

110TH CONGRESS  
1ST SESSION

# H. R. 1429

To reauthorize the Head Start Act, to improve program quality, to expand access, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 9, 2007

Mr. KILDEE (for himself, Mr. GEORGE MILLER of California, Mr. CASTLE, Mr. SCOTT of Virginia, Mr. EHLERS, Mr. HINOJOSA, Mrs. MCCARTHY of New York, Mr. WU, Mr. DAVIS of Illinois, Ms. LINDA T. SÁNCHEZ of California, Mr. SARBANES, Mr. SESTAK, Mr. LOEBSACK, Ms. HIRONO, Mr. ALTMIRE, Mr. YARMUTH, Ms. CLARKE, and Ms. SHEA-PORTER) introduced the following bill; which was referred to the Committee on Education and Labor

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## A BILL

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 This Act may be cited as the “Improving Head Start  
5 Act of 2007”.

6 **SEC. 2. STATEMENT OF PURPOSE.**

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

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

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

4 “(1) by enhancing their cognitive, social, and  
5 emotional development in a learning environment  
6 that supports children’s growth in language, literacy,  
7 mathematics, science, social and emotional func-  
8 tioning, physical skills, and approaches to learning;  
9 and

10 “(2) through the provision to low-income chil-  
11 dren and their families of health, educational, nutri-  
12 tional, social, and other services that are determined,  
13 based on family needs assessments, to be nec-  
14 essary.”.

15 **SEC. 3. DEFINITIONS.**

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

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

20 (2) by redesignating paragraphs (14) and (15)  
21 as paragraphs (20) and (21), respectively,

22 (3) by redesignating paragraphs (11) through  
23 (13) as paragraphs (16) through (18), respectively,

24 (4) by redesignating paragraph (10) as para-  
25 graph (14),

1           (5) by redesignating paragraphs (3) through  
2           (9) as paragraphs (5) through (11), respectively,

3           (6) by redesignating paragraph (2) as para-  
4           graph (3),

5           (7) by inserting after paragraph (1) the fol-  
6           lowing:

7           “(2) The term ‘deficiency’ means—

8                   “(A) systemic or significant material fail-  
9                   ure of a Head Start agency in an area of per-  
10                   formance that the Secretary determines in-  
11                   volves—

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

14                           “(ii) a denial to parents of the exer-  
15                           cise of their full roles and responsibilities  
16                           related to program governance;

17                           “(iii) a failure to perform the require-  
18                           ments of section 641A(a), as determined  
19                           by the Secretary;

20                           “(iv) the misuse of funds received  
21                           under this subchapter;

22                           “(v) loss of legal status (as deter-  
23                           mined by the Secretary) or financial viabil-  
24                           ity, loss of permits, debarment from receiv-

1 ing Federal grants or contracts, or the im-  
2 proper use of Federal funds; or

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

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

8 (8) by inserting after paragraph (3), as so re-  
9 designated the following:

10 “(4) The term ‘family’ means all persons living  
11 in the same household who are—

12 “(A) supported by the income of at least 1  
13 parent or guardian (including any relative act-  
14 ing in place of a parent, such as a grandparent)  
15 of a child enrolling or participating in a Head  
16 Start program; and

17 “(B)(i) related to the parent or guardian  
18 by blood, marriage, or adoption; or

19 “(ii) residing in the legal custody of a rel-  
20 ative or nonrelative guardian in a foster care  
21 placement.”,

22 (9) by inserting after paragraph (11), as so re-  
23 designated the following:

24 “(12) The term ‘homeless children’ has the  
25 meaning given such term in section 725(2) of the

1 McKinney-Vento Homeless Assistance Act (42  
2 U.S.C. 11437(a)(2)).

3 “(13) The term ‘homeless family’ means the  
4 family of a homeless child.”,

5 (10) by inserting after paragraph (14), as so  
6 redesignated the following:

7 “(15) The terms ‘limited English proficient’  
8 and ‘limited English proficiency’ mean with respect  
9 to an individual, that such individual—

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

12 “(ii)(I) is a Native American, an Alaska  
13 Native, or a native resident of a territory or  
14 possession of the United States; and

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

19 “(iii) is migratory, has a native language  
20 that is not English, and comes from an environ-  
21 ment in which a language that is not English  
22 is dominant; and

23 “(B) has difficulty in speaking or under-  
24 standing the English language to an extent that

1           may be sufficient to prevent such individual  
2           from—

3                   “(i) successful achievement in class-  
4                   rooms in which the language of instruction  
5                   is English; or

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

7           (11) by inserting after paragraph (18), as so  
8           redesignated the following:

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

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

20                   “(B) are developed or selected with exten-  
21                   sive participation of administrators and teach-  
22                   ers from Head Start programs;

23                   “(C) are developmentally appropriate for  
24                   the children being served;

1           “(D) include instruction in ways that Head  
2 Start personnel may work more effectively with  
3 parents, as appropriate;

4           “(E) are designed to give teachers and  
5 staff the knowledge and skills to provide in-  
6 struction and appropriate support services to  
7 children of diverse backgrounds, as appropriate;

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

16           “(G) assist teachers with—

17           “(i) the acquisition of the content  
18 knowledge and teaching strategies needed  
19 to provide effective instruction and other  
20 school readiness services in early language  
21 and literacy, early mathematics, early  
22 science, cognitive skills, approaches to  
23 learning, creative arts, science, physical  
24 health and development, and social and

1 emotional development linked to school  
2 readiness;

3 “(ii) meeting the requirements in  
4 paragraphs (1) and (2) of section 648A(a),  
5 as appropriate;

6 “(iii) improving classroom manage-  
7 ment skills, as appropriate;

8 “(iv) advancing understanding of ef-  
9 fective instructional strategies that are—

10 “(I) based on scientifically based  
11 research; and

12 “(II) aligned with—

13 “(aa) the Head Start Child  
14 Outcomes Framework developed  
15 by the Secretary and State early  
16 learning standards, as appro-  
17 priate; and

18 “(bb) the curricula, ongoing  
19 assessments, and other instruc-  
20 tion and services designed to help  
21 meet the standards described in  
22 section 641A(a)(1);

23 “(v) acquiring the knowledge and  
24 skills to provide instruction and appro-  
25 priate language and support services to in-

1           crease the English language skills of lim-  
2           ited English proficient children, as appro-  
3           prium; or

4                   “(vi) methods of teaching children  
5           with disabilities, as appropriate.”,

6           (12) by inserting after paragraph (21), as so  
7           redesignated, the following:

8           “(22) The term ‘scientifically based research’—

9                   “(A) means research that involves the ap-  
10           plication of rigorous, systematic and objective  
11           procedures to obtain reliable and valid knowl-  
12           edge relevant to education activities and pro-  
13           grams; and

14                   “(B) includes research that—

15                           “(i) employs systematic, empirical  
16           methods that draw on observation or ex-  
17           periment;

18                           “(ii) involves rigorous data analyses  
19           that are adequate to test the stated  
20           hypotheses and justify the general conclu-  
21           sions drawn;

22                           “(iii) relies on measurements or obser-  
23           vational methods that provide reliable and  
24           valid data across evaluators and observers,  
25           across multiple measurements and observa-

1 tions, and across studies by the same or  
2 different investigators;

3 “(iv) is evaluated using experimental  
4 or quasi-experimental designs in which in-  
5 dividuals, entities, programs or activities  
6 are assigned to different conditions and  
7 with appropriate controls to evaluate the  
8 effects of the condition of interest, with a  
9 preference for random assignment experi-  
10 ments, or other designs to the extent that  
11 those designs contain within-condition or  
12 across-condition controls;

13 “(v) ensures that experimental studies  
14 are presented in sufficient detail and clar-  
15 ity to allow for replication or, at a min-  
16 imum, offer the opportunity to build sys-  
17 tematically on their findings; and

18 “(vi) has been accepted by a peer-re-  
19 viewed journal or approved by a panel of  
20 independent experts through a comparably  
21 rigorous, objective, and scientific review.”,  
22 and

23 (13) by amending paragraph (24), as so reded-  
24 icated, to read as follows:

1           “(24) The term ‘State’ means a State, the  
2           Commonwealth of Puerto Rico, the District of Co-  
3           lumbia, Guam, American Samoa, the Virgin Islands  
4           of the United States, and the Commonwealth of the  
5           Northern Mariana Islands, and the Republic of  
6           Palau.”.

7   **SEC. 4. AUTHORIZATION OF APPROPRIATIONS.**

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

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

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

15           “(b) SPECIFIC PROGRAMS.—From the amount ap-  
16           propriated under subsection (a), the Secretary shall make  
17           available to carry out research, demonstration, and evalua-  
18           tion activities (including longitudinal studies under section  
19           649) not more than \$20,000,000 for fiscal year 2008 and  
20           such sums as may be necessary for each of fiscal the years  
21           2009 through 2012, of which not more than \$7,000,000  
22           for each of the fiscal years 2008 through 2012 shall be  
23           available to carry out impact studies under section  
24           649(g).”.

1 **SEC. 5. ALLOTMENT OF FUNDS; LIMITATION ON ASSIST-**  
2 **ANCE.**

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

6 “(a) ALLOTMENT OF FUNDS.—

7 “(1) IN GENERAL.—Of the funds appropriated  
8 under section 639, the Secretary shall allot such  
9 amounts in accordance with paragraphs (2) through  
10 (4), and subject to paragraphs (5) and (6).

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

15 “(A) SPECIAL POPULATIONS.—For Indian  
16 Head Start programs, services for children with  
17 disabilities, and migrant and seasonal Head  
18 Start programs, except that—

19 “(i) there shall be made available for  
20 each fiscal year for use by Indian Head  
21 Start programs and by migrant and sea-  
22 sonal Head Start programs, on a nation-  
23 wide basis, not less than the amount that  
24 was obligated for use by Indian Head  
25 Start programs and by migrant and sea-

1 sonal Head Start programs for fiscal year  
2 2007;

3 “(ii) migrant and seasonal Head Start  
4 programs shall receive not less than 5 per-  
5 cent of the amount appropriated for each  
6 fiscal year until such time as the Secretary  
7 can make funding decisions to ensure ac-  
8 cess to funding for eligible children of mi-  
9 grant and seasonal farmworkers is com-  
10 parable to access to funding for other eligi-  
11 ble children based on the data collected  
12 and reported pursuant to section 648(l),  
13 except that no future reduction in funding  
14 shall result in the termination of Head  
15 Start services provided to any eligible child  
16 3 years of age or older who is participating  
17 in any such program on the date a reduc-  
18 tion in funding occurs, and shall, to the ex-  
19 tent possible, continue participation for  
20 children less than 3 years of age receiving  
21 services before such reduction in funding;  
22 and

23 “(iii) Indian Head Start programs  
24 shall receive not less than 3.5 percent of  
25 the amount appropriated for each fiscal

1 year until such time as the Secretary can  
2 make funding decisions to ensure access to  
3 funding for eligible Indian children is com-  
4 parable to access to funding for other eligi-  
5 ble children based on the data collected in  
6 accordance with the requirements of sec-  
7 tion 648(k), except that no future reduc-  
8 tion in funding shall result in the termi-  
9 nation of Head Start services provided to  
10 any eligible child 3 years of age or older  
11 who is participating in any such program  
12 on the date a reduction in funding occurs,  
13 and shall, to the extent possible, continue  
14 participation for children less than 3 years  
15 of age receiving services before such reduc-  
16 tion in funding.

17 “(B) PAYMENTS TO TERRITORIES AND  
18 FREELY ASSOCIATED STATES.—Subject to para-  
19 graph (7), for payments to Guam, American  
20 Samoa, the Commonwealth of the Northern  
21 Mariana Islands, and the Virgin Islands of the  
22 United States, and the Republic of Palau, ex-  
23 cept that payments to the Republic of Palau  
24 shall not be made after fiscal year 2009.

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

7           “(i) not less than 50 percent shall be  
8 available to local Head Start agencies to  
9 make program improvements identified by  
10 such agencies to use for the training and  
11 technical assistance activities described in  
12 section 648(j);

13           “(ii) not less than 30 percent shall be  
14 available to the Secretary to support a  
15 State-based system or a national system,  
16 in the case of migrant and seasonal Head  
17 Start and Indian Head Start programs, of  
18 early childhood education training and  
19 technical assistance to local Head Start  
20 agencies as described in section 648(n);  
21 and

22           “(iii) the remainder of such amount  
23 shall be available to the Secretary to assist  
24 local Head Start agencies in meeting and  
25 exceeding the standards described in sec-

1           tion 641A(a)(1), including financial assist-  
2           ance to help Head Start programs address  
3           weaknesses identified by monitoring activi-  
4           ties conducted by the Secretary under sec-  
5           tion 641A(c), except that—

6                   “(I) not less than \$3,000,000  
7                   shall be available to carry out the ac-  
8                   tivities described in section 648(c)(4);  
9                   and

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

13                   “(D) MONITORING AND TERMINATIONS.—  
14           For discretionary payments made by the Sec-  
15           retary, including payments for all costs (other  
16           than compensation of Federal employees) of re-  
17           views of Head Start agencies, programs under  
18           section 641A(c), and of activities carried out  
19           under paragraph (1), (2), or (3) of section  
20           641A(d) related to correcting deficiencies and  
21           conducting proceedings to terminate the des-  
22           ignation of Head Start agencies.

23                   “(E) RESEARCH.—For payments for re-  
24           search, demonstration, and evaluation activities  
25           under section 649.

1 No funds reserved under this paragraph or para-  
2 graph (3) may be combined with funds appropriated  
3 under any other Act if the purpose of combining  
4 funds is to make a single discretionary grant or a  
5 single discretionary payment, unless such funds ap-  
6 propriated under this subchapter are separately  
7 identified in such grant or payment and are used for  
8 the purposes of this subchapter.

9 “(3) QUALITY IMPROVEMENT FUNDS.—

10 “(A) DETERMINATION OF FUNDS.—

11 “(i) For each of the fiscal years 2008  
12 through 2012, to provide assistance for ac-  
13 tivities specified in subparagraph (B), the  
14 Secretary shall reserve, from the amount  
15 (if any) by which the funds appropriated  
16 under section 639(a) for a fiscal year ex-  
17 ceed the adjusted prior year appropriation,  
18 a share equal to the sum of—

19 “(I) 60 percent of such excess  
20 amount; and

21 “(II) any additional part of such  
22 excess amount the Secretary may find  
23 necessary to address a demonstrated  
24 need for such activities.

1           “(ii) As used in clause (i), the term  
2           ‘adjusted prior year appropriation’ means,  
3           with respect to a fiscal year, the amount  
4           appropriated under section 639(a) for the  
5           preceding fiscal year, adjusted to reflect  
6           the percentage change in the Consumer  
7           Price Index for All Urban Consumers  
8           (issued by the Bureau of Labor Statistics)  
9           during such preceding fiscal year.

10           “(B) QUALITY IMPROVEMENT ACTIVI-  
11           TIES.—Funds reserved under this paragraph  
12           shall be used to carry out the following activi-  
13           ties:

14           “(i) Developing and financing the sal-  
15           ary scales and benefit standards of edu-  
16           cational staff, family service workers, and  
17           child counselors, as described in sections  
18           644(a) and 653, to ensure that salary lev-  
19           els and benefits are adequate to attract  
20           and retain qualified staff for such pro-  
21           grams.

22           “(ii) Providing on-going professional  
23           development to teachers that improves  
24           their understanding of child development,  
25           content knowledge, and appropriate teach-

1 ing strategies needed to provide effective  
2 instruction and other school readiness serv-  
3 ices in the areas of early language and lit-  
4 eracy, early mathematics, cognitive skills,  
5 approaches to learning, creative arts,  
6 science, physical health and development,  
7 and social and emotional development.

8 “(iii) Improving the qualifications and  
9 skills of educational personnel to meet the  
10 professional standards established under  
11 section 648A(a)(1), including providing as-  
12 sistance to complete postsecondary course  
13 work, subject to section 648A(a)(2)(D).

14 “(iv) Ensuring that the physical envi-  
15 ronments of Head Start programs are con-  
16 ducive to providing effective program serv-  
17 ices to children and families, and are ac-  
18 cessible to children with disabilities and  
19 other individuals with disabilities.

20 “(v) Employing additional qualified  
21 classroom staff necessary to reduce the  
22 child to teacher ratio in the classroom and  
23 family to staff ratio for family services  
24 workers.

1           “(vi) Ensuring that such programs  
2           have qualified staff that can promote lan-  
3           guage skills and literacy growth of children  
4           and that can provide children with a vari-  
5           ety of skills that have been identified,  
6           through scientifically based reading re-  
7           search, as predictive of later reading  
8           achievement.

