
19 and Early Head Start programs.

20 “(2) PROGRAM AUTHORIZED.—

21 “(A) IN GENERAL.—From the sums appro-
22 priated pursuant to paragraph (9), the Sec-
23 retary of Education, in consultation with the
24 Secretary of Health and Human Services, is au-
25 thorized carry out a program to forgive, in ac-

1 cordance with this subsection, the student loan
2 debt of any borrower who has one or more
3 loans described under subparagraph (B) made
4 on or after October 1, 1998, and who—

5 “(i) commits to working as a Head
6 Start teacher or an Early Head Start
7 teacher for at least 3 consecutive complete
8 program years;

9 “(ii) has a bachelor’s degree in a field
10 related to early childhood education; and

11 “(iii) is not in default on a loan for
12 which the borrower seeks forgiveness.

13 “(B) METHOD OF LOAN FORGIVENESS.—

14 To provide the loan forgiveness authorized in
15 subelause (A), the Secretary of Education, in
16 consultation with the Secretary of Health and
17 Human Services, shall, subject to subsubclause
18 (C), carry out a program—

19 “(i) through the holder of the loan, to
20 assume the obligation to repay a qualified
21 loan amount for a loan made under section
22 428 or 428H of the Higher Education Act
23 of 1965 (20 U.S.C. 1078, 1078–8); and

24 “(ii) to cancel a qualified loan amount
25 for a Federal Direct Stafford Loan or a

1 Federal Direct Unsubsidized Stafford
2 Loan made under part D of title IV of
3 such Act (20 U.S.C. 1087a et seq.).

4 “(C) TREATMENT OF CONSOLIDATION
5 LOANS.—A loan amount for a loan made under
6 section 428C or section 455(g) of such Act (20
7 U.S.C. 1078–3, 1087e(g)) may be a qualified
8 loan amount for the purposes of subclause (B)
9 only to the extent that such loan amount was
10 used to repay a loan made under section 428 or
11 428H, a Federal Direct Stafford Loan, or a
12 Federal Direct Unsubsidized Stafford Loan for
13 a borrower who meets the requirements of sub-
14 clause (A), as determined in accordance with
15 regulations prescribed by the Secretary of Edu-
16 cation, in consultation with the Secretary of
17 Health and Human Services.

18 “(3) QUALIFIED LOAN AMOUNT.—After the be-
19 ginning of the qualifying employment described in
20 subparagraph (2)(A)(i) and upon approval of a bor-
21 rower’s application under subparagraph (5), the Sec-
22 retary of Education, in consultation with the Sec-
23 retary of Health and Human Services, shall forgive
24 under this subsection not more than \$10,000 of the

1 student loan obligation of a borrower that is out-
2 standing at the beginning of such employment.

3 “(4) AWARD BASIS.—Loan forgiveness under
4 this subsection shall be on a first-come, first-served
5 basis and subject to the availability of appropria-
6 tions.

7 “(5) APPLICATION FOR FORGIVENESS.—

8 “(A) IN GENERAL.—Each borrower desir-
9 ing loan forgiveness under this subsection shall
10 submit a complete and accurate application to
11 the Secretary of Education at such time, in
12 such manner, and containing such information
13 as the Secretary of Education, in consultation
14 with the Secretary of Health and Human Serv-
15 ices, may require.

16 “(B) SERVICE AGREEMENT.—Each such
17 application shall contain an agreement by the
18 borrower—

19 “(i) to complete the commitment de-
20 scribed in subclause (2)(A)(i) within 6
21 years after receiving loan forgiveness under
22 this subsection; or

23 “(ii) to repay the portion required by
24 the regulations under subclause (6)(A) if

1 the borrower does not complete such com-
2 mitment.

3 “(6) REPAYMENT FOR FAILURE TO COMPLETE
4 SERVICE.—

5 “(A) IN GENERAL.—In the event that any
6 recipient of loan forgiveness under this sub-
7 section fails or refuses to complete a portion of
8 the recipient’s service obligation under the
9 agreement required by clause (5)(B), the same
10 portion of the amounts of loans forgiven under
11 this subsection for such recipient shall be sub-
12 ject to repayment in accordance with terms and
13 conditions, and in the amounts, specified by the
14 Secretary of Education, in consultation with the
15 Secretary of Health and Human Services, in
16 regulations under this subsection.

