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110TH CONGRESS
1ST SESSION

H. R. 1429

[Report No. 110-67]

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

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

MARCH 23, 2007

Additional sponsors: Ms. WOOLSEY, Mrs. DAVIS of California, Mr. SIRES, Mr. STARK, Mr. EMANUEL, Mr. TIM MURPHY of Pennsylvania, Mr. HOLT, Mr. GRIJALVA, and Mr. CROWLEY

MARCH 23, 2007

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italic*]

[For text of introduced bill, see copy of bill as introduced on March 9, 2007]

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:*

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

10 *“It is the purpose of this subchapter to promote the*
11 *school readiness of low-income children—*

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

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

22 **SEC. 3. DEFINITIONS.**

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

1 (1) *by redesignating paragraphs (16) and (17)*
2 *as paragraphs (22) and (23), respectively,*

3 (2) *by redesignating paragraph (15) as para-*
4 *graph (20), respectively,*

5 (3) *by redesignating paragraphs (11) through*
6 *(14) as paragraphs (15) through (18), respectively,*

7 (4) *by redesignating paragraph (10) as para-*
8 *graph (13),*

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

11 (6) *by inserting after paragraph (1) the fol-*
12 *lowing:*

13 “(2) *The term ‘deficiency’ means—*

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

18 “(i) *a threat to the health, safety, or*
19 *civil rights of children or staff;*

20 “(ii) *a denial to parents of the exercise*
21 *of their full roles and responsibilities related*
22 *to program governance;*

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

1 “(iv) the misuse of funds received
2 under this subchapter;

3 “(v) loss of legal status (as determined
4 by the Secretary) or financial viability, loss
5 of permits, debarment from receiving Fed-
6 eral grants or contracts, or the improper
7 use of Federal funds; or

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

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

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

15 “(11) The term ‘homeless children’ has the mean-
16 ing given such term in section 725(2) of the McKin-
17 ney-Vento Homeless Assistance Act (42 U.S.C.
18 11434a(2)).

19 “(12) The term ‘homeless family’ means the fam-
20 ily of a homeless child.”,

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

23 “(14) The terms ‘limited English proficient’ and
24 ‘limited English proficiency’ mean with respect to an
25 individual, that such individual—

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

3 “(ii)(I) is a Native American, an Alaska
4 Native, or a native resident of a territory or pos-
5 session of the United States; and

6 “(II) comes from an environment in which
7 a language that is not English has had a signifi-
8 cant impact on such individual’s level of English
9 language proficiency; or

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

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

18 “(i) successful achievement in class-
19 rooms in which the language of instruction
20 is English; or

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

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

24 “(19) The term ‘professional development’ means
25 high quality activities that will improve the knowl-

1 *edge and skills of Head Start teachers and staff, as*
2 *relevant to their roles and functions, in program ad-*
3 *ministration and the provision of services and in-*
4 *struction, as appropriate, in a manner that improves*
5 *service delivery to eligible children and families, in-*
6 *cluding activities that—*

7 *“(A) are part of a sustained effort to im-*
8 *prove overall program quality and outcomes for*
9 *eligible children and families;*

10 *“(B) are developed or selected with extensive*
11 *participation of administrators and teachers*
12 *from Head Start programs;*

13 *“(C) are developmentally appropriate for*
14 *the children being served;*

15 *“(D) include instruction in ways that Head*
16 *Start personnel may work more effectively with*
17 *parents, as appropriate;*

18 *“(E) are designed to give teachers and staff*
19 *the knowledge and skills to provide instruction*
20 *and appropriate support services to children of*
21 *diverse backgrounds, as appropriate;*

22 *“(F) if a 1-day or short-term workshop or*
23 *conference, must be as part of the professional*
24 *development plan defined in section 648A(f) and*
25 *be delivered by an institution of higher education*

1 or other entity with expertise in delivering train-
2 ing in early childhood development, family sup-
3 port, and other assistance designed to improve
4 the delivery of Head Start services;

5 “(G) assist teachers with—

6 “(i) the acquisition of the content
7 knowledge and teaching strategies needed to
8 provide effective instruction and other
9 school readiness services in early language
10 and literacy, early mathematics, early
11 science, cognitive skills, approaches to learn-
12 ing, creative arts, science, physical health
13 and development, and social and emotional
14 development linked to school readiness;

15 “(ii) meeting the requirements in
16 paragraphs (1) and (2) of section 648A(a),
17 as appropriate;

18 “(iii) improving classroom manage-
19 ment skills, as appropriate;

20 “(iv) advancing understanding of effec-
21 tive instructional strategies that are—

22 “(I) based on scientifically based
23 research; and

24 “(II) aligned with—

1 “(aa) the Head Start Child
2 *Outcomes Framework* developed
3 by the Secretary and State early
4 learning standards, as appro-
5 priate; and

6 “(bb) the curricula, ongoing
7 assessments, and other instruction
8 and services designed to help meet
9 the standards described in section
10 641A(a)(1);

11 “(v) acquiring the knowledge and skills
12 to provide instruction and appropriate lan-
13 guage and support services to increase the
14 English language skills of limited English
15 proficient children, as appropriate; or