9           “(vii) Increasing hours of program op-  
10          eration, including—

11                   “(I) conversion of part-day to  
12                   full-day; and

13                   “(II) number of weeks operated  
14                   in a calendar year.

15          “(C) ALLOCATION.—

16                   “(i) Funds reserved under subpara-  
17                   graph (A) shall be allotted by the Sec-  
18                   retary as follows:

19                           “(I) 80 percent of such funds  
20                           shall be allotted among the States in  
21                           the same proportion as the Secretary  
22                           allots funds among the States under  
23                           paragraph (4) for the respective fiscal  
24                           year.

1                   “(II) 20 percent of such funds  
2                   shall be allotted among the States,  
3                   geographical areas specified in sub-  
4                   section (a)(2)(B) and Indian Head  
5                   Start programs and migrant and sea-  
6                   sonal Head Start programs, and used  
7                   to make grants to Head Start agen-  
8                   cies, at the discretion of the Sec-  
9                   retary.

10                   “(ii) Funds allotted under clause (i)  
11                   shall be used by the Secretary to make  
12                   grants to Head Start agencies that receive  
13                   grants from funds allotted under para-  
14                   graph (4) for such fiscal year, in such  
15                   amounts as the Secretary considers to be  
16                   appropriate, for expenditure for activities  
17                   specified in subparagraph (B).

18                   “(iii) Funds received under this sub-  
19                   paragraph shall be used to supplement, not  
20                   to supplant, funds received under para-  
21                   graph (2) or (4).

22                   “(4) GRANT DISTRIBUTION.—Subject to section  
23                   639(b), the Secretary shall allot the remaining  
24                   amounts appropriated in each fiscal year among the

1 States, in accordance with latest satisfactory data so  
2 that—

3 “(A) each State receives an amount which  
4 is equal to the amount the State received for  
5 fiscal year 2007; and

6 “(B) any amount available after all allot-  
7 ments are made under subparagraph (A) for  
8 such fiscal year shall be distributed proportion-  
9 ately on the basis of the number of children less  
10 than 5 years of age from families whose income  
11 is below the poverty line.

12 For purposes of this paragraph, for each fiscal year  
13 the Secretary shall use the most recent data avail-  
14 able on the number of children less than 5 years of  
15 age from families whose income is below the poverty  
16 line, as published by the Department of Commerce,  
17 unless the Secretary and the Secretary of Commerce  
18 determine that use of the most recent data available  
19 would be inappropriate or unreliable. If the Sec-  
20 retary and the Secretary of Commerce determine  
21 that some or all of the data referred to in this para-  
22 graph are inappropriate or unreliable, the Secre-  
23 taries shall issue a report setting forth their reasons  
24 in detail.

25 “(5) COLLABORATION GRANTS.—

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

5           “(B)(i) From the reserved sums, the Sec-  
6           retary shall award upon submission of a written  
7           request, a collaboration grant to each State and  
8           to each national administrative office serving  
9           Indian Head Start programs and migrant and  
10          seasonal Head Start programs to facilitate col-  
11          laboration between Head Start agencies and en-  
12          tities (including the State or national adminis-  
13          trative office) that carry out other activities de-  
14          signed to benefit low-income families and chil-  
15          dren from birth to school entry. The national  
16          administrative offices shall use the funds made  
17          available through the grants to carry out the  
18          authorities and responsibilities described in sub-  
19          paragraphs (B) and (C).

20          “(ii) Grants described in clause (i) shall be  
21          used to—

22                  “(I) assist Head Start agencies to col-  
23                  laborate with entities involved in State and  
24                  local planning processes to better meet the

1 needs of low-income families and children  
2 from birth to school entry;

3 “(II) assist Head Start agencies to co-  
4 ordinate activities with the State agency  
5 responsible for administering the State  
6 program carried out under the Child Care  
7 and Development Block Grant Act of 1990  
8 (42 U.S.C. 9858 et seq.) and entities pro-  
9 viding resource and referral services in the  
10 State, to make full-working-day and full  
11 calendar year services available to children;

12 “(III) promote alignment of Head  
13 Start curricula and continuity of services  
14 with the Head Start Child Outcomes  
15 Framework and State early learning stand-  
16 ards, as appropriate;

17 “(IV) promote better linkages between  
18 Head Start agencies and other child and  
19 family agencies, including agencies that  
20 provide health, mental health, or family  
21 services, or other child or family supportive  
22 services, such as services provided under  
23 section 619 or part C of the Individuals  
24 with Disabilities Education Act (20 U.S.C.  
25 1419, 1431 et seq.); and

1           “(V) carry out the activities of the  
2           State Director of Head Start Collaboration  
3           authorized in subparagraph (D).

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

8                   “(i) appoint or designate an individual  
9                   to serve as, or carry out the responsibilities  
10                  of, the State Director of Head Start Col-  
11                  laboration;

12                  “(ii) ensure that the State Director of  
13                  Head Start Collaboration holds a position  
14                  with sufficient authority and access to en-  
15                  sure that the collaboration described in  
16                  subparagraph (B) is effective and involves  
17                  a range of State agencies; and

18                  “(iii) involve the State Head Start As-  
19                  sociation in the selection of the Director  
20                  and involve the Association in determina-  
21                  tions relating to the ongoing direction of  
22                  the collaboration office.

23           “(D) The State Director of Head Start  
24           Collaboration shall—

1           “(i) not later than 1 year after the  
2 State receives a collaboration grant under  
3 subparagraph (B), conduct an assessment  
4 that—

5                   “(I) addresses the needs of Head  
6 Start agencies in the State with re-  
7 spect to collaboration, coordination,  
8 and alignment of services, and align-  
9 ment of curricula and assessments  
10 with the Head Start Child Outcomes  
11 Framework, and with State early  
12 learning standards, as appropriate;

13                   “(II) shall be updated on an an-  
14 nual basis; and

15                   “(III) shall be made available to  
16 the general public within the State;

17           “(ii) develop a strategic plan that is  
18 based on the assessment described in  
19 clause (i) that will—

20                   “(I) enhance collaboration and  
21 coordination of Head Start services  
22 with other entities providing early  
23 childhood programs and services (such  
24 as child care or services offered by  
25 museums), health care, mental health

1 care, welfare, child protective services,  
2 education and community service ac-  
3 tivities, family literacy services, read-  
4 ing readiness programs (including  
5 such programs offered by public and  
6 school libraries), services relating to  
7 children with disabilities, other early  
8 childhood programs and services for  
9 limited English proficient children and  
10 homeless children, and services pro-  
11 vided for children in foster care and  
12 children referred to Head Start pro-  
13 grams by child welfare agencies, in-  
14 cluding agencies and State officials re-  
15 sponsible for such services;

16 “(II) assist Head Start agencies  
17 to develop a plan for the provision of  
18 full-working-day, full calendar year  
19 services for children enrolled in Head  
20 Start programs who need such care;

21 “(III) assist Head Start agencies  
22 to align curricula and assessments  
23 with the Head Start Child Outcomes  
24 Framework and to the State early

1 learning standards, as appropriate;  
2 and

3 “(IV) enable Head Start agencies  
4 in the State to better access profes-  
5 sional development opportunities for  
6 Head Start staff, such as by—

7 “(aa) working with local  
8 Head Start agencies to meet the  
9 degree requirements described in  
10 section 648A(a)(2)(A), including  
11 providing distance learning op-  
12 portunities for Head Start staff,  
13 where needed to make higher  
14 education more accessible to  
15 Head Start staff; and

16 “(bb) enabling the State  
17 Head Start agencies to better  
18 conduct outreach to eligible fami-  
19 lies;

20 “(iii) promote partnerships between  
21 Head Start agencies, State and local gov-  
22 ernments, and the private sector to help  
23 ensure that children, who are in Head  
24 Start programs, are receiving comprehen-

1 sive services to prepare the children to  
2 enter school ready to succeed;

3 “(iv) consult with the chief State  
4 school officer, local educational agencies,  
5 and providers of early childhood education  
6 and care, regarding early care and edu-  
7 cation services at both the State and local  
8 levels;

9 “(v) promote partnerships between  
10 Head Start agencies, schools, law enforce-  
11 ment, relevant community-based organiza-  
12 tions, and substance abuse and mental  
13 health treatment agencies to strengthen  
14 family and community environments and  
15 to reduce the impact on child development  
16 of substance abuse, child abuse, domestic  
17 violence, and other high risk behaviors that  
18 compromise healthy development;

19 “(vi) promote partnerships between  
20 Head Start agencies and other organiza-  
21 tions in order to enhance Head Start pro-  
22 gram quality, including partnerships to  
23 promote inclusion of more books in Head  
24 Start classrooms;

1           “(vii) identify other resources and or-  
2           ganizations (both public and private) for  
3           the provision of in-kind services to Head  
4           Start agencies in the State; and

5           “(viii) work with the State Early  
6           Learning Council in order to assist the ef-  
7           forts of Head Start agencies to engage in  
8           effective coordination and collaboration.

9           “(6) EARLY HEAD START.—

10           “(A) AMOUNTS RESERVED.—From  
11           amounts reserved and allotted pursuant to  
12           paragraphs (2) and (4), the Secretary shall use,  
13           for grants for programs described in section  
14           645A(a), a portion of the combined total of  
15           such amounts that is not less than 12 percent  
16           for fiscal year 2008, not less than 14 percent  
17           for fiscal year 2009, not less than 16 percent  
18           for fiscal year 2010, not less than 18 percent  
19           for fiscal year 2011, and not less than 20 per-  
20           cent for fiscal year 2012 of the amount appro-  
21           priated pursuant to section 639(a).

22           “(B) LIMITATIONS.—

23           “(i) For any fiscal year for which  
24           the Secretary determines that the  
25           amount appropriated under section

1           639(a) is not sufficient to permit the  
2           Secretary to reserve the portion de-  
3           scribed in subparagraph (A) without  
4           reducing the number of children  
5           served by Head Start programs or ad-  
6           versely affecting the quality of Head  
7           Start services, relative to the number  
8           of children served and the quality of  
9           the services during the preceding fis-  
10          cal year, the Secretary may reduce the  
11          percentage of funds required to be re-  
12          served for the portion described in  
13          subparagraph (A) for the fiscal year  
14          for which the determination is made,  
15          but not below the percentage required  
16          to be so reserved for the preceding fis-  
17          cal year.

18                 “(ii) For any fiscal year for  
19                 which the amount appropriated under  
20                 section 639(a) is reduced to a level  
21                 that requires a lower amount to be  
22                 made available under this subchapter  
23                 to Head Start agencies and entities  
24                 described in section 645A, relative to  
25                 the amount made available to such

1 agencies and entities for the preceding  
2 fiscal year, adjusted as described in  
3 paragraph (3)(a)(ii), the Secretary  
4 shall proportionately reduce—

5 “(I) the amounts made  
6 available to such entities for pro-  
7 grams carried out under section  
8 645A; and

9 “(II) the amounts made  
10 available to such Head Start  
11 agencies for Head Start pro-  
12 grams.

13 “(7) For purposes of this subsection, the term  
14 ‘State’ does not include Guam, American Samoa, the  
15 Virgin Islands, the Commonwealth of the Northern  
16 Mariana Islands, the Federated States of Micro-  
17 nesia, the Republic of the Marshall Islands, and the  
18 Republic of Palau.”.

19 (b) SERVICE DELIVERY MODELS.—Section 640(f)  
20 Head Start Act (42 U.S.C. 9835(f)) is amended to read  
21 as follows:

22 “(f) SERVICE DELIVERY MODELS.—

23 “(1) Not later than 1 year after the date of the  
24 enactment of the Improving Head Start Act of  
25 2007, the Secretary shall establish procedures to en-

1 able Head Start agencies to develop locally designed  
2 or specialized service delivery models to address local  
3 community needs, including models that leverage the  
4 existing capacity and capabilities of the delivery sys-  
5 tem of early childhood education and child care.

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

8 “(A) the conversion of part-day programs  
9 to full-day programs or part-day slots to full-  
10 day slots; and

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

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

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

18 (2) by amending subparagraphs (C) through  
19 (H) to read as follows:

20 “(C) the extent to which the applicant has un-  
21 dertaken community-wide strategic planning and  
22 needs assessments involving other community orga-  
23 nizations and local public agencies serving children  
24 and families with Federal, State, or local funds (in-  
25 cluding organizations and agencies providing family

1 support services, child abuse prevention services,  
2 protective services, and foster care, and organiza-  
3 tions serving families in whose homes English is not  
4 the language customarily spoken), and individuals,  
5 organizations, and public entities serving children  
6 with disabilities or homeless children, including the  
7 local educational agency liaison designated under  
8 section 722(g)(1)(J)(ii) of the McKinney-Vento  
9 Homeless Assistance Act (42 U.S.C.  
10 11432(g)(1)(J)(ii));

11 “(D) the extent to which the family and com-  
12 munity needs assessment of the applicant reflects a  
13 need to provide full working-day or full calendar  
14 year services and the extent to which, and manner  
15 in which, the applicant demonstrates the ability to  
16 collaborate and participate with the State and local  
17 community providers of child care or preschool serv-  
18 ices to provide full working-day full calendar year  
19 services;

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

23 “(F) the concentration of low-income families in  
24 each community;

1           “(G) the extent to which the applicant proposes  
2           to foster partnerships with other service providers in  
3           a manner that will leverage the existing delivery sys-  
4           tems of such services and enhance the resource ca-  
5           pacity of the applicant;

6           “(H) the extent to which the applicant, in pro-  
7           viding services, successfully coordinated its activities  
8           with the local educational agency serving the com-  
9           munity involved, (including the local educational  
10          agency liaison designated under section  
11          722(g)(1)(J)(ii) of the McKinney-Vento Homeless  
12          Assistance Act (42 U.S.C. 11432(g)(1)(J)(ii)) and  
13          with schools in which children participating in a  
14          Head Start program operated by such agency will  
15          enroll following such program, regarding such serv-  
16          ices and the education services provided by such  
17          local educational agency; and

18          “(I) the amount of funds used by such agency  
19          to pay administrative expenses and the amount of  
20          available funds received by such agency under this  
21          section to service each enrolled child.”.

22          (d) MIGRANT AND SEASONAL HEAD START PRO-  
23          GRAMS.—Section 640(l) of the Head Start Act (42 U.S.C.  
24          9835(l)) is amended—

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

3       “(3) In carrying out this subchapter, the Secretary  
4 shall continue the administrative arrangement at the na-  
5 tional level for meeting the needs of Indian children and  
6 children of migrant and seasonal farmworkers and shall  
7 ensure that appropriate funding is provided to meet such  
8 needs, including training and technical assistance and the  
9 appointment of a national migrant and seasonal Head  
10 Start collaboration director and a national Indian Head  
11 Start collaboration director.”, and

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

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

18       “(B) The consultations shall be for the purpose of  
19 better meeting the needs of Indian children and children  
20 of Alaskan Natives, and their families, in accordance with  
21 subsections (a), (b), and (c) of section 641, taking into  
22 consideration funding allocations, distribution formulas,  
23 and other issues affecting the delivery of Head Start serv-  
24 ices in their geographic locations.

1       “(C) The Secretary shall publish a notification of the  
2 consultations in the Federal Register before conducting  
3 the consultations.

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

8       (e) ENROLLMENT OF HOMELESS CHILDREN; RULE  
9 OF CONSTRUCTION; MATERIALS.—Section 640 of the  
10 Head Start Act (42 U.S.C. 9835) is amended by adding  
11 at the end the following:

12       “(m) ENROLLMENT OF HOMELESS CHILDREN.—The  
13 Secretary shall issue rules to establish policies and proce-  
14 dures to remove barriers to the enrollment and participa-  
15 tion of homeless children in Head Start programs. Such  
16 rules shall require Head Start agencies—

17               “(1) to implement policies and procedures to  
18 ensure that homeless children are identified and  
19 prioritized for enrollment;

20               “(2) to allow homeless families to apply to, en-  
21 roll in and attend Head Start programs while re-  
22 quired documents, such as proof of residency, immu-  
23 nization and other medical records, birth certificates  
24 and other documents, are obtained within a reason-  
25 able time frame; and

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

5           “(n) RULE OF CONSTRUCTION.—Nothing in this sub-  
6 chapter shall be construed to require a State to establish  
7 a program of early education for children in the State,  
8 to require any child to participate in a program of early  
9 education, to attend school, or to participate in any initial  
10 screening before participating in such program, except as  
11 provided under sections 612(a)(3) and 635(a)(5) of the  
12 Individuals with Disabilities Education Act.