17 “(B) FORGIVENESS IF DECEASED OR DIS-
18 ABLED.—Such regulations shall provide that,
19 subject to the availability of appropriations, an
20 individual shall be excused from repayment of
21 any amount required under subclause (A) if the
22 individual dies or becomes permanently and to-
23 tally disabled (as determined in accordance with
24 such regulations).

1 “(7) REGULATIONS.—The Secretary of Edu-
2 cation, in consultation with the Secretary of Health
3 and Human Services, is authorized to issue such
4 regulations as may be necessary to carry out the
5 provisions of this subsection.

6 “(8) CONSTRUCTION.—Nothing in this sub-
7 section shall be construed to authorize any refunding
8 of any repayment of a loan.

9 “(9) AUTHORIZATION OF APPROPRIATIONS.—
10 There are authorized to be appropriated to carry out
11 this subsection such sums as may be necessary for
12 fiscal year 2008 and each of the 4 succeeding fiscal
13 years.

14 “(10) DEFINITIONS.—In this subsection:

15 “(A) HEAD START TEACHER.—The term
16 ‘Head Start teacher’ means an individual
17 who—

18 “(i) is employed by a Head Start
19 agency or an entity that carries out an
20 Early Head Start program, to provide for
21 the education and care of children who
22 have not reached the age of compulsory
23 school attendance who are enrolled in a
24 Head Start program or an Early Head
25 Start program receiving funds under the

1 Head Start Act (42 U.S.C. 9831 et seq.);

2 and

3 “(ii) who has, at a minimum, an asso-
4 ciate’s degree in early childhood education
5 or a related field.

6 “(B) PROGRAM YEAR.—The term ‘program
7 year’, where applied to service as a Head Start
8 teacher or an Early Head Start teacher, means
9 a program year as defined by the Secretary of
10 Health and Human Services.”.

11 **SEC. 19. RESEARCH, DEMONSTRATIONS, AND EVALUATION.**

12 Section 649 of the Head Start Act (42 U.S.C. 9844)
13 is amended—

14 (1) by amending subsection (a)(1)(B) to read
15 as follows:

16 “(B) use the Head Start programs to de-
17 velop, test, and disseminate new ideas and
18 based on existing scientifically based research,
19 for addressing the needs of low-income pre-
20 school children (including children with disabil-
21 ities, homeless children, children who have been
22 abused or neglected, and children in foster care)
23 and their families and communities (including
24 demonstrations of innovative non-center-based
25 program models such as home-based and mobile

1 programs), and otherwise to further the pur-
2 poses of this subchapter.”,

3 (2) in subsection (d)—

4 (A) in paragraph (8) by adding “and” at
5 the end,

6 (B) by striking paragraphs (9) and (10)
7 and insert the following:

8 “(9) contribute to understanding the impact of
9 Head Start services delivered in inclusive classrooms
10 on both children with disabilities and children with-
11 out disabilities, and develop practices for increasing
12 the availability and quality of inclusive classrooms.”.

13 (3) in subsection (g)—

14 (A) in paragraph(1)(A)—

15 (i) by striking clause (i), and

16 (ii) by redesignating clauses (ii) and

17 (iii) as clauses (i) and (ii), respectively,

18 and

19 (B) by amending paragraph (7)(C) to read
20 as follows:

21 “(C) TRANSMITTAL OF REPORT TO CON-
22 GRESS.—Not later than September 30, 2009,
23 the Secretary shall transmit the final report to
24 the Committee on Education and Labor of the
25 House of Representatives and the Committee

1 on Health, Education, Labor, and Pensions of
2 the Senate.”, and

3 (4) by amending subsection (h) to read as fol-
4 lows:

5 “(h) LIMITED ENGLISH PROFICIENT CHILDREN.—

6 “(1) STUDY.—Not later than 1 year after the
7 date of enactment of the Improving Head Start Act
8 of 2007, the Secretary shall conduct a study on the
9 status of limited English proficient children and
10 their families participating Head Start programs
11 and Early Head Start programs.