16 “(vi) methods of teaching children with
17 disabilities, as appropriate.”,

18 (10) by inserting after paragraph (20), as so re-
19 designated, the following:

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

21 “(A) means research that involves the appli-
22 cation of rigorous, systematic and objective pro-
23 cedures to obtain reliable and valid knowledge
24 relevant to education activities and programs;
25 and

1 “(B) includes research that—

2 “*(i) employs systematic, empirical*
3 *methods that draw on observation or experi-*
4 *ment;*

5 “*(ii) involves rigorous data analyses*
6 *that are adequate to test the stated*
7 *hypotheses and justify the general conclu-*
8 *sions drawn;*

9 “*(iii) relies on measurements or obser-*
10 *vational methods that provide reliable and*
11 *valid data across evaluators and observers,*
12 *across multiple measurements and observa-*
13 *tions, and across studies by the same or dif-*
14 *ferent investigators;*

15 “*(iv) is evaluated using experimental*
16 *or quasi-experimental designs in which in-*
17 *dividuals, entities, programs or activities*
18 *are assigned to different conditions and*
19 *with appropriate controls to evaluate the ef-*
20 *fects of the condition of interest, with a*
21 *preference for random assignment experi-*
22 *ments, or other designs to the extent that*
23 *those designs contain within-condition or*
24 *across-condition controls;*

1 “(v) ensures that experimental studies
2 are presented in sufficient detail and clarity
3 to allow for replication or, at a minimum,
4 offer the opportunity to build systematically
5 on their findings; and

6 “(vi) has been accepted by a peer-re-
7 viewed journal or approved by a panel of
8 independent experts through a comparably
9 rigorous, objective, and scientific review.”,
10 and

11 (11) by amending paragraph (23), as so redesign-
12 ated, to read as follows:

13 “(23) The term ‘State’ means a State, the Com-
14 monwealth of Puerto Rico, the District of Columbia,
15 Guam, American Samoa, the Virgin Islands of the
16 United States, the Commonwealth of the Northern
17 Mariana Islands, and the Republic of Palau.”.

18 **SEC. 4. AUTHORIZATION OF APPROPRIATIONS.**

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

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

22 “(a) *IN GENERAL.*—There are authorized to be appro-
23 priated to carry out this subchapter \$7,350,000,000 for fis-
24 cal year 2008 and such sums as may be necessary for fiscal
25 years 2009 through 2012.

1 “(b) *SPECIFIC PROGRAMS.*—*From the amount appro-*
 2 *priated under subsection (a), the Secretary shall make*
 3 *available to carry out research, demonstration, and evalua-*
 4 *tion activities (including longitudinal studies under section*
 5 *649) not more than \$20,000,000 for fiscal year 2008 and*
 6 *such sums as may be necessary for each of fiscal the years*
 7 *2009 through 2012, of which not more than \$7,000,000 for*
 8 *each of the fiscal years 2008 through 2012 shall be available*
 9 *to carry out impact studies under section 649(g).”.*

10 **SEC. 5. ALLOTMENT OF FUNDS; LIMITATION ON ASSIST-**
 11 **ANCE.**

12 “(a) *ALLOTMENT OF FUNDS.*—*Section 640(a) of the*
 13 *Head Start Act (42 U.S.C. 9835(a)) is amended to read*
 14 *as follows:*

15 “(a) *ALLOTMENT OF FUNDS.*—

16 “(1) *IN GENERAL.*—*Of the funds appropriated*
 17 *under section 639, the Secretary shall allot such*
 18 *amounts in accordance with paragraphs (2) through*
 19 *(4), and subject to paragraphs (5) and (6).*

20 “(2) *THIRTEEN PERCENT SET-ASIDE.*—*The Sec-*
 21 *retary shall reserve 13 percent of the amount appro-*
 22 *priated for each fiscal year for use in accordance with*
 23 *the following order of priorities:*

24 “(A) *SPECIAL POPULATIONS.*—*For Indian*
 25 *Head Start programs, services for children with*

1 *disabilities, and migrant and seasonal Head*
2 *Start programs, except that—*

3 “(i) *there shall be made available for*
4 *each fiscal year for use by Indian Head*
5 *Start programs and by migrant and sea-*
6 *sonal Head Start programs, on a nation-*
7 *wide basis, not less than the amount that*
8 *was obligated for use by Indian Head Start*
9 *programs and by migrant and seasonal*
10 *Head Start programs for fiscal year 2007;*

11 “(ii) *migrant and seasonal Head Start*
12 *programs shall receive not less than 5 per-*
13 *cent of the amount appropriated for each*
14 *fiscal year until such time as the Secretary*
15 *can make funding decisions to ensure access*
16 *to funding for eligible children of migrant*
17 *and seasonal farmworkers is comparable to*
18 *access to funding for other eligible children*
19 *based on the data collected and reported*
20 *pursuant to section 648(l), except that no*
21 *future reduction in funding shall result in*
22 *the termination of Head Start services pro-*
23 *vided to any eligible child 3 years of age or*
24 *older who is participating in any such pro-*
25 *gram on the date a reduction in funding oc-*