13          “(o) MATERIALS.—All curricula and instructional  
14 materials funded under this subchapter shall be based on  
15 scientifically based research, age and developmentally ap-  
16 propriate, and focused on all areas of development (cog-  
17 nitive, social, emotional, and physical), learning (language  
18 and literacy, mathematics, science, and creative arts) and  
19 approaches to learning. Parents shall be permitted to in-  
20 spect, upon request, any curricula or instructional mate-  
21 rials used to carry out this subchapter.”.

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

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

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

2       “(a) **AUTHORITY TO DESIGNATE.**—The Secretary is  
3 authorized to designate as a Head Start agency any local  
4 public or private nonprofit agency, including community-  
5 based and faith-based organizations, or for-profit agency,  
6 within a community, pursuant to the requirements of this  
7 section, except that until such time that the Secretary de-  
8 velops and implements the system of application review  
9 under this section, the Secretary is authorized to designate  
10 as a Head Start agency, any local public or private non-  
11 profit agency, including community-based and faith-based  
12 organizations, or for-profit agency, within a community,  
13 in the manner and process utilized by the Secretary prior  
14 to the enactment of the Improving Head Start Act of  
15 2007.

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

19       “(c) **DEVELOPMENT OF APPLICATION REVIEW SYS-**  
20 **TEM.**—

21               “(1) **IN GENERAL.**—The Secretary shall develop  
22 a system that integrates the recommendations of the  
23 expert panel convened under paragraph (3) to deter-  
24 mine if a Head Start agency is providing a quality  
25 comprehensive early learning program that meets  
26 the educational, health, and nutritional needs of the

1 children and families it serves, and meets program  
2 and financial management requirements and per-  
3 formance standards described in section 641A(a)(1),  
4 based on—

5 “(A) annual budget data;

6 “(B) program reviews conducted under  
7 section 641A(c);

8 “(C) annual audits required under section  
9 647;

10 “(D) classroom quality as measured under  
11 section 640A(c)(2)(H); and

12 “(E) Program Information Report.

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

20 “(3) COMPOSITION OF EXPERT PANEL.—The  
21 Secretary, in convening such panel, shall appoint the  
22 following:

23 “(A) 5 members, who are competent, by  
24 virtue of their training, expertise, and experi-

1           ence, in each of at least one of the following  
2           areas:

3                   “(i) Early childhood program accredi-  
4                   tation or quality assessment.

5                   “(ii) Research on early childhood de-  
6                   velopment.

7                   “(iii) Governance and finance of non-  
8                   profit organizations.

9                   “(iv) Delivery of services to children  
10                  and families with limited English pro-  
11                  ficiency.

12                  “(v) Delivery of services to children  
13                  with disabilities.

14                  “(B) An employee from the Office of Head  
15                  Start.

16                  “(C) An executive director of a Head Start  
17                  agency.

18                  “(4) EXPERT PANEL REPORT.—Within 12  
19                  months of being convened by the Secretary, the ex-  
20                  pert panel shall issue a report to the Secretary that  
21                  provides recommendations on a proposed system of  
22                  grant review that takes into account the criteria in  
23                  paragraph (1) to evaluate whether a Head Start  
24                  grantee is meeting mission to provide a high quality  
25                  comprehensive early education program, including

1 adequately meeting its governance and financial  
2 management requirements.

3 “(5) PUBLIC COMMENT; REPORT TO CON-  
4 GRESS.—No later than 6 months after receiving the  
5 report described in paragraph (4), the Secretary  
6 shall publish a proposed system for application eval-  
7 uation in the Federal Register, providing at least 90  
8 days for public comment and shall provide a report  
9 to the Education and Labor Committee of the U.S.  
10 House of Representatives and the Health, Edu-  
11 cation, Labor, and Pensions Committee of the U.S.  
12 Senate that provides a detailed description of such  
13 proposed system, including clear rationale for any  
14 differences between the proposed system and the  
15 recommendations of the expert panel, if any such  
16 differences exist.

17 “(6) IMPLEMENTATION OF APPLICATION RE-  
18 VIEW SYSTEM.—After the Secretary has reviewed all  
19 public comments and finalized the system of applica-  
20 tion renewal, the Secretary will use this system to  
21 determine which grantees are successfully delivering  
22 a high quality comprehensive early education pro-  
23 gram. Grantees who are determined under such sys-  
24 tem to be—

1           “(A) successfully delivering a high quality  
2 comprehensive early education program shall  
3 have their application renewed for a period of  
4 5 years;

5           “(B) under-performing and may enter into  
6 an open competition as described in subpara-  
7 graph (e); and

8           “(C) notwithstanding paragraph (B), if an  
9 Indian Head Start agency is determined to be  
10 underperforming, the Secretary shall engage in  
11 government-to-government consultation with the  
12 appropriate tribal government or governments  
13 for the purpose of establishing a performance  
14 enhancement plan for that agency. Such plan is  
15 to be developed and implemented within 6  
16 months of the Secretary’s determination. Not  
17 more than 6 months after implementation of  
18 that plan, the Secretary shall re-evaluate the  
19 performance of the Indian Head Start agency.  
20 If the Indian Head Start agency remains  
21 underperforming, the Secretary shall conduct  
22 an open competition as described in subpara-  
23 graph (e), subject to the following limitations:

24                   “(i) Except as provided in paragraph  
25                   (ii), a non-Indian Head Start agency may

1 not receive a grant to carry out an Indian  
2 Head Start program.

3 “(ii) In a community in which there is  
4 no Indian Head Start agency available for  
5 designation to carry out an Indian Head  
6 Start program, a non-Indian Head Start  
7 agency, on an interim basis, may receive a  
8 grant to carry out an Indian Head Start  
9 program, but only until such time as an  
10 Indian Head Start agency in such commu-  
11 nity becomes available.

12 “(d) TRANSPARENCY, RELIABILITY, AND VALID-  
13 ITY.—The Secretary shall ensure the system of application  
14 evaluation is fair, consistent, and transparent and applied  
15 in a manner that awards 5 year grants in a timely manner  
16 to Head Start agencies providing a high quality com-  
17 prehensive early education program. The Secretary shall  
18 periodically evaluate whether the criteria are being applied  
19 in a manner that is transparent, reliable, and valid.

20 “(e) DESIGNATION WHEN NO ENTITY HAS PRI-  
21 ORITY.—

22 “(1) IN GENERAL.—If no entity in a commu-  
23 nity is determined to be successfully delivering a  
24 high quality comprehensive early education program,  
25 as specified in subsection (c), the Secretary shall,

1 after conducting an open competition, designate for  
2 a 5-year period a Head Start agency from among  
3 qualified applicants in such community.

4 “(2) CONSIDERATIONS IN DESIGNATION.—In  
5 selecting from among qualified applicants for des-  
6 ignation as a Head Start agency, the Secretary shall  
7 consider the effectiveness of each such applicant to  
8 provide Head Start services, based on—

9 “(A) any past performance of such appli-  
10 cant in providing services comparable to Head  
11 Start services, including how effectively such  
12 applicant provided such comparable services;

13 “(B) the plan of such applicant to provide  
14 comprehensive health (including mental and be-  
15 havioral health), educational, nutritional, social,  
16 and other services needed to prepare children to  
17 succeed in school and in life;

18 “(C) the plan of such applicant to attract  
19 and retain qualified staff capable of delivering  
20 a high quality comprehensive early education  
21 program, including demonstrating the ability to  
22 provide adequate salary and benefits to main-  
23 tain a high quality staff;

24 “(D) the ability of such applicant to main-  
25 tain child-teacher ratios and family service

1 worker caseloads that reflect best practices and  
2 are tied to high quality service delivery;

3 “(E) the capacity of such applicant to  
4 serve eligible children with curriculum and  
5 teaching practices that are based on scientif-  
6 ically based research, are developmentally ap-  
7 propriate, and that promote the school readi-  
8 ness of children participating in the program;

9 “(F) the plan of such applicant to meet  
10 standards set forth in section 641A(a)(1), with  
11 particular attention to the standards set forth  
12 in subparagraphs (A) and (B) of such section;

13 “(G) the proposed budget and plan of such  
14 applicant to maintain strong fiscal controls and  
15 cost effective fiscal management;

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

20 “(i) programs implementing grants  
21 under the Early Reading First and Even  
22 Start programs under subparts 2 and 3 of  
23 part B of title I of the Elementary and  
24 Secondary Education Act of 1965 (20  
25 U.S.C. 6371 et seq., 6381 et seq.);

1           “(ii) and programs under section 619  
2           and part C of the Individuals with Disabil-  
3           ities Education Act (20 U.S.C. 1419, 1431  
4           et seq.);

5           “(iii) State prekindergarten programs;

6           “(iv) child care programs; and

7           “(v) the educational programs that  
8           the children participating in the Head  
9           Start program will enter at the age of com-  
10          pulsory school attendance;

11          “(I) the plan of such applicant to coordi-  
12          nate the Head Start program that the applicant  
13          proposes to carry out, with public and private  
14          entities that are willing to commit resources to  
15          assist the Head Start program in meeting its  
16          program needs;

17          “(J) the plan of such applicant—

18                 “(i) to seek the involvement of parents  
19                 (including grandparents and kinship care-  
20                 givers, as appropriate) of children partici-  
21                 pating in the proposed Head Start pro-  
22                 gram, in activities (at home and, if prac-  
23                 ticable, at the location of the Head Start  
24                 program) designed to help such parents be-

1           come full partners in the education of their  
2           children;

3           “(ii) to afford such parents the oppor-  
4           tunity to participate in the development  
5           and overall conduct of the program at the  
6           local level;

7           “(iii) to offer (directly or through re-  
8           ferral to local entities, such as entities car-  
9           rying out Even Start programs under sub-  
10          chapter 3 of part B of title I of the Ele-  
11          mentary and Secondary Education Act of  
12          1965 (20 U.S.C. 6381 et seq.), public and  
13          school libraries, and entities carrying out  
14          family support programs) to such par-  
15          ents—

16                   “(I) family literacy services; and

17                   “(II) parenting skills training;

18           “(iv) to offer to parents of partici-  
19          pating children, mental health services (ei-  
20          ther directly or through referral to local  
21          entities), including substance abuse coun-  
22          seling and information on maternal depres-  
23          sion and on the effect of drug-exposure on  
24          infants and fetal alcohol syndrome;

1           “(v) at the option of such applicant,  
2           to offer (directly or through referral to  
3           local entities) to such parents—

4                   “(I) training in basic child devel-  
5                   opment (including cognitive, social,  
6                   and emotional development);

7                   “(II) assistance in developing lit-  
8                   eracy and communication skills;

9                   “(III) opportunities to share ex-  
10                   periences with other parents (includ-  
11                   ing parent mentor relationships);

12                   “(IV) regular in-home visitation;

13                   “(V) mental and behavioral  
14                   health services; or

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

18           “(vi) to provide, with respect to each  
19           participating family, a family needs assess-  
20           ment that includes consultation with such  
21           parents about the benefits of parent in-  
22           volvement and about the activities de-  
23           scribed in subparagraph (H) in which such  
24           parents may choose to become involved  
25           (taking into consideration their specific

1 family needs, work schedules, and other re-  
2 sponsibilities); and

3 “(vii) to extend outreach to fathers, in  
4 appropriate cases, in order to strengthen  
5 the role of fathers in families, in the edu-  
6 cation of their young children, and in the  
7 Head Start program, by working directly  
8 with fathers and father figures through ac-  
9 tivities such as—

10 “(I) in appropriate cases, includ-  
11 ing fathers in home visits and pro-  
12 viding culturally appropriate opportu-  
13 nities for direct father-child inter-  
14 actions; and

15 “(II) targeting increased male  
16 participation in the conduct of the  
17 program;

18 “(K) the plan of such applicant to meet  
19 the needs of limited English proficient children  
20 and their families, including procedures to iden-  
21 tify such children, plans to provide trained per-  
22 sonnel, and plans to provide services to assist  
23 the children in making progress toward the ac-  
24 quisition of the English language, while making  
25 meaningful progress in attaining the knowledge,

1 skills, abilities, and development described in  
2 section 641A(a)(1)(B);

3 “(L) the plan of such applicant to meet  
4 the diverse cultural needs of the population  
5 served;

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

8 “(N) the plan of such applicant who chooses  
9 to assist younger siblings of children who will  
10 participate in the Head Start program to obtain  
11 health services from other sources;

12 “(O) the plan of such applicant to collaborate  
13 with other entities carrying out public or  
14 private early childhood education and child care  
15 programs in the community;

16 “(P) the plan of such applicant to meet the  
17 needs of homeless children, including transportation  
18 needs, and children in foster care and  
19 children and families experiencing toxic stress;

20 “(Q) the plan of such applicant to maintain  
21 a qualified staff, including a teaching staff  
22 qualified to implement research-based curricula  
23 aligned with the Head Start Child Outcomes  
24 Framework developed by the Secretary and to

1 the early learning standards in State in which  
2 such program would operate;

3 “(R) the plan of such applicant to enter  
4 into memoranda of understanding with local  
5 educational agencies within the service area, as  
6 described in section 642B(a); and

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

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

16 “(g) PARENT AND COMMUNITY PARTICIPATION.—  
17 The Secretary shall require that the practice of signifi-  
18 cantly involving parents and area residents affected by the  
19 program in the selection of Head Start agencies be contin-  
20 ued.

21 “(h) COMMUNITY.—For purposes of this subchapter,  
22 a community may be a city, county, or multicounty or multi-  
23 county unit within a State, an Indian reservation (includ-  
24 ing Indians in any off-reservation area designated by an  
25 appropriate tribal government in consultation with the

1 Secretary) or a neighborhood or other area (irrespective  
2 of boundaries or political subdivisions) which provides a  
3 suitable organizational base and possesses the com-  
4 monality of interest needed to operate a Head Start pro-  
5 gram.”.

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

8 Section 641A of the Head Start Act (42 U.S.C.  
9 9836a) is amended to read as follows:

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

12 “(a) QUALITY STANDARDS.—

13 “(1) ESTABLISHMENT OF STANDARDS.—The  
14 Secretary shall modify, as necessary, program per-  
15 formance standards by regulation applicable to Head  
16 Start agencies, programs, and projects under this  
17 subchapter, including—

18 “(A) performance standards with respect  
19 to services required to be provided, including  
20 health, parental involvement, nutritional, social,  
21 transition activities described in section 642(d),  
22 and other services;

23 “(B) scientifically based and develop-  
24 mentally appropriate early learning standards  
25 related to school readiness that are based on

1 the Head Start Child Outcomes Framework to  
2 ensure that the children participating in the  
3 program, at a minimum develop and dem-  
4 onstrate—

5 “(i) language knowledge and skills, in-  
6 cluding oral language and listening com-  
7 prehension;

8 “(ii) prereading knowledge and skills  
9 that prepare children for early literacy in  
10 schools including phonological awareness,  
11 print awareness and print skills, and al-  
12 phabetic knowledge;

13 “(iii) mathematics knowledge and  
14 skills, including aspects of classification,  
15 seriation, number, spatial relations, and  
16 time;

17 “(iv) science knowledge and skills, in-  
18 cluding measurement;

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

21 “(vi) social and emotional develop-  
22 ment related to early learning, school suc-  
23 cess, social problem-solving, and overall  
24 well-being;

1                   “(vii) approaches to learning related  
2                   to child development and early learning;

3                   “(viii) creative arts; and

4                   “(ix) in the case of limited-English  
5                   proficient children, progress toward acqui-  
6                   sition of the English language while mak-  
7                   ing meaningful progress in attaining the  
8                   knowledge, skills, abilities, and develop-  
9                   ment described in clauses (i) through (viii);

10                  “(C) administrative and financial manage-  
11                  ment standards;

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

15                  “(E) such other standards as the Secretary  
16                  finds to be appropriate.

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

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

1           ment, and with persons with experience in the  
2           operation of Head Start programs;

3           “(B) take into consideration—

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

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

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

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

22          “(v) projected needs of an expanding  
23          Head Start program;

24          “(vi) guidelines and standards cur-  
25          rently in effect or under consideration that

1 promote child health services and physical  
2 development, including outdoor activity  
3 that supports children’s motor development  
4 and overall health and nutrition;

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

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

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

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

21 “(ii) ensure that any such revisions in the  
22 performance standards will not result in the  
23 elimination of or any reduction in quality, scope  
24 or types of health, education, parental involve-  
25 ment, nutritional, social, or other services re-

1           quired to be provided under such standards as  
2           in effect on October 27, 1998.

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

15          “(b) MEASURES.—

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

25                         “(A) classroom instructional practices;

1           “(B) identification of special needs; and

2           “(C) program evaluation.