12 “(2) REPORT.—The Secretary shall prepare
13 and submit to Congress, not later than September
14 2008, a report containing the results of such study,
15 including information on—

16 “(A)(i) the demographics of limited
17 English proficient children less than 5 years of
18 age and the geographical distribution of such
19 children; and

20 “(ii) the number of such children receiving
21 Head Start services and the number of such
22 children receiving Early Head Start services,
23 and the geographical distribution of such chil-
24 dren receiving such services;

1 “(B) the nature of the Head Start services
2 and of the Early Head Start services provided
3 to limited English proficient children and their
4 families, including the types, content, duration,
5 intensity, and costs of family services, language
6 assistance, and educational services;

7 “(C) procedures in Head Start programs
8 for assessing language needs and for making
9 the transition of limited English proficient chil-
10 dren to kindergarten, including the extent to
11 which Head Start programs meet the require-
12 ments of section 642A for limited English pro-
13 ficient children;

14 “(D) the qualifications and training pro-
15 vided to Head Start teachers and Early Head
16 Start teachers who serve limited English pro-
17 ficient children and their families;

18 “(E) the home languages of Head Start
19 and Early Head Start teachers;

20 “(F) the rate of progress made by limited
21 English proficient children and their families in
22 Head Start programs and in Early Head Start
23 programs, including—

24 “(i) the rate of progress made by lim-
25 ited English proficient children toward

1 meeting the additional educational stand-
2 ards described in section 641A(a)(1)(B)(ii)
3 while enrolled in Head Start programs;

4 “(ii) a description of the type of as-
5 sessment or assessments used to determine
6 the rate of progress made by limited
7 English proficient children;

8 “(iii) the correlation between such
9 progress and the type and quality of in-
10 struction and educational programs pro-
11 vided to limited English proficient children;
12 and

13 “(iv) the correlation between such
14 progress and the health and family services
15 provided by Head Start programs to lim-
16 ited English proficient children and their
17 families; and

18 “(G) the extent to which Head Start pro-
19 grams make use of funds under section
20 640(a)(3) to improve the quality of Head Start
21 services provided to limited English proficient
22 children and their families.

23 “(i) CHILDREN, FAMILIES, AND PROGRAMS AF-
24 FECTED BY HURRICANES KATRINA AND RITA.—

1 “(1) PURPOSE.—The purpose of this subsection
2 is to evaluate the status of Head Start and Early
3 Head Start programs affected by Hurricanes
4 Katrina and Rita as well as the challenges those
5 programs have faced in reestablishing themselves
6 and reenrolling eligible children and families, with
7 the ultimate goal of providing all Head Start and
8 Early Head Start programs with recommendations
9 for developing and implementing disaster plans.

10 “(2) DEFINITION.—The term ‘areas affected by
11 Hurricanes Katrina and Rita’ means any parish or
12 county for which it was determined that assistance
13 was warranted from the Federal Government under
14 the Robert T. Stafford Disaster Relief and Emer-
15 gency Assistance Act (42 U.S.C. 5121 et seq.) as a
16 result of Hurricanes Katrina and Rita.

17 “(3) STUDY.—The Secretary shall conduct a
18 study on the status of children and families partici-
19 pating in Head Start and Early Head Start pro-
20 grams in areas affected by Hurricanes Katrina and
21 Rita.

22 “(4) REPORT.—Not later than 1 year after the
23 date of the enactment of the Improving Head Start
24 Act of 2007, the Secretary shall prepare and submit

1 to Congress a report containing the results of such
2 study, including—

3 “(A) information on the population served,
4 including—

5 “(i) the number of children and fami-
6 lies participating in Head Start and Early
7 Head Start programs in areas affected by
8 Hurricanes Katrina and Rita before and
9 after Hurricanes Katrina and Rita;

10 “(ii) the demographics of such chil-
11 dren and families; and

12 “(iii) the geographical distribution of
13 such children and families;

14 “(B) information on staff and programs,
15 including—

16 “(i) the number and geographic dis-
17 tribution of staff serving Head Start and
18 Early Head Start children and families
19 from areas affected by Hurricanes Katrina
20 and Rita;

21 “(ii) the current status, including em-
22 ployment status and geographic location,
23 of Head Start and Early Head Start staff
24 serving in areas affected by Hurricanes

1 Katrina and Rita prior to Hurricanes
2 Katrina and Rita; and

3 “(iii) the response and recovery ef-
4 forts of Head Start and Early Head Start
5 staff serving in areas affected by Hurri-
6 canes Katrina and Rita.