1 *curs, and shall, to the extent possible, con-*
2 *tinue participation for children less than 3*
3 *years of age receiving services before such*
4 *reduction in funding; and*

5 “(iii) *Indian Head Start programs*
6 *shall receive not less than 3.5 percent of the*
7 *amount appropriated for each fiscal year*
8 *until such time as the Secretary can make*
9 *funding decisions to ensure access to fund-*
10 *ing for eligible Indian children is com-*
11 *parable to access to funding for other eligi-*
12 *ble children based on the data collected in*
13 *accordance with the requirements of section*
14 *648(k), except that no future reduction in*
15 *funding shall result in the termination of*
16 *Head Start services provided to any eligible*
17 *child 3 years of age or older who is partici-*
18 *parting in any such program on the date a*
19 *reduction in funding occurs, and shall, to*
20 *the extent possible, continue participation*
21 *for children less than 3 years of age receiv-*
22 *ing services before such reduction in fund-*
23 *ing.*

24 “(B) *PAYMENTS TO TERRITORIES AND*
25 *FREELY ASSOCIATED STATES.—Subject to para-*

1 *graph (7), for payments to Guam, American*
2 *Samoa, the Commonwealth of the Northern Mar-*
3 *iana Islands, the Virgin Islands of the United*
4 *States, and the Republic of Palau, except that*
5 *payments to the Republic of Palau shall not be*
6 *made after fiscal year 2009.*

7 “(C) *TRAINING AND TECHNICAL ASSIST-*
8 *ANCE.—Not less than 2 percent of the amount*
9 *appropriated for such fiscal year for training*
10 *and technical assistance activities to foster pro-*
11 *gram quality and management improvement as*
12 *described in section 648, of which—*

13 “(i) *not less than 50 percent shall be*
14 *available to local Head Start agencies to*
15 *make program improvements identified by*
16 *such agencies to use for the training and*
17 *technical assistance activities described in*
18 *section 648(j);*

19 “(ii) *not less than 30 percent shall be*
20 *available to the Secretary to support a*
21 *State-based system or a national system, in*
22 *the case of migrant and seasonal Head*
23 *Start and Indian Head Start programs, of*
24 *early childhood education training and*

1 *technical assistance to local Head Start*
2 *agencies as described in section 648(n); and*

3 “(iii) *the remainder of such amount*
4 *shall be available to the Secretary to assist*
5 *local Head Start agencies in meeting and*
6 *exceeding the standards described in section*
7 *641A(a)(1), including financial assistance*
8 *to help Head Start programs address weak-*
9 *nesses identified by monitoring activities*
10 *conducted by the Secretary under section*
11 *641A(c), except that—*

12 “(I) *not less than \$3,000,000 shall*
13 *be available to carry out the activities*
14 *described in section 648(c)(4); and*

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

18 “(D) *MONITORING AND TERMINATIONS.—*

19 *For discretionary payments made by the Sec-*
20 *retary, including payments for all costs (other*
21 *than compensation of Federal employees) of re-*
22 *views of Head Start agencies, programs under*
23 *section 641A(c), and of activities carried out*
24 *under paragraph (1), (2), or (3) of section*
25 *641A(d) related to correcting deficiencies and*

1 *conducting proceedings to terminate the designa-*
2 *tion of Head Start agencies.*

3 “(E) *RESEARCH.—For payments for re-*
4 *search, demonstration, and evaluation activities*
5 *under section 649.*

6 *No funds reserved under this paragraph or paragraph*
7 *(3) may be combined with funds appropriated under*
8 *any other Act if the purpose of combining funds is to*
9 *make a single discretionary grant or a single discre-*
10 *tionary payment, unless such funds appropriated*
11 *under this subchapter are separately identified in*
12 *such grant or payment and are used for the purposes*
13 *of this subchapter.*

14 “(3) *QUALITY IMPROVEMENT FUNDS.—*

15 “(A) *DETERMINATION OF FUNDS.—*

16 “(i) *For each of the fiscal years 2008*
17 *through 2012, to provide assistance for ac-*
18 *tivities specified in subparagraph (B), the*
19 *Secretary shall reserve, from the amount (if*
20 *any) by which the funds appropriated*
21 *under section 639(a) for a fiscal year exceed*
22 *the adjusted prior year appropriation, a*
23 *share equal to the sum of—*

24 “(I) *60 percent of such excess*
25 *amount; and*

1 “(II) any additional part of such
2 *excess amount the Secretary may find*
3 *necessary to address a demonstrated*
4 *need for such activities.*

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

14 “(B) QUALITY IMPROVEMENT ACTIVITIES.—
15 *Funds reserved under this paragraph shall be*
16 *used to carry out the following activities:*

17 “(i) Not less than one-fourth of the
18 amount reserved under this paragraph, to
19 improve the compensation, salary scales,
20 and benefit standards of educational staff,
21 family service workers, and child counselors,
22 as described in sections 644(a) and 653, to
23 ensure that salary levels and benefits are
24 adequate to attract and retain qualified
25 staff for such programs.