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

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

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

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

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

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

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

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

24           “(3) USE OF MEASURES; LIMITATIONS ON  
25 USE.—

1           “(A) Measures shall be designed for the  
2           purpose of—

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

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

14                   “(iii) identifying special needs; and

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

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

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

1           “(A) suspend implementation and termi-  
2           nate further development and use of the Na-  
3           tional Reporting System; and

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

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

20          “(c) MONITORING OF LOCAL AGENCIES AND PRO-  
21          GRAMS.—

22          “(1) IN GENERAL.—To determine whether  
23          Head Start agencies meet standards established  
24          under this subchapter with respect to program, ad-  
25          ministrative, financial management, and other re-

1        requirements and in order to help programs identify  
2        areas for improvement and areas of strengths as  
3        part of an on-going self-assessment process, the Sec-  
4        retary shall develop and use a risk-based assessment  
5        system to conduct the following reviews of Head  
6        Start agencies, and of the Head Start programs op-  
7        erated by such agencies:

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

10               “(B) A review of each newly designated  
11               Head Start agency immediately after the com-  
12               pletion of the first year such agency carries out  
13               a Head Start program.

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

18               “(D) other reviews, including unannounced  
19               site inspections of Head Start centers, as ap-  
20               propriate.

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

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

1           “(i) include individuals who are  
2           knowledgeable about Head Start programs  
3           and, to the maximum extent practicable,  
4           the diverse (including linguistic and cul-  
5           tural) needs of eligible children (including  
6           children with disabilities) and limited-  
7           English proficient children and their fami-  
8           lies; and

9           “(ii) include, to the maximum extent  
10          practicable, current or former employees of  
11          the Department of Health and Human  
12          Services who are knowledgeable about  
13          Head Start programs;

14          “(B) include as part of the reviews of the  
15          programs, a review and assessment of program  
16          strengths and areas in need of improvement;

17          “(C) include as part of the reviews of the  
18          programs, a review and assessment of whether  
19          programs have adequately addressed the popu-  
20          lation and community needs (including popu-  
21          lations of children with limited English pro-  
22          ficiency and children of migrant and seasonal  
23          farm-working families);

24          “(D) include as part of the review the ex-  
25          tent to which the program addresses the com-

1 community needs and strategic plan identified in  
2 section 640(g)(2)(C);

3 “(E) include as part of the review the im-  
4 plementation by qualified individuals with dem-  
5 onstrated reliability, of a valid and reliable re-  
6 search-based observational instrument that as-  
7 sesses classroom quality, including multiple di-  
8 mensions of teacher-child interactions that are  
9 linked to positive child development and later  
10 achievement;

11 “(F) are conducted in a manner that eval-  
12 uates program performance, quality, and overall  
13 operations with consistency and objectivity, and  
14 based on a transparent and reliable system of  
15 review;

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

20 “(H) include as part of the review a pro-  
21 tocol for fiscal management that shall be used  
22 to assess the compliance with program require-  
23 ments for—

24 “(i) using federal funds appropriately;

1                   “(ii) using federal funds specifically to  
2                   purchase property and to compensate per-  
3                   sonnel;

4                   “(iii) securing and using qualified fis-  
5                   cal officer support; and

6                   “(iv) reporting financial information  
7                   and implementing appropriate internal  
8                   controls to safeguard federal funds.

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

11                  “(A) be presented to an agency in a timely,  
12                  transparent, and uniform manner that conveys  
13                  information of program strengths and weak-  
14                  nesses and assists with program improvement;  
15                  and

16                  “(B) be used by the Head Start agencies  
17                  to inform the development and implementation  
18                  of their plan for training and technical assist-  
19                  ance.

20                  “(d) EVALUATIONS AND CORRECTIVE ACTIONS FOR  
21                  DELEGATE AGENCIES.—

22                  “(1) PROCEDURES.—The Head Start agency  
23                  shall establish procedures relating to its delegate  
24                  agencies, including—

1           “(A) procedures for evaluating delegate  
2 agencies;

3           “(B) procedures for defunding delegate  
4 agencies; and

5           “(C) procedures for appealing a defunding  
6 decision relating to a delegate agency.

7           “(2) EVALUATIONS.—Each Head Start agen-  
8 cy—

9           “(A) shall evaluate its delegate agencies  
10 using the procedures established under this sec-  
11 tion; and

12           “(B) shall inform the delegate agencies of  
13 the deficiencies identified through the evalua-  
14 tion that are required to be corrected.

15           “(3) REMEDIES TO ENSURE CORRECTIVE AC-  
16 TIONS.—If the Head Start agency identifies a defi-  
17 ciency of a delegate agency through the evaluation,  
18 the Head Start agency may—

19           “(A) initiate procedures to terminate the  
20 designation of the delegate agency unless such  
21 agency corrects the deficiency; and

22           “(B) conduct monthly monitoring visits to  
23 such delegate agency until all deficiencies are  
24 corrected or the Head Start agency decides to  
25 defund such delegate agency.

1           “(4) RULE OF CONSTRUCTION.—Nothing in  
2 this subsection shall be construed to modify, super-  
3 sede, or affect the powers, duties, or functions of the  
4 Secretary with respect to Head Start agencies or  
5 delegate agencies that receive financial assistance  
6 under this subchapter.

7           “(e) CORRECTIVE ACTION; TERMINATION.—

8           “(1) DETERMINATION.—If the Secretary deter-  
9 mines, on the basis of a review pursuant to sub-  
10 section (c), that a Head Start agency designated  
11 pursuant to section 641 fails to meet the standards  
12 described in subsection (a) or fails to adequately ad-  
13 dress the community needs and strategic plan identi-  
14 fied in section 640(g)(2)(C), the Secretary shall—

15                   “(A) inform the agency of the deficiencies  
16 that shall be corrected;

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

19                           “(i) to correct the deficiency imme-  
20 diately, if the Secretary finds that the defi-  
21 ciency threatens the health or safety of  
22 staff or program participants or poses a  
23 threat to the integrity of Federal funds;

24                           “(ii) to correct the deficiency not later  
25 than 90 days after the identification of the

1           deficiency if the Secretary finds, in the dis-  
2           cretion of the Secretary, that such a 90-  
3           day period is reasonable, in light of the na-  
4           ture and magnitude of the deficiency; or

5           “(iii) in the discretion of the Sec-  
6           retary (taking into consideration the seri-  
7           ousness of the deficiency and the time rea-  
8           sonably required to correct the deficiency),  
9           to comply with the requirements of para-  
10          graph (2) concerning a quality improve-  
11          ment plan; and

12          “(C) initiate proceedings to terminate the  
13          designation of the agency unless the agency cor-  
14          rects the deficiency.

15          “(2) QUALITY IMPROVEMENT PLAN.—

16                 “(A) AGENCY AND PROGRAM RESPONSIBIL-  
17                 ITIES.—To retain a designation as a Head  
18                 Start agency under this subchapter, or in the  
19                 case of a Head Start program to continue to re-  
20                 ceive funds from such agency, a Head Start  
21                 agency, or Head Start program that is the sub-  
22                 ject of a determination described in paragraph  
23                 (1) (excluding an agency or program required  
24                 to correct a deficiency immediately or during a

1           90-day period under clause (i) or (ii) of para-  
2           graph (1)(B)) shall—

3                   “(i) develop in a timely manner, a  
4                   quality improvement plan that shall be  
5                   subject to the approval of the secretary, or  
6                   in the case of a program, the sponsoring  
7                   agency, and which shall specify—

8                           “(I) the deficiencies to be cor-  
9                           rected;

10                           “(II) the actions to be taken to  
11                           correct such deficiencies; and

12                           “(III) the timetable for accom-  
13                           plishment of the corrective actions  
14                           specified; and

15                           “(ii) eliminate each deficiency identi-  
16                           fied, not later than the date for elimination  
17                           of such deficiency specified in such plan  
18                           (which shall not be later than 10 months  
19                           after the date the agency or program ob-  
20                           tains approval of its quality improvement  
21                           plan).

22                           “(B) SECRETARIAL RESPONSIBILITY.—Not  
23                           later than 30 days after receiving from a Head  
24                           Start agency a proposed quality improvement  
25                           plan pursuant to subparagraph (A), the Sec-

1           retary shall either approve such proposed plan  
2           or specify the reasons why the proposed plan  
3           cannot be approved.

4                   “(C) AGENCY RESPONSIBILITY FOR PRO-  
5           GRAM IMPROVEMENT.—Not later than 30 days  
6           after receiving from a Head Start program, a  
7           proposed quality improvement plan pursuant to  
8           subparagraph (A), the Head Start agency shall  
9           either approve such proposed plan or specify  
10          the reasons why the proposed plan cannot be  
11          approved.

12                   “(3) TRAINING AND TECHNICAL ASSISTANCE.—  
13          The Secretary shall provide training and technical  
14          assistance to Head Start agencies and programs  
15          with respect to the development or implementation  
16          of such quality improvement plans to the extent the  
17          Secretary finds such provision to be feasible and ap-  
18          propriate given available funding and other statutory  
19          responsibilities.

20                   “(f) SUMMARIES OF MONITORING OUTCOMES.—Not  
21          later than 120 days after the end of each fiscal year, the  
22          Secretary shall publish a summary report on the findings  
23          of reviews conducted under subsection (c) and on the out-  
24          comes of quality improvement plans implemented under  
25          subsection (e), during such fiscal year. Such report shall

1 be made available to all parents with children receiving  
2 assistance under this subchapter in an understandable and  
3 uniform format, and to the extent practicable, provided  
4 in a language that the parents can understand, and in ad-  
5 dition, make the information widely available through pub-  
6 lic means such as distribution through public agencies,  
7 and at a minimum posting such information on the Inter-  
8 net immediately upon publication. Such reports shall con-  
9 tain detailed data on compliance with specific performance  
10 standards and measures sufficient to allow individual  
11 Head Start agencies to use such data to improve the qual-  
12 ity of their program.

13       “(g) SELF-ASSESSMENTS.—

14               “(1) IN GENERAL.—Not less frequently than  
15 once each program year, with the consultation and  
16 participation of policy councils, and as applicable,  
17 policy committees, and as appropriate, other commu-  
18 nity members, each Head Start agency and each del-  
19 egate agency that receives financial assistance under  
20 this subchapter shall conduct a comprehensive self-  
21 assessment of its effectiveness and progress in meet-  
22 ing program goals and objectives (including profes-  
23 sional development plans) and in implementing and  
24 complying with Head Start program performance  
25 standards.

1           “(2) REPORT AND IMPROVEMENT PLANS.—

2                   “(A) REPORT.—An agency conducting a  
3 self-assessment shall report the findings of the  
4 self-assessment to the relevant policy council,  
5 policy committee, governing body, and Sec-  
6 retary. Each self-assessment shall identify areas  
7 of strength and weakness.

8                   “(B) IMPROVEMENT PLAN.—The agency  
9 shall develop and report to the Secretary an im-  
10 provement plan approved by the governing body  
11 of the agency to strengthen any areas identified  
12 in the self-assessment as weaknesses or in need  
13 of improvement.

14           “(3) ONGOING MONITORING.—Each Head Start  
15 agency, delegate Head Start agency, and entity that  
16 carries out an Early Head Start program a shall es-  
17 tablish and implement procedures for the ongoing  
18 monitoring of their respective programs, to ensure  
19 that the operations of the programs work toward  
20 meeting program goals and objectives and Head  
21 Start performance standards.

22           “(h) ENROLLMENT REPORTING REQUIREMENT.—

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

1           “(A) the actual enrollment in such pro-  
2           gram; and

3           “(B) if such actual enrollment is less than  
4           the funded enrollment, any apparent reason for  
5           such enrollment shortfall.

6           “(2) The Secretary shall determine on a regular  
7           basis which Head Start agencies are operating with  
8           an actual enrollment that is less than the funded en-  
9           rollment and shall provide appropriate and timely  
10          training and technical assistance to increase actual  
11          enrollment, as appropriate.

12          “(3) In this subsection:

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

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

20                         “(i) amounts reserved for use in ac-  
21                         cordance with section 640(a)(2)(A), for a  
22                         Head Start agency administering an In-  
23                         dian Head Start program or migrant and  
24                         seasonal Head Start program;

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

3                   “(iii) amounts available under section  
4                   640(a)(2)(D) or allotted among States  
5                   under section 640(a)(4).

6                   “(C) The term ‘funded enrollment’ means,  
7                   with respect to the program of a Head Start  
8                   agency in a fiscal year, the number of children  
9                   that the agency is funded to serve through a  
10                  grant for the program during such fiscal year,  
11                  as indicated in the grant award.

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

17                  “(1) If such funds are derived from an Indian  
18                  Head Start program, then such funds shall be redis-  
19                  tributed to increase enrollment in such fiscal year in  
20                  1 or more Indian Head Start programs.

21                  “(2) If such funds are derived from the oper-  
22                  ation of a migrant and seasonal Head Start pro-  
23                  gram, then such funds shall be redistributed to in-  
24                  crease enrollment in such fiscal year in 1 or more  
25                  migrant and seasonal Head Start programs.

1           “(3) If such funds are derived from the oper-  
2           ation of a Head Start program in a State (excluding  
3           Indian Head Start program and migrant and sea-  
4           sonal Head Start programs), then such funds shall  
5           be redistributed to increase enrollment in such fiscal  
6           year in 1 or more Head Start programs (excluding  
7           Indian Head Start programs and migrant and sea-  
8           sonal Head Start programs) that are carried out in  
9           such State, except that—

10                   “(A) not less than 50 percent of the funds  
11                   shall be prioritized to increase the program par-  
12                   ticipation of children and families served under  
13                   Early Head Start; and

14                   “(B) not less than 25 percent of the funds  
15                   shall be prioritized to increase program partici-  
16                   pation of underserved populations of eligible  
17                   children.”.

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

20           Section 642 of the of the Head Start Act (42 U.S.C.  
21 9837) is amended to read as follows:

22 **“SEC. 642. POWERS AND FUNCTIONS OF HEAD START AGEN-**  
23 **CIES.**

24           “(a) **LEGAL AUTHORITY.**—To be designated as a  
25 Head Start agency under this subchapter, an agency must

1 have authority under its charter or applicable law to re-  
2 ceive and administer funds under this subchapter, funds  
3 and contributions from private or local public sources  
4 which may be used in support of a Head Start program,  
5 and funds under any Federal or State assistance program  
6 pursuant to which a public or private nonprofit or for-  
7 profit agency (as the case may be) organized in accordance  
8 with this subchapter, could act as grantee, contractor, or  
9 sponsor of projects appropriate for inclusion in a Head  
10 Start program. Such an agency must also be empowered  
11 to transfer funds so received, and to delegate powers to  
12 other agencies, subject to the powers of its governing  
13 board and its overall program responsibilities. The power  
14 to transfer funds and delegate powers must include the  
15 power to make transfers and delegations covering compo-  
16 nent projects in all cases where this will contribute to effi-  
17 ciency and effectiveness or otherwise further program ob-  
18 jectives.

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

23               “(1) Establish effective procedures by which  
24               parents and area residents concerned will be enabled

1 to directly participate in decisions that influence the  
2 character of programs affecting their interests.

3 “(2) Seek the involvement of parents, area resi-  
4 dents, and local business in the design and imple-  
5 mentation of the program.

6 “(3) Establish effective procedures to facilitate  
7 and seek the involvement of parents of participating  
8 children in activities designed to help such parents  
9 become full partners in the education of their chil-  
10 dren, and to afford such parents the opportunity to  
11 participate in the development and overall conduct of  
12 the program at the local level, including a process  
13 through which parents of children currently partici-  
14 pating in a Head Start program or an Early Head  
15 Start program select the parent representatives to  
16 serve on the council under section 642(b)(4)(B)(ii).

17 “(4) Offer (directly or through referral to local  
18 entities, such as entities carrying out Even Start  
19 programs under subpart 3 of part B of title I of the  
20 Elementary and Secondary Education Act of 1965  
21 (20 U.S.C. 2741 et seq.)), to parents of partici-  
22 pating children, family literacy services and par-  
23 enting skills training.

24 “(5) Offer to parents of participating children  
25 mental health services (either directly or through re-

1       ferral to local entities), including substance abuse  
2       counseling, and including information on maternal  
3       depression and on drug-exposed infants and fetal al-  
4       cohol syndrome.