7 “(C) information on facilities, including—

8 “(i) the number of Head Start and
9 Early Head Start facilities operating prior
10 to Hurricanes Katrina and Rita in areas
11 affected by Hurricanes Katrina and Rita;

12 “(ii) the current status of each such
13 facility; and

14 “(iii) information on any new Head
15 Start or Early Head Start facility that has
16 opened in areas affected by Hurricanes
17 Katrina and Rita or that serves children
18 and families who lived in areas affected by
19 Hurricanes Katrina and Rita at the time
20 of Hurricanes Katrina and Rita;

21 “(D) information on coordination with the
22 Federal Emergency Management Agency
23 (FEMA) in areas affected by Hurricanes
24 Katrina and Rita, including—

1 “(i) areas of success that Head Start
2 agencies and programs had in working
3 with FEMA;

4 “(ii) challenges that Head Start agen-
5 cies and programs had in working with
6 FEMA; and

7 “(iii) the number of Head Start fami-
8 lies that received individualized assistance
9 (as defined under the Robert T. Stafford
10 Disaster Relief and Emergency Act) and
11 the types of assistance received by such
12 families.

13 “(E) challenges that were faced by Head
14 Start and Early Head Start programs and fam-
15 ilies in areas affected by Hurricanes Katrina
16 and Rita including—

17 “(i) the availability of Head Start
18 services for families displaced during the
19 period of transition;

20 “(ii) identification of and outreach to
21 families displaced by the Hurricanes
22 Katrina and Rita; and

23 “(iii) the extent to which non-Federal
24 disaster assistance was available to Head
25 Start agencies and programs, and coordi-

1 nation of such services with non-Federal
2 disaster assistance resources.

3 “(5) DISASTER PLAN PREPAREDNESS.—Not
4 later than 1 year after the date of the enactment of
5 Improving Head Start Act of 2007, the Secretary
6 shall prepare and submit to Congress, Head Start
7 disaster plan recommendations based upon the re-
8 port initiated in paragraph (4), including rec-
9 ommendations for prevention, preparedness, re-
10 sponse, and recovery, that can be used to advise
11 Head Start and Early Head Start programs in the
12 development and implementation of disaster plans.”.

13 **SEC. 20. REPORTS.**

14 Section 650 of the Head Start Act (42 U.S.C. 9846)
15 is amended—

16 (1) in subsection (a)—

17 (A) by striking “Committee on Education
18 and the Workforce of the House of Representa-
19 tives and the Committee on Labor and Human
20 Resources of the Senate” each place it appears
21 and inserting “Committee on Education and
22 Labor of the House of Representatives and the
23 Committee on Health, Education, Labor, and
24 Pensions of the Senate”,

1 (B) by striking “and non-English language
2 background children” and inserting “children,
3 homeless children, children in foster care, and
4 limited English proficient children”, and

5 (C) in paragraph (8) by inserting “home-
6 lessness, whether the child is in foster care or
7 was referred by a child welfare agency,” after
8 “ background,”, and

9 (2) by adding at the end the following:

10 “(c) SET-ASIDE ACTIVITIES.—Not later than 60 days
11 after the end of each fiscal year, the Secretary shall sub-
12 mit to the Committee on Education and Labor of the
13 House of Representatives and the Committee on Health,
14 Education, Labor, and Pensions of the Senate, a report
15 detailing the different amounts of expenditures under sec-
16 tion 640(a)(2) and the activities carried out thereunder.

17 “(d) FISCAL PROTOCOL.—The Secretary shall con-
18 duct an annual review to assess whether the design and
19 implementation of the triennial reviews described in sec-
20 tion 641A(c) include compliance procedures that provide
21 reasonable assurance that Head Start agencies are com-
22 plying with applicable fiscal laws and regulations. The
23 Secretary shall report the findings and conclusions of the
24 annual review to the House Committee on Education and
25 Labor, and the Senate Committee on Health, Education,