1 “(ii) *Providing on-going professional*
2 *development to teachers that improves their*
3 *understanding of child development, content*
4 *knowledge, and appropriate teaching strate-*
5 *gies needed to provide effective instruction*
6 *and other school readiness services in the*
7 *areas of early language and literacy, early*
8 *mathematics, cognitive skills, approaches to*
9 *learning, creative arts, science, physical*
10 *health and development, and social and*
11 *emotional development.*

12 “(iii) *Improving the qualifications and*
13 *skills of educational personnel to meet the*
14 *professional standards established under sec-*
15 *tion 648A(a)(1), including providing assist-*
16 *ance to complete postsecondary course work,*
17 *subject to section 648A(a)(2)(D).*

18 “(iv) *Ensuring that the physical envi-*
19 *ronments of Head Start programs are con-*
20 *ducive to providing effective program serv-*
21 *ices to children and families, and are acces-*
22 *sible to children with disabilities and other*
23 *individuals with disabilities.*

24 “(v) *Employing additional qualified*
25 *classroom staff necessary to reduce the child*

1 to teacher ratio in the classroom and family
2 to staff ratio for family services workers.

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

11 “(vii) Increasing hours of program op-
12 eration, including—

13 “(I) conversion of part-day to
14 full-day; and

15 “(II) number of weeks operated in
16 a calendar year.

17 “(viii) Improving the compensation
18 and benefits of staff of Head Start agencies
19 in order to improve the quality of Head
20 Start programs.

21 “(ix) Transportation costs associated
22 with transporting Head Start children safe-
23 ly, except that—

1 “(I) no more than ten percent of
2 funds under this paragraph may be
3 used for such purposes;

4 “(II) a Head Start agency shall
5 demonstrate efforts to leverage the costs
6 of transportation through collaboration
7 with other entities; and

8 “(III) a Head Start agency shall
9 submit information to the Secretary
10 describing how such use of funds is
11 necessary to prevent reduction or ter-
12 mination of transportation services or,
13 in the case of a Head Start agency
14 serving a rural community, how such
15 use of funds is necessary to improve
16 services to such community.

17 “(C) ALLOCATION.—

18 “(i) Funds reserved under subpara-
19 graph (A) shall be allotted by the Secretary
20 as follows:

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

1 “(II) 20 percent of such funds
2 shall be allotted among the States, geo-
3 graphical areas specified in subsection
4 (a)(2)(B) and Indian Head Start pro-
5 grams and migrant and seasonal Head
6 Start programs, and used to make
7 grants to Head Start agencies, at the
8 discretion of the Secretary.

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

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

21 “(4) GRANT DISTRIBUTION.—Subject to section
22 639(b), the Secretary shall allot the remaining
23 amounts appropriated in each fiscal year among the
24 States, in accordance with latest satisfactory data so
25 that—

1 “(A) each State receives an amount which
2 is equal to the amount the State received for fis-
3 cal year 2007; and

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

10 For purposes of this paragraph, for each fiscal year
11 the Secretary shall use the most recent data available
12 on the number of children less than 5 years of age
13 from families whose income is below the poverty line,
14 as published by the Department of Commerce, unless
15 the Secretary and the Secretary of Commerce deter-
16 mine that use of the most recent data available would
17 be inappropriate or unreliable. If the Secretary and
18 the Secretary of Commerce determine that some or all
19 of the data referred to in this paragraph are inappro-
20 priate or unreliable, the Secretaries shall issue a re-
21 port setting forth their reasons in detail.

22 “(5) COLLABORATION GRANTS.—

23 “(A) From amounts reserved and allotted
24 under paragraph (4), the Secretary shall award

1 *the collaboration grants described in subpara-*
2 *graphs (B), (C), and (D).*

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

18 “(ii) *Grants described in clause (i) shall be*
19 *used to—*

20 “(I) *assist Head Start agencies to col-*
21 *laborate with entities involved in State and*
22 *local planning processes to better meet the*
23 *needs of low-income families and children*
24 *from birth to school entry;*

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

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

15 “(IV) promote better linkages between
16 Head Start agencies and other child and
17 family agencies, including agencies that
18 provide health, mental health, or family
19 services, or other child or family supportive
20 services, such as services provided under sec-
21 tion 619 or part C of the Individuals with
22 Disabilities Education Act (20 U.S.C. 1419,
23 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 in
6 the State, a State that receives a collaboration
7 grant under subparagraph (B) shall—

8 “(i) appoint or designate an indi-
9 vidual to serve as, or carry out the respon-
10 sibilities of, the State Director of Head
11 Start Collaboration;

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 sub-
16 paragraph (B) is effective and involves a
17 range of State agencies; and

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

23 “(D) The State Director of Head Start Col-
24 laboration 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 respect
7 to collaboration, coordination, and
8 alignment of services, and alignment of
9 curricula and assessments with the
10 Head Start Child Outcomes Frame-
11 work, and with State early learning
12 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 clause
19 (i) that will—

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

1 *fare, child protective services, edu-*
2 *cation and community service activi-*
3 *ties, family literacy services, reading*
4 *readiness programs (including such*
5 *programs offered by public and school*
6 *libraries), services relating to children*
7 *with disabilities, other early childhood*
8 *programs and services for limited*
9 *English proficient children and home-*
10 *less children, and services provided for*
11 *children in foster care and children re-*
12 *ferred to Head Start programs by child*
13 *welfare agencies, including agencies*
14 *and State officials responsible for such*
15 *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 edu-*
14 *cation more accessible to Head*
15 *Start staff; and*