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

8                       “(A) training in basic child development  
9                       (including cognitive, social, and emotional devel-  
10                      opment);

11                      “(B) assistance in developing literacy and  
12                      communication skills;

13                      “(C) opportunities to share experiences  
14                      with other parents (including parent-mentor re-  
15                      lationships);

16                      “(D) mental and behavioral health serv-  
17                      ices;

18                      “(E) regular in-home visitation; or

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

22               “(7) Provide, with respect to each participating  
23       family, a family needs assessment that includes con-  
24       sultation with such parents about the benefits of  
25       parent involvement and about the activities described

1 in paragraphs (5) through (8) in which such parents  
2 may choose to be involved (taking into consideration  
3 their specific family needs, work schedules, and  
4 other responsibilities).

5 “(8) Consider providing services to assist  
6 younger siblings of children participating in its Head  
7 Start program to obtain health services from other  
8 sources.

9 “(9) Perform community outreach to encourage  
10 individuals previously unaffiliated with Head Start  
11 programs to participate in its Head Start program  
12 as volunteers.

13 “(10)(A) Inform custodial parents in single-par-  
14 ent families that participate in programs, activities,  
15 or services carried out or provided under this sub-  
16 chapter about the availability of child support serv-  
17 ices for purposes of establishing paternity and ac-  
18 quiring child support; and

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

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

1           “(12) Provide technical and other support need-  
2           ed to enable parents and area residents to secure on  
3           their own behalf available assistance from public and  
4           private sources.

5           “(13) Promote the continued involvement of the  
6           parents (including grandparents and kinship care-  
7           givers, as appropriate) of children that participate in  
8           Head Start programs in the education of their chil-  
9           dren upon transition to school, the Head Start agen-  
10          cy shall work with the local educational agency—

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

12                           “(i) to inform the parents about their  
13                           rights and responsibilities concerning the  
14                           education of their children; and

15                           “(ii) to enable the parents—

16                                   “(I) to understand and work with  
17                                   schools in order to communicate with  
18                                   teachers and other school personnel;

19                                   “(II) to support the schoolwork  
20                                   of their children; and

21                                   “(III) to participate as appro-  
22                                   priate in decisions relating to the edu-  
23                                   cation of their children; and

24                           “(B) to take other actions, as appropriate  
25                           and feasible, to support the active involvement

1 of the parents with schools, school personnel,  
2 and school-related organizations.

3 “(14) Provide parents of a child suspected of  
4 having a disability information about services avail-  
5 able under part C or section 619 of the Individuals  
6 With Disabilities Act (20 U.S.C. 1419, 1431 et seq.)  
7 and refer such child to the appropriate agency for an  
8 evaluation of eligibility under such Act.

9 “(c) PROGRAM GOVERNANCE.—Head Start agencies  
10 must establish and maintain a formal structure of shared  
11 governance through which an independent governing body  
12 with legal and fiscal responsibility for administering and  
13 overseeing programs under this subchapter and a parent  
14 policy council and parent policy committee, as appropriate,  
15 shall ensure that such agency operates a high quality  
16 Head Start program in compliance with all applicable  
17 Federal, State, and local laws.

18 “(1) GOVERNING BODY.—

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

21 “(i) Not less than 1 member with sig-  
22 nificant financial management or account-  
23 ing experience.

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

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

7           “(iv) Additional members shall be se-  
8           lected for their expertise in education,  
9           business administration, and community  
10          affairs and shall reflect the community  
11          served.

12          “(v) Exceptions shall be made when  
13          members of the governing body oversee a  
14          public entity and are selected by public  
15          election or are political appointments.

16          “(B) CONFLICT OF INTEREST.—Members  
17          of the governing body shall—

18               “(i) not have a conflict of interest  
19               with the Head Start agency or delegate  
20               agencies, exceptions shall be made when a  
21               board member of a public entity is selected  
22               by election or politically appointed;

23               “(ii) not receive compensation for the  
24               purposes of serving on the governing body  
25               or for providing services to the Head Start

1 agency, exceptions shall be made when a  
2 board member of a public entity is selected  
3 by election or politically appointed;

4 “(iii) not be employed nor shall mem-  
5 bers of their immediate family be employed  
6 by the Head Start agency or one of its del-  
7 egate agencies, exceptions shall be made  
8 when a board member of a public entity is  
9 selected by election or politically appointed;  
10 and

11 “(iv) operate as an entity independent  
12 of staff employed by the Head Start agen-  
13 cy entity or applicant, exceptions shall be  
14 made when a board member of a public en-  
15 tity is selected by election or politically ap-  
16 pointed.

17 “(C) CONSULTANTS.—In the case that  
18 persons described in subparagraph (A) are not  
19 available to serve as members, the governing  
20 body shall make use of consultants in the areas  
21 described in subparagraph (A) to work directly  
22 with the governing body.

23 “(D) TRAINING.—All members of the gov-  
24 erning body shall receive training in manage-

1           ment responsibilities and obligations, ethics,  
2           and financial literacy management.

3           “(E) RESPONSIBILITIES OF GOVERNING  
4           BODY.—The governing body shall be responsible  
5           for—

6                   “(i) adoption of practices that assure  
7                   active, independent and informed govern-  
8                   ance of the Head Start agency;

9                   “(ii) oversight to ensure that the  
10                  Head Start agency under the direction of  
11                  the executive director is delivering high  
12                  quality services to children and families in  
13                  compliance with all applicable standards in  
14                  effect under this subchapter and with the  
15                  applicable performance measures estab-  
16                  lished by the Secretary under section 644;

17                  “(iii) establish an audit and finance  
18                  committee whose primary responsibility  
19                  shall be—

20                           “(I) to approve annually the op-  
21                           erating budget of the Head Start  
22                           agency;

23                           “(II) to review and recommend  
24                           to the governing body the selection of  
25                           independent auditors who shall report

1 all critical accounting policies and  
2 practices to the finance and audit  
3 committee, except when the auditor is  
4 assigned by the State under State  
5 law;

6 “(III) to review and recommend  
7 to the governing body the termination  
8 or extension of the existing audit firm  
9 at least once every 5 years;

10 “(IV) to review and advise the  
11 governing body of the audit manage-  
12 ment letter provided pursuant to the  
13 chapter 75 of title 31, United States  
14 Code, and of any audit findings; and

15 “(V) to monitor agency actions to  
16 correct any such audit findings or  
17 other actions necessary to comply with  
18 applicable laws (including regulations)  
19 governing financial statements and ac-  
20 counting practices;

21 “(iv) approve all major policies of the  
22 agency, including the mission of the agency  
23 and policies addressing accounting, finan-  
24 cial management, procurement, record con-  
25 fidentiality, and personnel (including spe-

1 cific standards governing salaries, salary  
2 adjustments, travel and per diem allow-  
3 ances, and other employee benefits);

4 “(v) approve all major financial ex-  
5 penditures of the agency;

6 “(vi) approve the selection or dis-  
7 missal of the Head Start Director or the  
8 equivalent position within the Head Start  
9 agency;

10 “(vii) approve or disapprove all poli-  
11 cies, applications, and decisions of the Pol-  
12 icy Council made under the authority of  
13 paragraph (2);

14 “(viii) to oversee the program plan-  
15 ning of the Head Start agency, including  
16 adoption of policies for setting long- and  
17 short-range goals and objectives;

18 “(ix) oversee and approve the agency’s  
19 applications to receive funds made avail-  
20 able under this subchapter; and

21 “(x) to establish, adopt and periodi-  
22 cally update written standards of conduct  
23 that establish standards and formal proce-  
24 dures for disclosing, addressing, and re-  
25 solving—

1                   “(I) any conflict of interest, and  
2                   any appearance of a conflict of inter-  
3                   est, by members of the governing  
4                   body, officers, employees, consultants  
5                   and agents who provide services or  
6                   furnish goods to the Head Start agen-  
7                   cy; and

8                   “(II) complaints, including inves-  
9                   tigations, when appropriate.

10                   “(2) POLICY COUNCIL.—

11                   “(A) COMPOSITION.—The Policy Council  
12                   or Policy Committee, as appropriate, shall be  
13                   composed as follows:

14                   “(i) Members of the Policy Council  
15                   shall be either parents of children currently  
16                   enrolled in the Head Start agency’s (or  
17                   delegate’s) Head Start or Early Head  
18                   Start program or that are parents of chil-  
19                   dren who were enrolled in the program in  
20                   the previous year (Parent Members) or  
21                   shall be members of the community served  
22                   by the Head Start agency or delegate  
23                   (Community Members).

24                   “(ii) Parent members of the Policy  
25                   Council shall constitute a majority of the

1 members of the Policy Council and shall be  
2 elected by parents of currently enrolled  
3 children.

4 “(iii) Parent members shall represent,  
5 proportionately, all program options and  
6 settings operated by the Head Start agen-  
7 cy or delegate.

8 “(iv) The term of a Policy Council  
9 member shall be no more than 2 years and  
10 no Policy Council member shall serve  
11 longer than 6 years.

12 “(B) RESPONSIBILITIES OF POLICY COUN-  
13 CIL.—In order to be designated as a Head  
14 Start agency, an entity or delegate of such an  
15 entity shall have a Policy Council which shall  
16 approve and submit to the governing body deci-  
17 sions about the following activities:

18 “(i) The strategic direction of the pro-  
19 gram, including long and short-term plan-  
20 ning goals and objectives (such planning  
21 and goals shall take into account the an-  
22 nual community assessment and self-as-  
23 sessment).

24 “(ii) Selection of delegate agencies  
25 and their service areas.

1           “(iii) Recruitment, selection and en-  
2 rollment priorities.

3           “(iv) Funding applications and  
4 amendments to funding applications for  
5 Head Start or Early Head Start prior to  
6 submission of such applications.

7           “(v) Budget planning for program ex-  
8 penditures.

9           “(vi) Bylaws for the operation of the  
10 Policy Council including procedures by  
11 which Policy Council members are chosen.

12           “(vii) Program personnel policies, in-  
13 cluding standards of conduct for program  
14 staff, contractors and volunteers.

15           “(viii) Decisions regarding employ-  
16 ment of Head Start staff other than the  
17 director and executive director.

18           “(ix) Activities to support the active  
19 involvement of parents in supporting pro-  
20 gram operations.

21           “(x) Program responsiveness to com-  
22 munity and parent needs.

23           “(C) TRAINING.—Appropriate training and  
24 technical assistance shall be provided to the  
25 members of the Policy Council to ensure that

1           the members understand the information the  
2           members receive and effectively oversee and  
3           participate in the programs of the Head Start  
4           agency or delegate.

5           “(3) IMPASSE POLICY.—The Secretary shall de-  
6           velop policies and procedures describing how Head  
7           Start agencies will implement shared decision-mak-  
8           ing, including a process for resolving any impasse  
9           between the Governing Body and the Policy Council.

10          “(d) COLLABORATION AND COORDINATION.—To be  
11         so designated, a Head Start agency must collaborate and  
12         coordinate with public and private entities to improve the  
13         available services to Head Start children and families, in-  
14         cluding the following activities:

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

22                 “(2) In communities where both public pre-  
23                 kindergarten programs and Head Start programs  
24                 operate, a Head Start agency shall collaborate and  
25                 coordinate activities with the local educational agen-

1 cy or other public agency responsible for the oper-  
2 ation of the prekindergarten program and providers  
3 of prekindergarten, including outreach activities to  
4 identify eligible children, as possible.

5 “(3) Head Start agency staff shall, with the  
6 permission of the parents of children enrolled in  
7 Head Start programs, regularly communicate with  
8 the elementary schools such children will be attend-  
9 ing—

10 “(A) to share information about such chil-  
11 dren; and

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

14 “(4) Each Head Start agency shall collaborate,  
15 as appropriate, with providers of social and commu-  
16 nity services available to children and families par-  
17 ticipating in Head Start programs, and may support  
18 such partnerships with financial agreements, when  
19 applicable, for the provision of such services.

20 “(5) A Head Start agency shall take steps to  
21 coordinate activities with the local educational agen-  
22 cy serving the community involved and with schools  
23 in which children participating in a Head Start pro-  
24 gram operated by such agency will enroll following  
25 such program, including—

1           “(A) collaborating on the shared use of  
2 transportation and facilities;

3           “(B) collaborating to enhance the effi-  
4 ciency of services while increasing the program  
5 participation of underserved populations of eli-  
6 gible children; and

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

9           “(6) The Secretary, in consultation with the  
10 Secretary of Education, shall—

11           “(A) evaluate the effectiveness of the  
12 projects and activities funded under section  
13 642A;

14           “(B) disseminate to Head Start agencies  
15 information (including information from the  
16 evaluation required by subparagraph (A)) on ef-  
17 fective policies and activities relating to the  
18 transition of children from Head Start pro-  
19 grams to public schools; and

20           “(C) provide technical assistance to such  
21 agencies to promote and assist such agencies to  
22 adopt and implement such effective policies and  
23 activities.

1           “(e) QUALITY STANDARDS, CURRICULA AND ASSESS-  
2 MENT.—To be so designated, each Head Start agency  
3 shall—

4           “(1) take steps to ensure, to the maximum ex-  
5 tent possible, that children maintain the develop-  
6 mental and educational gains achieved in Head Start  
7 programs and build upon such gains in further  
8 schooling;

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

13           “(3) implement a research-based early child-  
14 hood curriculum that promotes young children’s  
15 school readiness in the areas of language and cog-  
16 nitive development, early reading and  
17 premathematics skills, socio-emotional development,  
18 physical development, and approaches to learning.

19 Such curricula shall be—

20           “(A) based on scientifically based research  
21 and have standardized training procedures and  
22 curriculum materials to support implementa-  
23 tion;

24           “(B) comprehensive, linked to ongoing as-  
25 sessment, with developmental and learning

1 goals and measurable objectives; and focused on  
2 improving the learning environment, teaching  
3 practices, family involvement, and child out-  
4 comes across all areas of development; and

5 “(C) aligned to the Head Start Child Out-  
6 comes Framework developed by the Secretary  
7 and to State early learning standards, as appro-  
8 priate;

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

19 “(5) use high-quality research-based develop-  
20 mental screening tools that have been demonstrated  
21 to be standardized, reliable, valid, and accurate for  
22 children from a range of racial, ethnic, linguistic,  
23 and cultural backgrounds, for the purpose of meet-  
24 ing the relevant performance standards;

1           “(6) adopt, in consultation with experts in child  
2           development and with classroom teachers, an assess-  
3           ment to be used when hiring or evaluating any class-  
4           room teacher in a center-based Head Start program.  
5           Such assessment shall measure whether such teacher  
6           has mastered the functions described in section  
7           648A(a)(1) and attained a level of literacy appro-  
8           priate to implement Head Start curricula;

9           “(7) use the information provided from the as-  
10          sessment conducted under section 640A(C)(2)(H) to  
11          adopt a professional development plan that leads to  
12          improved teacher effectiveness; and

13          “(8) establish measurable objectives for the pro-  
14          vision of health, educational, nutritional, and social  
15          services related to the program mission and to  
16          school readiness and provided under this subchapter.

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 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) developing and implementing a family out-  
25          reach and support program in cooperation with enti-

1 ties carrying out parental involvement efforts under  
2 title I of the Elementary and Secondary Education  
3 Act of 1965 (20 U.S.C. 6301 et seq.) and family  
4 outreach and support efforts under subtitle B of title  
5 VII of the McKinney-Vento Homeless Assistance Act  
6 (42 U.S.C. 11431–11435);

7 “(7) assisting families, administrators, and  
8 teachers in enhancing educational and developmental  
9 continuity and continuity in parental involvement ac-  
10 tivities between Head Start services and elementary  
11 school classes;

12 “(8) linking the services provided in such Head  
13 Start program with the education services, including  
14 services relating to language, literacy, and  
15 numeracy, provided by such local educational agen-  
16 cy;

17 “(9) helping parents (including grandparents  
18 and kinship caregivers, as appropriate) to under-  
19 stand the importance of parental involvement in a  
20 child’s academic success while teaching them strate-  
21 gies for maintaining parental involvement as their  
22 child moves from Head Start to elementary school;

23 “(10) developing and implementing a system to  
24 increase program participation of underserved popu-  
25 lations of eligible children; and

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

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

6                   “(B) State early learning standards, as ap-  
7           propriate, with regard to cognitive, social, emo-  
8           tional, and physical competencies that children  
9           entering kindergarten are expected to dem-  
10          onstrate.”.

11 **SEC. 10. LOCAL AND STATE INTEGRATION OF EARLY**  
12 **CHILDHOOD EDUCATION.**

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

15 **“SEC. 642B. LOCAL AND STATE INTEGRATION OF EARLY**  
16 **CHILDHOOD EDUCATION.**

17           “(a) LOCAL INTEGRATION.—In general, Head Start  
18 agencies shall enter into ongoing partnerships with local  
19 educational agencies and with State-funded preschool and  
20 other early childhood programs.