1 Labor and Pensions within 30 days of completing the re-
2 view.

3 “(e) USE OF INDIVIDUALIZED EDUCATION PLANS.—

4 The Secretary shall track the use of Head Start Individ-
5 ualized Education Plans by Head Start agencies in order
6 to evaluate the reasons why Head Start agencies are opt-
7 ing not to use Individualized Education Plans for children
8 with disabilities (as specified in the Individuals With Dis-
9 abilities Education Act (20 U.S.C. 1414(d)), whether
10 Head Start Individualized Education Plans are used to
11 provide services prior to the development of an Individual-
12 ized Education Plan, as required under the Individuals
13 With Disabilities Education Act, and the length of time
14 programs use Head Start Individualized Education Plans
15 before an Individualized Education Plan as required under
16 Individuals With Disabilities Education Act is developed.
17 The Secretary shall provide a report to the Committee on
18 Education and Labor of the House of Representatives and
19 the Committee on Health, Education, Labor, and Pen-
20 sions of the Senate, not later than 1 year after the date
21 of the enactment of the Improving Head Start Act of
22 2007.

23 “(f) EVALUATION AND RECOMMENDATIONS REGARD-
24 ING OBESITY PREVENTION.—The Secretary shall evaluate
25 and publish regulations on the issue of and concerns re-

1 lated to preventing and reducing obesity in children who
2 participate in Head Start programs and shall consult, at
3 a minimum, with experts in child and maternal health,
4 child development, child and family nutrition and physical
5 education, to determine the effective methods by which
6 Head Start agencies can help address childhood obesity.
7 The regulations should include guidance on how Head
8 Start agencies can incorporate, at a minimum, more phys-
9 ical activity and nutrition education into such programs
10 related to preventing and reducing obesity. Not later than
11 1 year after the effective date of this subsection, the Sec-
12 retary shall submit to the House Committee on Education
13 and Labor and the Senate Committee on Health, Edu-
14 cation, Labor and Pensions, a report containing such rec-
15 ommendations and the results of such evaluation.”.

16 **SEC. 21. WAGES AND COMPENSATION.**

17 Section 653 of the Head Start Act (42 U.S.C. 9848)
18 is amended to read as follows:

19 **“SEC. 653. WAGES AND COMPENSATION.**

20 “(a) **COMPARABILITY OF WAGES.**—The Secretary
21 shall take such action as may be necessary to assure that
22 persons employed in carrying out programs financed
23 under this subchapter shall not receive compensation at
24 a rate which is: (1) in excess of the average rate of com-
25 pensation paid in the area where the program is carried

1 out to a substantial number of the persons providing sub-
2 stantially comparable services, or in excess of the average
3 rate of compensation paid to a substantial number of the
4 persons providing substantially comparable services in the
5 area of the person's immediately preceding employment,
6 whichever is higher; or (2) less than the minimum wage
7 rate prescribed in section 6(a)(1) of the Fair Labor Stand-
8 ards Act of 1938. The Secretary shall encourage Head
9 Start agencies to provide compensation according to salary
10 scales that are based on training and experience.

11 “(b) FEDERAL RATE LIMITATION.—Notwithstanding
12 any other provision of law, no Federal funds shall be used
13 to pay all or any part of the compensation of an individual
14 employed by a Head Start agency in carrying out pro-
15 grams under this subchapter, either as direct or indirect
16 costs of any proration thereof, at a rate in excess of the
17 rate then payable for level II of the Executive Schedule
18 under section 5313 of title 5, United States Code.”.

19 **SEC. 22. LIMITATION ON CERTAIN USES OF FUNDS.**

20 The Head Start Act (42 U.S.C. 9858 et seq.) is
21 amended by adding at the end the following:

22 **“SEC. 656A. LIMITATION ON CERTAIN USES OF FUNDS.**

23 “No funds made available to carry out this sub-
24 chapter may be used—

1 “(1) for publicity or propaganda purposes not
2 heretofore authorized by the Congress; or

3 “(2) unless authorized by law in effect on the
4 effective date of this section, to produce any pre-
5 packaged news story intended for broadcast or dis-
6 tribution unless such story includes a clear notifica-
7 tion contained within the text or audio of such story
8 stating that the prepackaged news story was pre-
9 pared or funded by the Department of Health and
10 Human Services.”.

Passed the House of Representatives May 2, 2007.

Attest: LORRAINE C. MILLER,
Clerk.

Calendar No. 137

110TH CONGRESS
1ST Session

H. R. 1429

AN ACT

To reauthorize the Head Start Act, to improve program quality, to expand access, and for other purposes.

MAY 7, 2007

Received; read twice and placed on the calendar