16 “(bb) *enabling the State*
17 *Head Start agencies to better con-*
18 *duct outreach to eligible families;*

19 “(iii) *promote partnerships between*
20 *Head Start agencies, State and local gov-*
21 *ernments, and the private sector to help en-*
22 *sure that children, who are in Head Start*
23 *programs, are receiving comprehensive serv-*
24 *ices to prepare the children to enter school*
25 *ready to succeed;*

1 “(iv) consult with the chief State school
2 officer, local educational agencies, and pro-
3 viders of early childhood education and
4 care, regarding early care and education
5 services at both the State and local levels;

6 “(v) promote partnerships between
7 Head Start agencies, schools, law enforce-
8 ment, relevant community-based organiza-
9 tions, and substance abuse and mental
10 health treatment agencies to strengthen fam-
11 ily and community environments and to re-
12 duce the impact on child development of
13 substance abuse, child abuse, domestic vio-
14 lence, and other high risk behaviors that
15 compromise healthy development;

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

22 “(vii) identify other resources and or-
23 ganizations (both public and private) for
24 the provision of in-kind services to Head
25 Start agencies in the State; and

1 “(viii) *work with the State Early*
2 *Learning Council in order to assist the ef-*
3 *forts of Head Start agencies to engage in ef-*
4 *fective coordination and collaboration.*

5 “(6) *EARLY HEAD START.—*

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

17 “(B) *LIMITATIONS.—*

18 “(i) *For any fiscal year for which*
19 *the Secretary determines that the*
20 *amount appropriated under section*
21 *639(a) is not sufficient to permit the*
22 *Secretary to reserve the portion de-*
23 *scribed in subparagraph (A) without*
24 *reducing the number of children served*
25 *by Head Start programs or adversely*

1 *affecting the quality of Head Start*
2 *services, relative to the number of chil-*
3 *dren served and the quality of the serv-*
4 *ices during the preceding fiscal year,*
5 *the Secretary may reduce the percent-*
6 *age of funds required to be reserved for*
7 *the portion described in subparagraph*
8 *(A) for the fiscal year for which the de-*
9 *termination is made, but not below the*
10 *percentage required to be so reserved*
11 *for the preceding fiscal year.*

12 *“(i) For any fiscal year for*
13 *which the amount appropriated under*
14 *section 639(a) is reduced to a level that*
15 *requires a lower amount to be made*
16 *available under this subchapter to*
17 *Head Start agencies and entities de-*
18 *scribed in section 645A, relative to the*
19 *amount made available to such agen-*
20 *cies and entities for the preceding fis-*
21 *cal year, adjusted as described in para-*
22 *graph (3)(A)(ii), the Secretary shall*
23 *proportionately reduce—*

24 *“(I) the amounts made avail-*
25 *able to such entities for programs*

1 carried out under section 645A;
2 and

3 “(II) the amounts made
4 available to such Head Start
5 agencies for Head Start programs.

6 “(7) For purposes of this subsection, the term
7 ‘State’ does not include Guam, American Samoa, the
8 Virgin Islands, the Commonwealth of the Northern
9 Mariana Islands, the Federated States of Micronesia,
10 the Republic of the Marshall Islands, and the Repub-
11 lic of Palau.”.

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

15 “(f) *SERVICE DELIVERY MODELS*.—

16 “(1) Not later than 1 year after the date of the
17 enactment of the Improving Head Start Act of 2007,
18 the Secretary shall establish procedures to enable
19 Head Start agencies to develop locally designed or
20 specialized service delivery models to address local
21 community needs, including models that leverage the
22 existing capacity and capabilities of the delivery sys-
23 tem of early childhood education and child care.

24 “(2) In establishing the procedures, the Secretary
25 shall establish procedures to provide for—

1 “(A) the conversion of part-day programs to
2 full-day programs or part-day slots to full-day
3 slots; and

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

6 (c) *EXPANSION OF HEAD START PROGRAMS.*—Section
7 640(g) of the Head Start Act (42 U.S.C. 9835(g)) is amend-
8 ed in paragraph (2)—

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

11 (2) by amending subparagraphs (C) through (H)
12 to read as follows:

13 “(C) the extent to which the applicant has un-
14 dertaken community-wide strategic planning and
15 needs assessments involving other community organi-
16 zations and local public agencies serving children and
17 families with Federal, State, or local funds (including
18 organizations and agencies providing family support
19 services, child abuse prevention services, protective
20 services, and foster care, and organizations serving
21 families in whose homes English is not the language
22 customarily spoken), and individuals, organizations,
23 and public entities serving children with disabilities
24 or homeless children, including the local educational
25 agency liaison designated under section

1 722(g)(1)(J)(ii) of the McKinney-Vento Homeless As-
2 sistance Act (42 U.S.C. 11432(g)(1)(J)(ii));