21                   “(1) MEMORANDA OF UNDERSTANDING.—Each  
22           Head Start agency shall enter into a memorandum  
23           of understanding with any local educational agencies  
24           or local councils, responsible for managing publicly  
25           funded prekindergarten programs in the service area

1 of the Head Start agency (or if such agencies and  
2 such councils are not applicable in the service area,  
3 with the largest provider of publicly funded pre-  
4 kindergarten in the service area), that shall include  
5 plans to coordinate the following activities:

6 “(A) Educational activities, curricula, and  
7 instruction.

8 “(B) Public information dissemination and  
9 access to programs for families contacting any  
10 of the early childhood programs.

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

13 “(D) Service delivery areas.

14 “(E) Staff training, including opportunities  
15 for joint staff training on topics such as aca-  
16 demic content standards, instructional methods,  
17 and social and emotional development.

18 “(F) Program technical assistance.

19 “(G) Provision of additional services to  
20 meet the needs of working parents.

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

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

1           “(J) Other elements mutually agreed to by  
2           the parties to such memorandum.

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

7           “(3) SECRETARIAL REVIEW.—Each memo-  
8           randum of understanding entered into under para-  
9           graph (1) shall be submitted to the Secretary not  
10          later than 30 days after entering into such memo-  
11          randum.

12          “(A) If a Head Start agency is unable to  
13          comply with the requirement in paragraph (1)  
14          the Head Start agency shall notify the Sec-  
15          retary and the chief executive officer of the  
16          State not later than 30 days after determining  
17          that they are unable to enter into such memo-  
18          randum. The Secretary, in cooperation with the  
19          State Early Learning Council and the State Di-  
20          rector of Head Start Collaboration, shall evalu-  
21          ate the causes of failure to enter into a memo-  
22          randum of understanding under paragraph (1).  
23          With the assistance of the State Early Learning  
24          Council and the State Director of Head Start  
25          Collaboration, all parties shall again attempt to

1 enter into a memorandum of understanding  
2 under paragraph (1). Then if no such memo-  
3 randum of understanding is entered into, the  
4 Secretary shall make 1 of the following deter-  
5 minations:

6 “(i) The local educational agency,  
7 local council, or other appropriate entity is  
8 unable or unwilling to enter into such a  
9 memorandum despite reasonable efforts on  
10 the part of the Head Start agency.

11 “(ii) The Head Start agency has not  
12 engaged in reasonable efforts to success-  
13 fully negotiate and enter into a memo-  
14 randum of understanding pursuant to  
15 paragraph (1).

16 “(iii) There is an absence of publicly  
17 funded prekindergarten in the service area  
18 of the Head Start agency.

19 “(B) If the Secretary determines the Head  
20 Start agency is not making reasonable efforts  
21 to enter into a memorandum of understanding  
22 pursuant to paragraph (1), the Head Start  
23 agency shall be found to be noncompliant with  
24 program performance standards.

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

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

11          “(5) ABSENCE OF PREKINDERGARTEN.—In the  
12          absence of publicly funded prekindergarten in the  
13          service area of a Head Start agency, the Head Start  
14          agency shall submit notice to the Secretary and the  
15          chief executive officer of the State and shall work  
16          with the State Early Learning Council and the State  
17          Director of Head Start Collaboration to improve co-  
18          ordination in their service area.

19          “(b) STATE EARLY LEARNING COUNCILS.—From  
20          the amounts reserved under section 640(a)(2)(C)(iii), the  
21          Secretary shall award, upon submission of a written re-  
22          quest and pursuant to the requirements of paragraph (2),  
23          an early learning collaboration grant to each State for the  
24          purposes of supporting a State Early Learning Council re-  
25          sponsible for advancing the development of a coordinated

1 early childhood services delivery system in the State. A  
2 State that receives a grant under this subparagraph  
3 shall—

4           “(1) establish a State Early Learning Council,  
5 which shall include—

6                   “(A) the State Director of Head Start Col-  
7 laboration;

8                   “(B) representatives from the State pre-  
9 school programs;

10                   “(C) representatives of local educational  
11 agencies;

12                   “(D) the State official who oversees child  
13 care programs;

14                   “(E) the State official who oversees section  
15 619 and part C of the Individuals with Disabil-  
16 ities Education Act (20 U.S.C. 1419, 1431 et  
17 seq.);

18                   “(F) the State official who oversees the  
19 State educational agency;

20                   “(G) representatives from Head Start  
21 agencies located in the State, including migrant  
22 and seasonal Head Start programs and Indian  
23 Head Start programs;

24                   “(H) representatives of local child care  
25 programs or organizations; and

1           “(I) a representative of the State agency  
2           responsible for health and mental health care;  
3           except that the chief executive officer of the State  
4           may designate an existing entity to serve as the  
5           Early Learning Council if such entity includes rep-  
6           resentatives described in this paragraph;

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

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

14               “(A) to increase coordination and collabo-  
15               ration among State preschool, Head Start pro-  
16               grams, child care programs, early childhood  
17               special education, and other early childhood  
18               programs, including in the areas of outcomes  
19               and standards, technical assistance, coordina-  
20               tion of services, cross-sector professional devel-  
21               opment and training, community outreach, com-  
22               munication, and better serving the needs of  
23               working families through provision of full-day  
24               and full-year early education services;

1           “(B) to work with State agencies respon-  
2           sible for education, child care, and early inter-  
3           vention to provide leadership and assistance to  
4           local Head Start programs, local education  
5           agencies, and State and locally funded pre-  
6           school and child care programs to increase inte-  
7           gration among early childhood programs  
8           through adoption of local memoranda of under-  
9           standing described in subparagraph (A) and  
10          other means;

11          “(C) to work with State agencies respon-  
12          sible for education, child care, and early inter-  
13          vention to provide leadership and assistance to  
14          develop developmentally appropriate standards  
15          for children birth through the early elementary  
16          grades to effect a smooth transition to and suc-  
17          cess in the early elementary grades;

18          “(D) to develop or conduct periodic State-  
19          wide needs assessments concerning early care  
20          and education programs for children from birth  
21          to school entry;

22          “(E) to work to identify and address bar-  
23          riers to and opportunities for integration be-  
24          tween entities carrying out Federal and State

1 child development, child care, and early child-  
2 hood education programs;

3 “(F) to develop recommendations regard-  
4 ing means of establishing a unified data collec-  
5 tion system for early care and education pro-  
6 grams operating throughout the State;

7 “(G) to address coordination of early  
8 learning programs with health care (including  
9 mental and behavioral health care), welfare,  
10 family literacy and services for homeless chil-  
11 dren;

12 “(H) to support a State system of early  
13 childhood education, and training and technical  
14 assistance that improves the quality of early  
15 learning programs and the capacity of such pro-  
16 grams to deliver services pursuant to section  
17 648(b);

18 “(I) to develop a plan for increasing the  
19 participation of children underrepresented in  
20 State early childhood education and child care  
21 programs, including Head Start, State pre-  
22 school programs, and programs carried out  
23 under the Child Care and Development Block  
24 Grant Act of 1990 (42 U.S.C. 9858 et seq.);

1           “(J) developing a Statewide professional  
2           development and career ladder plan for early  
3           care and education in the State; and

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

8           “(4) Nothing in this subsection shall be con-  
9           strued to provide the Early Learning Council with  
10          authority to modify, supersede, or affect the oper-  
11          ation of this subchapter.

12          “(5) Funds made available under this section  
13          shall be used to supplement, and not supplant, other  
14          Federal, State, and local funds that would otherwise  
15          be expended to carry out the purposes of this sec-  
16          tion.”.

17 **SEC. 11. ADMINISTRATIVE REQUIREMENTS AND STAND-**  
18 **ARDS.**

19          Section 644 of the of the Head Start Act (42 U.S.C.  
20 9839) is amended—

21                 (1) by amending subsection (a) to read as fol-  
22                 lows:

23                 “(a) IN GENERAL.—

24                         “(1) STANDARDS.—Each Head Start agency  
25                         shall observe standards of organization, manage-

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

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

1           “(A) The total amount of public and pri-  
2           vate funds received and the amount from each  
3           source.

4           “(B) An explanation of budgetary expendi-  
5           tures and proposed budget for the following fis-  
6           cal year.

7           “(C) The total number of children and  
8           families served and percent of average monthly  
9           enrollment, including the percent of eligible  
10          children served.

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

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

15          “(F) Information about parent involvement  
16          activities.

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

19          “(H) Any other information required by  
20          the Secretary.

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

1           “(A) establish specific standards governing  
2 salaries, salary increases, travel and per diem  
3 allowances, and other employee benefits;

4           “(B) assure that only persons capable of  
5 discharging their duties with competence and  
6 integrity are employed and that employees are  
7 promoted or advanced under impartial proce-  
8 dures calculated to improve agency performance  
9 and effectiveness;

10           “(C) guard against personal or financial  
11 conflicts of interest; and

12           “(D) define employee duties in an appro-  
13 priate manner which will in any case preclude  
14 employees from participating, in connection  
15 with the performance of their duties, in any  
16 form of picketing, protest, or other direct action  
17 which is in violation of law.”, and

18           (2) by amending subsection (f) to read as fol-  
19 lows:

20           “(f) FACILITIES.—

21           “(1) The Secretary shall establish uniform pro-  
22 cedures for Head Start agencies to request approval  
23 to purchase facilities, or to request approval of the  
24 purchase (after December 31, 1986) of facilities, to  
25 be used to carry out Head Start programs. The Sec-

1       retary shall suspend any proceedings pending  
2       against any Head Start agency to claim costs in-  
3       curred in purchasing such facilities until the agency  
4       has been afforded an opportunity to apply for ap-  
5       proval of the purchase and the Secretary has deter-  
6       mined whether the purchase will be approved. The  
7       Secretary shall not be required to repay claims pre-  
8       viously satisfied by Head Start agencies for costs in-  
9       curred in the purchase of such facilities.

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

17           “(A) a description of the consultation con-  
18       ducted by the Head Start agency with the pro-  
19       viders in the community demonstrating capacity  
20       and capability to provide services under this  
21       subchapter, and of the potential for collabora-  
22       tion with such providers and the cost effective-  
23       ness of such collaboration as opposed to the  
24       cost effectiveness of the purchase of a facility;

1           “(B) a description of the site of the facility  
2 proposed to be purchased or that was previously  
3 purchased;

4           “(C) the plans and specifications of such  
5 facility;

6           “(D) information demonstrating that—

7               “(i) the proposed purchase will result,  
8 or the previous purchase has resulted, in  
9 savings when compared to the costs that  
10 would be incurred to acquire the use of an  
11 alternative facility to carry out such pro-  
12 gram; or

13               “(ii) the lack of alternative facilities  
14 will prevent, or would have prevented, the  
15 operation of such program;

16           “(E) in the case of a request regarding a  
17 previously purchased facility, information dem-  
18 onstrating that the facility will be used prin-  
19 cipally as a Head Start center, or a direct sup-  
20 port facility for a Head Start program; and

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

23           “(3) Upon a determination by the Secretary  
24 that suitable facilities are not otherwise available to  
25 Indian tribes to carry out Head Start programs, and

1 that the lack of suitable facilities will inhibit the op-  
2 eration of such programs, the Secretary may author-  
3 ize the use of financial assistance, from the amount  
4 reserved under section 640(a)(2)(A), to make pay-  
5 ments for the purchase of facilities owned by such  
6 tribes. The amount of such a payment for such a fa-  
7 cility shall not exceed the fair market value of the  
8 facility.”.

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

10 Section 645 of the of the Head Start Act (42 U.S.C.  
11 9840) is amended—

12 (1) in subsection (a)—

13 (A) by amending paragraph (1)(B)(i) to  
14 read as follows:

15 “(i) programs assisted under this sub-  
16 chapter may include, to a reasonable ex-  
17 tent, participation of children in the area  
18 served who would benefit from such pro-  
19 grams, including children referred by child  
20 welfare services, but whose families do not  
21 meet the low-income criteria prescribed  
22 pursuant to subparagraph (A) (A homeless  
23 child shall be deemed to meet the low-in-  
24 come criteria.); and”, and

25 (B) by adding at the end the following:

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

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

16               “(i) the amount of funds under section  
17               640(a) that are proposed to be used in accord-  
18               ance with section 645A(b);

19               “(ii) a community-wide needs assessment  
20               demonstrating how the use of such funds would  
21               best meet the needs of the community;

22               “(iii) a description of how the needs of  
23               pregnant women, and of infants and toddlers,  
24               will be addressed in accordance with section  
25               645A(b), and with regulations prescribed by the

1 Secretary pursuant to section 641A in areas in-  
2 cluding the agency’s approach to child develop-  
3 ment and provision of health services, approach  
4 to family and community partnerships, and ap-  
5 proach to program design and management;

6 “(iv) a description of how the needs of eli-  
7 gible Head Start children will be met in the  
8 community;

9 “(v) assurances that the agency will par-  
10 ticipate in technical assistance activities (includ-  
11 ing a planning period, start-up site visits, and  
12 national training activities) in the same manner  
13 as recipients of grants under section 645A; and

14 “(vi) evidence that the agency meets the  
15 same eligibility criteria as recipients of grants  
16 under section 645A.

17 “(B) An application that satisfies the require-  
18 ments specified in subparagraph (A) shall be ap-  
19 proved by the Secretary unless the Secretary finds  
20 that—

21 “(i) the agency lacks adequate capacity  
22 and capability to carry out an effective Early  
23 Head Start program; or

24 “(ii) the information provided under sub-  
25 paragraph (A) is inadequate.

1           “(C) Any Head Start agency approved under  
2           subparagraph (B) shall be considered to be an Early  
3           Head Start agency and such funds under (i) shall be  
4           subject to the same rules, regulations, and condi-  
5           tions as apply to recipients of grants under section  
6           645A.”,

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

9           (3) in subsection (d) by adding at the end the  
10          following:

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

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

24          Section 645A 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.

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

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

18 “(2) ensure that the level of services provided  
19 to families responds to their needs and cir-  
20 cumstances;

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

22 “(4) provide services to parents to support their  
23 role as parents (including parenting skills training  
24 and training in basic child development) and to help  
25 the families move toward self-sufficiency (including

1 educational and employment services as appro-  
2 priate);

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

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

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

20 “(8) ensure formal linkages with the agencies  
21 and entities described in section 644(b) of the Indi-  
22 viduals with Disabilities Education Act (20 U.S.C.  
23 1444(b)) and providers of early intervention services  
24 for infants and toddlers with disabilities under the  
25 Individuals with Disabilities Education Act (20

1 U.S.C. 1400 et seq.) and the agency responsible for  
2 administering section 106 of the Child Abuse Pre-  
3 vention and Treatment Act (42 U.S.C. 5106a);

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

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

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

17 “(c) PERSONS ELIGIBLE TO PARTICIPATE.—Persons  
18 who may participate in programs described in subsection  
19 (a) include—

20 “(1) pregnant women; and

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

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

24 “(d) ELIGIBLE SERVICE PROVIDERS.—To be eligible  
25 to receive assistance under this section, an entity shall

1 submit an application to the Secretary at such time, in  
2 such manner, and containing such information as the Sec-  
3 retary may require. Entities that may apply to carry out  
4 activities under this section include—

5           “(1) entities operating Head Start programs  
6           under this subpart;

7           “(2) Indian Head Start programs; and

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

16          “(e) SELECTION OF GRANT RECIPIENTS.—From the  
17          portion specified in section 640(a)(6), the Secretary shall  
18          award grants under this subsection on a competitive basis  
19          to applicants meeting the criteria specified in subsection  
20          (d) (giving priority to entities with a record of providing  
21          early, continuous, and comprehensive childhood develop-  
22          ment and family services).

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

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

3           “(2) award grants to applicants proposing to  
4           serve communities in rural areas and to applicants  
5           proposing to serve communities in urban areas.

6           “(g) MONITORING, TRAINING, TECHNICAL ASSIST-  
7           ANCE, AND EVALUATION.—

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

15          “(2) TRAINING AND TECHNICAL ASSISTANCE  
16          ACCOUNT.—

17                 “(A) IN GENERAL.—Of the amount made  
18                 available to carry out this section for any fiscal  
19                 year, not less than 5 percent and not more than  
20                 10 percent shall be reserved to fund a training  
21                 and technical assistance account.