3 “(D) the extent to which the family and commu-
4 nity needs assessment of the applicant reflects a need
5 to provide full working-day or full calendar year serv-
6 ices and the extent to which, and manner in which,
7 the applicant demonstrates the ability to collaborate
8 and participate with the State and local community
9 providers of child care or preschool services to provide
10 full working-day full calendar year services;

11 “(E) the number of eligible children in each com-
12 munity who are not participating in a Head Start
13 program or any other early childhood program;

14 “(F) the concentration of low-income families in
15 each community;

16 “(G) the extent to which the applicant proposes
17 to foster partnerships with other service providers in
18 a manner that will leverage the existing delivery sys-
19 tems of such services and enhance the resource capac-
20 ity of the applicant;

21 “(H) the extent to which the applicant, in pro-
22 viding services, successfully coordinated its activities
23 with the local educational agency serving the commu-
24 nity involved, (including the local educational agency
25 liaison designated under section 722(g)(1)(J)(ii) of

1 *the McKinney-Vento Homeless Assistance Act (42*
2 *U.S.C. 11432(g)(1)(J)(ii)) and with schools in which*
3 *children participating in a Head Start program op-*
4 *erated by such agency will enroll following such pro-*
5 *gram, regarding such services and the education serv-*
6 *ices provided by such local educational agency; and*

7 *“(I) the amount of funds used by such agency to*
8 *pay administrative expenses and the amount of avail-*
9 *able funds received by such agency under this section*
10 *to service each enrolled child.”.*

11 *(d) TRANSPORTATION SAFETY.—*

12 *(1) REGULATIONS.—The Secretary shall issue*
13 *regulations establishing requirements for the safety*
14 *features, and the safe operation, of vehicles used by*
15 *Head Start agencies to transport children partici-*
16 *parting in Head Start programs.*

17 *(2) GOOD CAUSE WAIVER AUTHORITY.—The Sec-*
18 *retary shall allow Head Start agencies to annually*
19 *request a good cause exception to the requirements of*
20 *regulations promulgated under paragraph (1) for one*
21 *or more vehicles used by the agency or its designee in*
22 *transporting children enrolled in a Head Start pro-*
23 *gram or an Early Head Start program if—*

1 (A) such requirements would create a safety
2 hazard in the circumstances faced by such agen-
3 cy; or

4 (B) such requirements pertain to child re-
5 straint systems (45 C.F.R. 1310.11, 1310.15(a))
6 or bus monitors (45 C.F.R. 1310.15(c));

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

11 (D) the waiver is in the best interest of the
12 children involved.

13 (e) *MIGRANT AND SEASONAL HEAD START PRO-*
14 *GRAMS.—Section 640(l) of the Head Start Act (42 U.S.C.*
15 *9835(l)) is amended—*

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

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

1 *Start collaboration director and a national Indian Head*
2 *Start collaboration director.”, and*

3 *(2) by adding at the end the following:*

4 *“(4)(A) For the purposes of paragraph (3), the Sec-*
5 *retary shall conduct an annual consultation in each affected*
6 *Head Start region, with tribal governments operating Head*
7 *Start programs and Early Head Start programs.*

8 *“(B) The consultations shall be for the purpose of better*
9 *meeting the needs of Indian children and children of Alas-*
10 *kan Natives, and their families, in accordance with sub-*
11 *sections (a), (b), and (c) of section 641, taking into consid-*
12 *eration funding allocations, distribution formulas, and*
13 *other issues affecting the delivery of Head Start services in*
14 *their geographic locations.*

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

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

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

1 “(m) *ENROLLMENT OF HOMELESS CHILDREN.*—The
2 *Secretary shall issue rules to establish policies and proce-*
3 *dures to remove barriers to the enrollment and participa-*
4 *tion of homeless children in Head Start programs. Such*
5 *rules shall require Head Start agencies—*

6 “(1) *to implement policies and procedures to en-*
7 *sure that homeless children are identified and*
8 *prioritized for enrollment;*

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

15 “(3) *coordinate individual Head Start programs*
16 *with efforts to implement subtitle B of title VII of the*
17 *McKinney-Vento Homeless Assistance Act (42 U.S.C.*
18 *11431–11435).*

19 “(n) *RULE OF CONSTRUCTION.*—*Nothing in this sub-*
20 *chapter shall be construed to require a State to establish*
21 *a program of early education for children in the State, to*
22 *require any child to participate in a program of early edu-*
23 *cation, to attend school, or to participate in any initial*
24 *screening before participating in such program, except as*

1 *provided under sections 612(a)(3) and 635(a)(5) of the In-*
2 *dividuals with Disabilities Education Act.*

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

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

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

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

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

1 zations, or for-profit agency, within a community, in the
2 manner and process utilized by the Secretary prior to the
3 enactment of the Improving Head Start Act of 2007.

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

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

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

18 “(A) annual budget data;

19 “(B) program reviews conducted under sec-
20 tion 641A(c);

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

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

25 “(E) Program Information Report.