22                 “(B) ACTIVITIES.—Funds in the account  
23                 may be used by the Secretary for purposes in-  
24                 cluding—

1           “(i) making grants to, and entering  
2           into contracts with, organizations with spe-  
3           cialized expertise relating to infants, tod-  
4           dlers, and families and the capacity needed  
5           to provide direction and support to a na-  
6           tional training and technical assistance  
7           system, in order to provide such direction  
8           and support;

9           “(ii) providing ongoing training and  
10          technical assistance for regional and pro-  
11          gram staff charged with monitoring and  
12          overseeing the administration of the pro-  
13          gram carried out under this section;

14          “(iii) providing ongoing training and  
15          technical assistance for existing recipients  
16          (as of the date of such training or assist-  
17          ance) of grants under subsection (a) and  
18          support and program planning and imple-  
19          mentation assistance for new recipients of  
20          such grants;

21          “(iv) providing professional develop-  
22          ment and personnel enhancement activi-  
23          ties, including the provision of funds to re-  
24          cipients of grants under subsection (a) for  
25          the recruitment and retention of qualified

1 staff with an appropriate level of education  
2 and experience; and

3 “(v) providing professional develop-  
4 ment designed to increase program partici-  
5 pation for underserved populations of eligi-  
6 ble children.

7 “(h) CENTER-BASED STAFF.—The Secretary shall  
8 ensure that, not later than September 30, 2009, all teach-  
9 ers providing direct services to children and families par-  
10 ticipating in early Head Start programs located in early  
11 Head Start centers have a minimum of a child develop-  
12 ment associate credential, and have been trained (or have  
13 equivalent course work) in early childhood development”.

14 **SEC. 14. PARENTAL CONSENT REQUIREMENT FOR HEALTH**  
15 **CARE SERVICES.**

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

18 **“SEC. 645B. PARENTAL CONSENT REQUIREMENT FOR**  
19 **HEALTH CARE SERVICES.**

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

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

22 “(A) any nonemergency intrusive physical  
23 examination; and

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

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

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

10                   “(B) includes incision or is otherwise  
11                   invasive, or includes exposure of private body  
12                   parts.

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

21           “(c) RULE OF CONSTRUCTION.—

22                   “(1) Nothing in this section shall be construed  
23                   to prohibit a Head Start agency or an entity that re-  
24                   ceives assistance under section 645A from using es-  
25                   tablished methods for handling cases of suspected or

1 known child abuse and neglect, that are in compli-  
2 ance with applicable Federal, State, or tribal law.

3 “(2) Nothing in this subchapter shall be con-  
4 strued to permit a Head Start agency, an entity that  
5 receives assistance under section 645A, or the per-  
6 sonnel of such agency or entity to administer any  
7 health care service to a child (or to refer a child to  
8 obtain such service) without the informed written  
9 consent of a parent of such child indicating consent  
10 for each specific health care service to be performed.

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

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

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

19 “(3) if financial assistance under this sub-  
20 chapter is terminated or reduced, an application for  
21 a noncompeting continuation award is denied based  
22 on a previous failure to comply with terms applicable  
23 to financial assistance previously provided under this  
24 subchapter, or suspension of financial assistance is  
25 continued for more than 30 days, the recipient with

1       respect to whom such action is taken shall have the  
2       opportunity to appeal such action in accordance with  
3       such procedures, except that no funds made avail-  
4       able under this subchapter may be used to reimburse  
5       any such recipient for legal fees and other costs in-  
6       curred in pursuing such an appeal.”.

7       **SEC. 16. RECORDS AND AUDITS.**

8       Section 647 of the Head Start Act (42 U.S.C. 9842)  
9       by adding at the end the following:

10       “(d) Each recipient of financial assistance under this  
11       subchapter shall—

12               “(1) maintain, and annually submit to the Sec-  
13       retary, a complete accounting of its administrative  
14       expenses (including a detailed statement identifying  
15       the amount of financial assistance provided under  
16       this subchapter used to pay expenses for salaries  
17       and compensation and the amount (if any) of other  
18       funds used to pay such expenses);

19               “(2) within 30 days after the completion of an  
20       audit conducted in the manner and to the extent  
21       provided in chapter 75 of title 31, United States  
22       Code (commonly known as the ‘Single Audit Act  
23       Amendments of 1996’), submit to the Secretary a  
24       copy of the audit management letter and of any

1 audit findings as it relates to the Head Start pro-  
2 gram; and

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

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

6 Section 648 of the of the Head Start Act (42 U.S.C.  
7 9843) is amended to read as follows:

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

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

11 “(1) technical assistance to communities in de-  
12 veloping, conducting, and administering programs  
13 under this subchapter; and

14 “(2) training for specialized or other personnel  
15 needed in connection with Head Start programs, in  
16 accordance with the process, and the provisions for  
17 allocating resources, set forth in subsections (b) and  
18 (c).

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

22 “(1) ensure that the needs of local Head Start  
23 agencies and programs relating to improving pro-  
24 gram quality and to program expansion are ad-  
25 dressed to the maximum extent feasible;

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

5           “(3) ensure the provision of technical assistance  
6           to assist Head Start agencies, entities carrying out  
7           other child care and early childhood programs, com-  
8           munities, and States in collaborative efforts to pro-  
9           vide quality full-working-day, full calendar year serv-  
10          ices, including technical assistance related to identi-  
11          fying and assisting in resolving barriers to collabora-  
12          tion.

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

15                 “(1) give priority consideration to—

16                         “(A) activities to correct program and  
17                         management deficiencies identified through re-  
18                         views carried out pursuant to section 641A(c)  
19                         (including the provision of assistance to local  
20                         programs in the development of quality im-  
21                         provement plans under section 641A(d)(2));  
22                         and

23                         “(B) assisting Head Start agencies in—

24                                 “(i) ensuring the school readiness of  
25                                 children; and

1                   “(ii) meeting the educational perform-  
2                   ance measures described in section  
3                   641A(b)(4);

4                   “(2) supplement amounts provided under sec-  
5                   tion 640(a)(3)(C)(ii) in order to address the training  
6                   and career development needs of classroom staff (in-  
7                   cluding instruction for providing services to children  
8                   with disabilities), and nonclassroom staff, including  
9                   home visitors and other staff working directly with  
10                  families, including training relating to increasing  
11                  parent involvement and services designed to increase  
12                  family literacy and improve parenting skills;

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

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

22                         “(A) assisting Head Start agencies pro-  
23                         viding family literacy services, in order to im-  
24                         prove the quality of such family literacy serv-  
25                         ices; and

1           “(B) enabling those Head Start agencies  
2           that demonstrate effective provision of family  
3           literacy services, based on improved outcomes  
4           for children and their parents, to provide tech-  
5           nical assistance and training to other Head  
6           Start agencies and to service providers that  
7           work in collaboration with such agencies to pro-  
8           vide family literacy services;

9           “(5) assist Head Start agencies and programs  
10          in conducting and participating in community-wide  
11          strategic planning and needs assessment, including  
12          the needs of homeless children and their families;

13          “(6) assist Head Start agencies and programs  
14          in developing and implementing full-working-day and  
15          full-calendar-year programs where community need  
16          is clearly identified and making the transition to  
17          such programs, with particular attention to involving  
18          parents and programming for children throughout  
19          the day, and assist the agencies and programs in ex-  
20          pediting the sharing of information about innovative  
21          models for providing full-working-day, full calendar  
22          year services for children;

23          “(7) assist Head Start agencies in better serv-  
24          ing the needs of families with very young children;

1           “(8) assist Head Start agencies and programs  
2           in the development of sound management practices,  
3           including financial management procedures;

4           “(9) assist in efforts to secure and maintain  
5           adequate facilities for Head Start programs;

6           “(10) assist Head Start agencies in developing  
7           innovative program models, including mobile and  
8           home-based programs;

9           “(11) provide support for Head Start agencies  
10          (including policy councils and policy committees)  
11          that meet the standards described in section  
12          641A(a) but that have, as documented by the Sec-  
13          retary through reviews conducted pursuant to sec-  
14          tion 641A(c), significant programmatic, quality, and  
15          fiscal issues to address;

16          “(12) assist Head Start agencies and programs  
17          in increasing program participation of homeless chil-  
18          dren;

19          “(13) assist Head Start agencies and Head  
20          Start programs in improving outreach to, and the  
21          quality of services available to, limited English pro-  
22          ficient children and their families, particularly in  
23          communities that have experienced a large percent-  
24          age increase in the population of limited English

1 proficient individuals, as measured by the Bureau of  
2 the Census; and

3 “(14) assist Head Start agencies in developing  
4 appropriate methods and approaches for identifying  
5 and working with children and families experiencing  
6 toxic stress.

7 “(d) The Secretary may provide, either directly or  
8 through grants to public or private nonprofit entities,  
9 training for Head Start personnel in the use of the per-  
10 forming and visual arts and interactive programs using  
11 electronic media to enhance the learning experience of  
12 Head Start children. Special consideration shall be given  
13 to entities that have demonstrated effectiveness in edu-  
14 cational programming for preschool children that includes  
15 components for parental involvement, care provider train-  
16 ing, and developmentally appropriate related activities.

17 “(e) The Secretary shall provide, either directly or  
18 through grants or other arrangements, funds from pro-  
19 grams authorized under this subchapter to support an or-  
20 ganization to administer a centralized child development  
21 and national assessment program leading to recognized  
22 credentials for personnel working in early childhood devel-  
23 opment and child care programs, training for personnel  
24 providing services to limited English proficient children  
25 (including services to promote the acquisition of the

1 English language), training for personnel providing serv-  
2 ices to children determined to be abused or neglected,  
3 training for personnel providing services to children re-  
4 ferred by or receiving child welfare services, training for  
5 personnel in helping children cope with community vio-  
6 lence, and resource access projects for personnel working  
7 with disabled children.

8       “(f) The Secretary shall provide, either directly or  
9 through grants, or other arrangements, funds for training  
10 of Head Start personnel in addressing the unique needs  
11 of migrant and seasonal working families, families with  
12 1 or more children with disabilities, families with a limited  
13 English proficiency, homeless families, and children and  
14 families experiencing toxic stress.

15       “(g) More than 50 percent of funds expended under  
16 this section shall be used to provide high quality, sus-  
17 tained, intensive, and classroom-focused training and tech-  
18 nical assistance in order to have a positive and lasting im-  
19 pact on classroom instruction. Funds shall be used to  
20 carry out activities related to any or all of the following:

21               “(1) Education and early childhood develop-  
22               ment.

23               “(2) Child health, nutrition, and safety.

24               “(3) Family and community partnerships and  
25               services.

1           “(4) Other areas that impact the quality or  
2           overall effectiveness of Head Start programs.

3           “(h) The Secretary shall develop and implement a  
4           program of outreach to recruit and train minority men  
5           to become Head Start teachers in order to reflect the com-  
6           munities in which Head Start children live and to increase  
7           the provision of quality services and instruction to children  
8           with diverse backgrounds.

9           “(i) Funds under this subchapter used for training  
10          shall be used for needs identified annually by a grant ap-  
11          plicant or delegate agency in their program improvement  
12          plan, except that funds shall not be used for long-distance  
13          travel expenses for training activities available locally or  
14          regionally or for training activities substantially similar to  
15          locally or regionally available training activities.

16          “(j) Funds made available under section  
17          640(a)(2)(C)(i) shall be used by a Head Start agency for  
18          any of the following:

19                 “(1) Activities that ensure that Head Start pro-  
20                 grams meet or exceed the program performance  
21                 standards described in section 641A(a)(1).

22                 “(2) Activities that ensure that Head Start pro-  
23                 grams have adequate numbers of trained, qualified  
24                 staff who have skills in working with children and

1 families, including children and families who are lim-  
2 ited English proficient and children with disabilities.

3 “(3) Activities to pay expenses, including direct  
4 training for expert consultants working with any  
5 staff, to improve the management and implementa-  
6 tion of Head Start services and systems.

7 “(4) Activities that help ensure that Head Start  
8 programs have qualified staff who can promote lan-  
9 guage skills and literacy growth of children and who  
10 can provide children with a variety of skills that  
11 have been identified as predictive of later reading  
12 achievement, school success, and the skills, knowl-  
13 edge, abilities, development, and progress described  
14 in section 641A(a)(1)(B)(ii).

15 “(5) Activities to improve staff qualifications  
16 and to assist with the implementation of career de-  
17 velopment programs and to encourage the staff to  
18 continually improve their skills and expertise, includ-  
19 ing developing partnerships with programs that re-  
20 cruit, train, place, and support college students in  
21 Head Start centers to deliver an innovative early  
22 learning program to preschool children.

23 “(6) Activities that help local programs ensure  
24 that the arrangement, condition, and implementation  
25 of the learning environments in Head Start pro-

1       grams are conducive to providing effective program  
2       services to children and families.

3           “(7) Activities to provide training necessary to  
4       improve the qualifications of Head Start staff and to  
5       support staff training, child counseling, health serv-  
6       ices, and other services necessary to address the  
7       needs of children enrolled in Head Start programs,  
8       including children from families in crises, children  
9       who experience chronic violence or homelessness,  
10      children who experience substance abuse in their  
11      families, and children under 3 years of age, where  
12      applicable.

13          “(8) Activities to provide classes or in-service-  
14      type programs to improve or enhance parenting  
15      skills, job skills, adult and family literacy, including  
16      financial literacy, or training to become a classroom  
17      aide or bus driver in a Head Start program.

18          “(9) Additional activities deemed appropriate to  
19      the improvement of Head Start agencies’ programs,  
20      as determined by the agencies’ technical assistance  
21      and training plans.

22          “(10) Any other activities regarding the use of  
23      funds as determined by the Secretary.

24          “(k) The Secretary shall—

1           “(1) work in collaboration with the Head Start  
2 agencies that carry out Indian Head Start pro-  
3 grams, the Indian Head Start collaboration director,  
4 and other appropriate entities, including tribal gov-  
5 ernments and the National Indian Head Start Di-  
6 rectors Association—

7           “(A) to undertake a study or set of studies  
8 designed to focus on the American Indian and  
9 Alaska Native Head Start-eligible population,  
10 with a focus on issues such as curriculum devel-  
11 opment, availability and need for services, ap-  
12 propriate research methodologies and measures  
13 for these populations, and best practices for  
14 teaching and educating American Indian and  
15 Alaska Native Head Start Children;

16           “(B) to accurately determine the number  
17 of children nationwide who are eligible to par-  
18 ticipate in Indian Head Start programs each  
19 year;

20           “(C) to document how many of these chil-  
21 dren are receiving Head Start services each  
22 year;

23           “(D) to the extent practicable, to ensure  
24 that access to Indian Head Start programs for  
25 eligible children is comparable to access to other

1 Head Start programs for other eligible children;  
2 and

3 “(E) to make the funding decisions re-  
4 quired in section 640(a)(2)(A)(iii), after com-  
5 pletion of the studies required in that section,  
6 taking into account:

7 “(i) the Federal government’s unique  
8 trust responsibility to American Indians  
9 and Alaska Natives;

10 “(ii) limitations faced by tribal com-  
11 munities in accessing non-Federal sources  
12 of funding to supplement Federal funding  
13 for early childhood programs; and

14 “(iii) other factors that uniquely and  
15 adversely impact children in American In-  
16 dian and Alaska Native communities such  
17 as highly elevated poverty, unemployment  
18 and violent crime rates, as well as de-  
19 pressed levels of educational achievement  
20 and limited access to non-Federal health,  
21 social and educational resources;

22 “(2) in carrying out paragraph (1), consult with  
23 the Secretary of Education about the Department of  
24 Education’s systems for collecting and reporting

1 data about, and maintaining records on, American  
2 Indian and Alaska Native students;

3 “(3) not later than 9 months after the effective  
4 date of this subsection, publish in the Federal Reg-  
5 ister a notice of how the Secretary plans to carry out  
6 paragraph (1) and shall provide a period for public  
7 comment. To the extent practicable, the Secretary  
8 shall consider comments received before submitting  
9 a report to the Congress;

10 “(4) not later than 1 year after the effective  
11 date of this subsection, submit a report to the Com-  
12 mittee on Education and the Workforce of the  
13 House of Representatives and the Committee on  
14 Health, Education, Labor, and Pensions of the Sen-  
15 ate, detailing how the Department of Health and  
16 Human Services plans to carry out paragraph (1);

17 “(5) take appropriate action, consistent with  
18 section 444 of the General Education Provisions  
19 Act, to ensure the protection of the confidentiality of  
20 any personally identifiable data, information, and  
21 records collected or maintained by the Secretary, by  
22 Head Start agencies that carry out Indian Head  
23 Start programs, by State Directors of Head Start  
24 Collaboration, by the Indian Head Start Collabora-

1 tion Project Director and by other appropriate enti-  
2 ties pursuant to this subsection; and

3 “(6) ensure that nothing in this subsection shall  
4 be construed to authorize the development of a na-  
5 tionwide database of personally identifiable informa-  
6 tion on individuals involved in studies or other col-  
7 lections of data under this subsection.

8 “(l) The Secretary shall—

9 “(1) in order to increase access to Head Start  
10 services for eligible migrant and seasonal children,  
11 work in collaboration with migrant and seasonal  
12 Head Start providers, the Department of Agri-  
13 culture (land grant universities), the Department of  
14 Labor, the Bureau of Migrant Health, and the De-  
15 partment of Education to—

16 “(A) establish a system for collecting and  
17 reporting data on farm workers and their fami-  
18 lies in order to adequately account for the num-  
19 ber of seasonal and migrant children that are  
20 eligible for Head Start and determine how  
21 many of these eligible children receive services;

22 “(B) identify barriers that prevent eligible  
23 migrant and seasonal children from accessing  
24 Head Start services and develop a plan for

1 eliminating barriers and increasing enrollment;  
2 and

3 “(C) develop a system through which mi-  
4 grant and seasonal Head Start programs can  
5 effectively track health records and educational  
6 documents as a child moves from state to state;

7 “(2) not later than 6 months after the effective  
8 date of this subsection, publish in the Federal Reg-  
9 ister a notice on how the Secretary plans to carry  
10 out the activities identified in paragraph (1) and  
11 shall provide a period for public comment. To the  
12 extent practicable, the Secretary shall consider com-  
13 ments received before implementing any of the ac-  
14 tivities identified in paragraph (1);

15 “(3) not later than 1 year after the effective  
16 date of this subsection, submit a report to the Com-  
17 mittee on Education and Labor of the House of  
18 Representatives and the Health, Education, Labor  
19 and Pensions Committee of the Senate detailing how  
20 the Secretary plans to carry out the activities identi-  
21 fied in (1);

22 “(4) submit a report to Congress annually on  
23 the migrant and seasonal Head Start program in-  
24 cluding a report on the progress made in carrying  
25 out the activities identified in paragraph (1), the

1 progress made in reaching out to and serving eligible  
2 migrant and seasonal children, and information on  
3 states where migrant and seasonal children are still  
4 underserved;

5 “(5) take appropriate caution, consistent with  
6 section 444 of the General Education Provisions  
7 Act, to ensure the protection of the confidentiality of  
8 any personally identifiable data, information, and  
9 records collected or maintained by the Secretary, by  
10 Head Start agencies that carry out migrant and sea-  
11 sonal Head Start programs, by the State director of  
12 Head Start Collaboration, by the Migrant and Sea-  
13 sonal Farmworker Collaboration project Director;  
14 and

15 “(6) ensure that nothing in this subsection shall  
16 be construed to authorize the development of a na-  
17 tionwide database of personally identifiable informa-  
18 tion on individuals involved in studies or other col-  
19 lections of data under this subsection.

20 “(m) For purposes of this section, the term ‘eligible  
21 entities’ means an institution of higher education or other  
22 entity with expertise in delivering training in early child-  
23 hood develop?ent, family support, and other assistance de-  
24 signed 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 appropriate com-  
23 mittees in Congress no later than 90 days after the  
24 end of the fiscal year, summarizing the funding for

1 such contracts and the activities carried out there-  
2 under; and

3 “(4) periodically evaluate the usefulness of the  
4 delivery of services in each State and their effective-  
5 ness in promoting program quality.

6 “(o) To support enhance early language and  
7 preliteracy development of children in Head Start pro-  
8 grams, and to provide the children with high-quality oral  
9 language skills, and environments that are rich in lit-  
10 erature, in which to acquire language and preliteracy  
11 skills, each Head Start agency shall ensure that—

12 “(1) all of the agency’s Head Start teachers re-  
13 ceive ongoing training in language and emergent lit-  
14 eracy (referred to in this subsection as ‘literacy  
15 training’), and including appropriate curricula and  
16 assessment to improve instruction and learning;

17 “(2) such literacy training shall include training  
18 in methods to promote vocabulary development and  
19 phonological awareness (including phonemic aware-  
20 ness) in a developmentally, culturally, and linguis-  
21 tically appropriate manner and support children’s  
22 development in their home language;

23 “(3) the literacy training shall include training  
24 in how to work with parents to enhance positive lan-  
25 guage and early literacy development at home;

1           “(4) the literacy training shall include specific  
2 methods to best address the needs of children who  
3 are limited English proficient; and

4           “(5) the literacy training shall include training  
5 on how to best address the language and literacy  
6 needs of children with disabilities, including training  
7 on how to work with specialists in language develop-  
8 ment.

9           “(p) The Secretary is encouraged to contract, on a  
10 competitive basis, with an institution of higher education  
11 (as defined in section 102 of the Higher Education Act  
12 of 1965) to develop an on-line graduate-level professional  
13 development program with the goal of improving the lead-  
14 ership of those working in Head Start programs and im-  
15 proving teacher quality and the capacity of effective Head  
16 Start teachers.”.

17 **SEC. 18. STAFF QUALIFICATIONS AND DEVELOPMENT.**

18           Section 648A of the of the Head Start Act (42 U.S.C.  
19 9843a) is amended—

20           (1) by amending subsection (a) to read as fol-  
21 lows:

22           “(a) CLASSROOM TEACHERS.—

23           “(1) PROFESSIONAL REQUIREMENTS.—The  
24 Secretary shall ensure that each Head Start class-  
25 room in a center-based program is assigned 1 teach-

1 er who has demonstrated competency to perform  
2 functions that include—

3 “(A) planning and implementing learning  
4 experiences that advance the intellectual and  
5 physical development of children, including im-  
6 proving the readiness of children for school by  
7 developing their literacy, phonemic, and print  
8 awareness, their understanding and use of lan-  
9 guage, their understanding and use of increas-  
10 ingly complex and varied vocabulary, their ap-  
11 preciation of books, their understanding of early  
12 math and early science, their problem solving  
13 abilities, and their approaches to learning;

14 “(B) establishing and maintaining a safe,  
15 healthy learning environment;

16 “(C) supporting the social and emotional  
17 development of children; and

18 “(D) encouraging the involvement of the  
19 families of the children in a Head Start pro-  
20 gram and supporting the development of rela-  
21 tionships between children and their families.

22 “(2) DEGREE REQUIREMENTS.—

23 “(A) IN GENERAL.—The Secretary shall  
24 ensure that not later than September 30, 2013,

1 at least 50 percent of all Head Start teachers  
2 nationwide in center-based programs have—

3 “(i) a baccalaureate, or advanced de-  
4 gree in early childhood education;

5 “(ii) a baccalaureate or advanced de-  
6 gree in a field related to early childhood  
7 education, with experience in teaching pre-  
8 school children; or

9 “(iii) except that teachers providing  
10 services in migrant and seasonal Head  
11 Start classrooms that serve children under  
12 age 3 shall be required to meet the teacher  
13 requirements described in section 645A(h).

14 “(B) PROGRESS.—Each Head Start agen-  
15 cy shall provide to the Secretary a report indi-  
16 cating the number and percentage of teachers  
17 and teacher’s aides with child development as-  
18 sociate credentials and associate, baccalaureate,  
19 or advanced degrees. The Secretary shall com-  
20 pile all program reports and make them avail-  
21 able to the Committee on Education and Labor  
22 of the House of Representatives and the Com-  
23 mittee on Health, Education, Labor, and Pen-  
24 sions of the Senate.

1           “(C) REQUIREMENT FOR NEW HEAD  
2 START TEACHERS.—In accordance with rules  
3 issued by the Secretary and made effective 2  
4 years after the effective date of this subpara-  
5 graph, all Head Start agencies shall require  
6 that all Head Start teachers hired after such  
7 rules take effect to provide Head Start services  
8 in center-based programs—

9                   “(i) have an associate, baccalaureate,  
10                   or advanced degree in early childhood edu-  
11                   cation or a related field; or

12                   “(ii) be currently enrolled in a pro-  
13                   gram of study leading to an associate de-  
14                   gree in early childhood education or a re-  
15                   lated field, and agree to complete degree  
16                   requirements not later than 3 years after  
17                   the date of hire.

18           “(D) SERVICE REQUIREMENTS.—The Sec-  
19           retary shall establish requirements to ensure  
20           that individuals who receive financial assistance  
21           under this subchapter in order to comply with  
22           the requirements under section 648A(a)(2)  
23           shall subsequently teach in a Head Start center  
24           for a period of time equivalent to the period for

1           which they received assistance or repay the  
2           amount of the funds.

3           “(E) LIMITATION.—The Secretary shall  
4           require that any Federal funds provided directly  
5           or indirectly to comply with subparagraph (A)  
6           shall be used toward degrees awarded by an in-  
7           stitution of higher education, as defined by sec-  
8           tions 101 or 102 of the Higher Education Act  
9           (20 U.S.C. 1001, 1002).”,  
10          (2) by amending subsection (b) to read as fol-  
11          lows:

12          “(c) FAMILY SERVICE WORKERS.—To improve the  
13          quality and effectiveness of staff providing in-home and  
14          other services (including needs assessment, development of  
15          service plans, family advocacy, and coordination of service  
16          delivery) to families of children participating in Head  
17          Start programs, the Secretary, in coordination with con-  
18          cerned public and private agencies and organizations ex-  
19          amining the issues of standards and training for family  
20          service workers, shall—

21                  “(1) review and, as necessary, revise or develop  
22                  new qualification standards for Head Start staff  
23                  providing such services;

1           “(2) review, and as necessary, review 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           **SEC. 19. RESEARCH, DEMONSTRATIONS, AND EVALUATION.**

23           Section 649 of the of the Head Start Act (42 U.S.C.  
24           9844) is amended—

1           (1) by amending subsection (a)(1)(B) to read  
2 as follows:

3           “(B) use the Head Start programs to de-  
4 velop, test, and disseminate new ideas and  
5 based on existing scientifically based research,  
6 for addressing the needs of low-income pre-  
7 school children (including children with disabil-  
8 ities, homeless children, children who have been  
9 abused or neglected, and children in foster care)  
10 and their families and communities (including  
11 demonstrations of innovative non-center-based  
12 program models such as home-based and mobile  
13 programs), and otherwise to further the pur-  
14 poses of this subchapter;”,

15           (2) in subsection (d)—

16           (A) in paragraph (7) by adding “and” at  
17 the end,

18           (B) in paragraph (8) by striking “; and”  
19 at the end and inserting a period,

20           (C) by striking paragraphs (9) and (10),  
21 and

22           (D) by striking the last sentence,

23           (3) in subsection (g)—

24           (A) in paragraph(1)(A)—

25           (i) by striking clause (i), and

1                   (ii) by redesignating clauses (ii) and  
2                   (iii) as clauses (i) and (ii), respectively,  
3                   and

4                   (B) by amending paragraph (7)(C) to read  
5                   as follows:

6                   “(C) TRANSMITTAL OF REPORT TO CON-  
7                   GRESS.—Not later than September 30, 2009,  
8                   the Secretary shall transmit the final report to  
9                   the Committee on Education and Labor of the  
10                  House of Representatives and the Committee  
11                  on Health, Education, Labor, and Pensions of  
12                  the Senate.”, and

13                  (4) by amending subsection (h) to read as fol-  
14                  lows:

15                  “(h) LIMITED ENGLISH PROFICIENT CHILDREN.—

16                  “(1) STUDY.—Not later than 1 year after the  
17                  date of enactment of the Improving Head Start Act  
18                  of 2007, the Secretary shall conduct a study on the  
19                  status of limited English proficient children and  
20                  their families in participating Head Start programs  
21                  and Early Head Start programs.

22                  “(2) REPORT.—The Secretary shall prepare  
23                  and submit to Congress, not later than September  
24                  2008, a report containing the results of such study,  
25                  including information on—

1           “(A)(i) the demographics of limited  
2 English proficient children less than 5 years of  
3 age and the geographical distribution of such  
4 children; and

5           “(ii) the number of such children receiving  
6 Head Start services and the number of such  
7 children receiving Early Head Start services,  
8 and the geographical distribution of such chil-  
9 dren receiving such services;

10           “(B) the nature of the Head Start services  
11 and of the Early Head Start services provided  
12 to limited English proficient children and their  
13 families, including the types, content, duration,  
14 intensity, and costs of family services, language  
15 assistance, and educational services;

16           “(C) procedures in Head Start programs  
17 for assessing language needs and for making  
18 the transition of limited English proficient chil-  
19 dren to kindergarten, including the extent to  
20 which Head Start programs meet the require-  
21 ments of section 642A for limited English pro-  
22 ficient children;

23           “(D) the qualifications and training pro-  
24 vided to Head Start teachers and Early Head

1 Start teachers who serve limited English pro-  
2 ficient children and their families;

3 “(E) the rate of progress made by limited  
4 English proficient children and their families in  
5 Head Start programs and in Early Head Start  
6 programs, including—

7 “(i) the rate of progress made by lim-  
8 ited English proficient children toward  
9 meeting the additional educational stand-  
10 ards described in section 641A(a)(1)(B)(ii)  
11 while enrolled in Head Start programs;

12 “(ii) the correlation between such  
13 progress and the type and quality of in-  
14 struction and educational programs pro-  
15 vided to limited English proficient children;  
16 and

17 “(iii) the correlation between such  
18 progress and the health and family services  
19 provided by Head Start programs to lim-  
20 ited English proficient children and their  
21 families; and

22 “(F) the extent to which Head Start pro-  
23 grams make use of funds under section  
24 640(a)(3) to improve the quality of Head Start

1 services provided to limited English proficient  
2 children and their families.”.

3 **SEC. 20. REPORTS.**

4 Section 650 of the of the Head Start Act (42 U.S.C.  
5 9846) is amended—

6 (1) in subsection (a)—

7 (A) by striking “Committee on Education  
8 and the Workforce of the House of Representa-  
9 tives and the Committee on Labor and Human  
10 Resources of the Senate” each place it appears  
11 and inserting “Committee on Education and  
12 Labor of the House of Representatives and the  
13 Committee on Health, Education, Labor, and  
14 Pensions of the Senate”,

15 (B) by striking “and non-English language  
16 background children” and inserting “children,  
17 homeless children, children in foster care, and  
18 limited English proficient children”, and

19 (C) in paragraph (8) by inserting “home-  
20 lessness, whether the child is in foster care or  
21 was referred by a child welfare agency,” after  
22 “, background”, and

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

24 “(c) SET-ASIDE ACTIVITIES.—Not later than 60 days  
25 after the end of each fiscal year, the Secretary shall sub-

1 mit to the Committee on Education and Labor of the  
2 House of Representatives and the Committee on Health,  
3 Education, Labor, and Pensions of the Senate, a report  
4 detailing the different amounts of expenditures under sec-  
5 tion 640(a)(2) and the activities carried out thereunder.

6 “(d) FISCAL PROTOCOL.—The Secretary shall con-  
7 duct an annual review to assess whether the design and  
8 implementation of the triennial reviews described in sec-  
9 tion 641A(c) include compliance procedures that provide  
10 reasonable assurance that Head Start agencies are com-  
11 plying with applicable fiscal laws and regulations. The  
12 Secretary shall report the findings and conclusions of the  
13 annual review to the House Committee on Education and  
14 Labor, and the Senate Committee on Health, Education,  
15 Labor and Pensions within 30 days of completing the re-  
16 view.”.

17 **SEC. 21. WAGES AND COMPENSATION.**

18 Section 653 of the of the Head Start Act (42 U.S.C.  
19 9848) is amended to read as follows:

20 **“SEC. 653. WAGES AND COMPENSATION.**

21 “(a) COMPARABILITY OF WAGES.—The Secretary  
22 shall take such action as may be necessary to assure that  
23 persons employed in carrying out programs financed  
24 under this subchapter shall not receive compensation at  
25 a rate which is (1) in excess of the average rate of com-

1   pensation paid in the area where the program is carried  
2   out to a substantial number of the persons providing sub-  
3   stantially comparable services, or in excess of the average  
4   rate of compensation paid to a substantial number of the  
5   persons providing substantially comparable services in the  
6   area of the person's immediately preceding employment,  
7   whichever is higher; or (2) less than the minimum wage  
8   rate prescribed in section 6(a)(1) of the Fair Labor Stand-  
9   ards Act of 1938. The Secretary shall encourage Head  
10  Start agencies to provide compensation according to salary  
11  scales that are based on training and experience.

12       “(b) FEDERAL RATE LIMITATION.—Notwithstanding  
13  any other provision of law, no Federal funds shall be used  
14  to pay all or any part of the compensation of an individual  
15  employed by a Head Start agency in carrying out pro-  
16  grams under this subchapter, either as direct or indirect  
17  costs of any proration thereof, at a rate in excess of the  
18  rate then payable for level II of the Executive Schedule  
19  under section 5316 of title 5, United State Code.”.

○