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

8 “(3) *COMPOSITION OF EXPERT PANEL.*—The Sec-
9 retary, in convening such panel, shall appoint the fol-
10 lowing:

11 “(A) 5 members, who are competent, by vir-
12 tue of their training, expertise, and experience,
13 in each of at least one of the following areas:

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

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

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

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

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

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

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

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

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

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

3 “(6) *IMPLEMENTATION OF APPLICATION REVIEW*
4 *SYSTEM.—After the Secretary has reviewed all public*
5 *comments and finalized the system of application re-*
6 *view, the Secretary will use this system to determine*
7 *which grantees are successfully delivering a high qual-*
8 *ity comprehensive early education program. Grantees*
9 *who are determined under such system to be—*

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

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

17 “(C) *notwithstanding paragraph (B), if an*
18 *Indian Head Start agency is determined to be*
19 *underperforming, the Secretary shall engage in*
20 *government-to-government consultation with the*
21 *appropriate tribal government or governments*
22 *for the purpose of establishing a performance en-*
23 *hancement plan for that agency. Such plan is to*
24 *be developed and implemented within 6 months*
25 *of the Secretary’s determination. Not more than*

1 6 months after implementation of that plan, the
2 Secretary shall re-evaluate the performance of the
3 Indian Head Start agency. If the Indian Head
4 Start agency remains underperforming, the Sec-
5 retary shall conduct an open competition as de-
6 scribed in subsection (e), subject to the following
7 limitations:

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

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

21 “(d) *TRANSPARENCY, RELIABILITY, AND VALIDITY.*—

22 *The Secretary shall ensure the system of application evalua-*
23 *tion is fair, consistent, and transparent and applied in a*
24 *manner that designates, in a timely manner grantees as*
25 *Head Start agencies for a period of 5 years if such grantees*

1 *are providing a high quality comprehensive early education*
2 *program. The Secretary shall periodically evaluate whether*
3 *the criteria are being applied in a manner that is trans-*
4 *parent, reliable, and valid.*

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

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

14 “(2) *CONSIDERATIONS IN DESIGNATION.—In se-*
15 *lecting from among qualified applicants for designa-*
16 *tion as a Head Start agency, the Secretary shall con-*
17 *sider the effectiveness of each such applicant to pro-*
18 *vide Head Start services, based on—*

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

23 “(B) *the plan of such applicant to provide*
24 *comprehensive health (including mental and be-*
25 *havioral health), educational, nutritional, social,*

1 *and other services needed to prepare children to*
2 *succeed in school and in life;*

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

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

13 “(E) *the capacity of such applicant to serve*
14 *eligible children with curriculum and teaching*
15 *practices that are based on scientifically based*
16 *research, are developmentally appropriate, and*
17 *that promote the school readiness of children*
18 *participating in the program;*

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

23 “(G) *the proposed budget and plan of such*
24 *applicant to maintain strong fiscal controls and*
25 *cost effective fiscal management;*

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

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

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

15 “(iii) State prekindergarten programs;

16 “(iv) child care programs; and

17 “(v) the educational programs that the
18 children participating in the Head Start
19 program will enter at the age of compulsory
20 school attendance;

21 “(I) the plan of such applicant to coordi-
22 nate the Head Start program that the applicant
23 proposes to carry out, with public and private
24 entities that are willing to commit resources to

1 *assist the Head Start program in meeting its*
2 *program needs;*

3 “(J) *the plan of such applicant—*

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

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

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

25 “(I) *family literacy services; and*

1 “(II) parenting skills training;

2 “(iv) to offer to parents of partici-
3 pating children, mental health services (ei-
4 ther directly or through referral to local en-
5 tities), including substance abuse counseling
6 and information on maternal depression
7 and on the effect of drug-exposure on in-
8 fants and fetal alcohol syndrome;

9 “(v) at the option of such applicant, to
10 offer (directly or through referral to local
11 entities) to such parents—

12 “(I) training in basic child devel-
13 opment (including cognitive, social,
14 and emotional development);

15 “(II) assistance in developing lit-
16 eracy and communication skills;

17 “(III) opportunities to share expe-
18 riences with other parents (including
19 parent mentor relationships);

20 “(IV) regular in-home visitation;

21 “(V) mental and behavioral health
22 services; or

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

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

12 “(vii) to extend outreach to fathers, in
13 appropriate cases, in order to strengthen the
14 role of fathers in families, in the education
15 of their young children, and in the Head
16 Start program, by working directly with fa-
17 thers and father figures through activities
18 such as—

19 “(I) in appropriate cases, includ-
20 ing fathers in home visits and pro-
21 viding culturally appropriate opportu-
22 nities for direct father-child inter-
23 actions; and

1 “(II) targeting increased male
2 participation in the conduct of the pro-
3 gram;

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

14 “(L) the plan of such applicant to meet the
15 diverse cultural needs of the population served;

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

18 “(N) the plan of such applicant who chooses
19 to assist younger siblings of children who will
20 participate in the Head Start program to obtain
21 health, including mental health, services from
22 other sources;

23 “(O) the plan of such applicant to collabo-
24 rate with other entities carrying out public or

1 *private early childhood education and child care*
2 *programs in the community;*

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

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

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

18 “(S) *other factors related to the require-*
19 *ments of this subchapter.*

20 “(f) *INTERIM PROVIDER.—If no agency in the commu-*
21 *nity receives priority designation under subsection (c), and*
22 *there is no qualified applicant in the community, the Sec-*
23 *retary shall designate a qualified agency to carry out the*
24 *Head Start program in the community on an interim basis*

1 *until a qualified applicant from the community is so des-*
 2 *ignated.*

3 “(g) *PARENT AND COMMUNITY PARTICIPATION.*—*The*
 4 *Secretary shall require that the practice of significantly in-*
 5 *volving parents and area residents affected by the program*
 6 *in the selection of Head Start agencies be continued.*

7 “(h) *COMMUNITY.*—*For purposes of this subchapter, a*
 8 *community may be a city, county, or multicity or multi-*
 9 *county unit within a State, an Indian reservation (includ-*
 10 *ing Indians in any off-reservation area designated by an*
 11 *appropriate tribal government in consultation with the Sec-*
 12 *retary) or a neighborhood or other area (irrespective of*
 13 *boundaries or political subdivisions) which provides a suit-*
 14 *able organizational base and possesses the commonality of*
 15 *interest needed to operate a Head Start program.”.*

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

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

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

22 “(a) *QUALITY STANDARDS.*—

23 “(1) *ESTABLISHMENT OF STANDARDS.*—*The Sec-*
 24 *retary shall modify, as necessary, program perform-*
 25 *ance standards by regulation applicable to Head*

1 *Start agencies, programs, and projects under this sub-*
2 *chapter, including—*

3 “(A) *performance standards with respect to*
4 *services required to be provided, including*
5 *health, parental involvement, nutritional, social,*
6 *transition activities described in section 642(d),*
7 *and other services;*

8 “(B) *scientifically based and develop-*
9 *mentally appropriate early learning standards*
10 *related to school readiness that are based on the*
11 *Head Start Child Outcomes Framework to en-*
12 *sure that the children participating in the pro-*
13 *gram, at a minimum develop and demonstrate—*

14 “(i) *language knowledge and skills, in-*
15 *cluding oral language and listening com-*
16 *prehension;*

17 “(ii) *prereading knowledge and skills*
18 *that prepare children for early literacy in*
19 *schools including phonological awareness,*
20 *print awareness and print skills, and al-*
21 *phabetic knowledge;*

22 “(iii) *mathematics knowledge and*
23 *skills, including aspects of classification, se-*
24 *riation, number, spatial relations, and*
25 *time;*

1 “(iv) science knowledge and skills, in-
2 cluding measurement;

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

5 “(vi) social and emotional development
6 related to early learning, school success, so-
7 cial problem-solving, and overall well-being;

8 “(vii) approaches to learning related to
9 child development and early learning;

10 “(viii) creative arts; and

11 “(ix) in the case of limited-English
12 proficient children, progress toward acquisi-
13 tion of the English language while making
14 meaningful progress in attaining the knowl-
15 edge, skills, abilities, and development de-
16 scribed in clauses (i) through (viii), includ-
17 ing progress made through the use of cul-
18 turally and linguistically appropriate in-
19 structional services;

20 “(C) administrative and financial manage-
21 ment standards;

22 “(D) standards relating to the condition
23 and location of facilities for such agencies, pro-
24 grams, and projects; and

1 “(E) such other standards as the Secretary
2 finds to be appropriate.

3 “(2) CONSIDERATIONS IN DEVELOPING STAND-
4 ARDS.—In developing the standards required under
5 paragraph (1), the Secretary shall—

6 “(A) consult with experts in the fields of
7 child development, early childhood education,
8 child health care, family services (including lin-
9 guistically and culturally appropriate services to
10 limited English proficient children and their
11 families), administration, and financial man-
12 agement, and with persons with experience in
13 the operation of Head Start programs;

14 “(B) take into consideration—

15 “(i) past experience with use of the
16 standards in effect under this subchapter on
17 October 27, 1998;

18 “(ii) changes over the period since Oc-
19 tober 27, 1998, in the circumstances and
20 problems typically facing children and fam-
21 ilies served by Head Start agencies;

22 “(iii) recommendations from the report
23 on *Developmental Outcomes and Assess-*
24 *ments for Young Children* by the National

1 *Academy of Sciences, when it becomes avail-*
2 *able;*

3 “(iv) *developments concerning re-*
4 *search-based practices with respect to early*
5 *childhood education and development, chil-*
6 *dren with disabilities, family services, pro-*
7 *gram administration, and financial man-*
8 *agement;*

9 “(v) *projected needs of an expanding*
10 *Head Start program;*

11 “(vi) *guidelines and standards cur-*
12 *rently in effect or under consideration that*
13 *promote child health services and physical*
14 *development, including outdoor activity*
15 *that supports children’s motor development*
16 *and overall health and nutrition;*

17 “(vii) *changes in the population of*
18 *children who are eligible to participate in*
19 *Head Start programs, including the lan-*
20 *guage and cultural background and family*
21 *structure of such children;*

22 “(viii) *mechanisms to ensure that chil-*
23 *dren participating in Head Start programs*
24 *make a successful transition to the schools*
25 *that the children will be attending; and*

1 “(ix) the unique challenges faced by in-
2 dividual programs, including those that are
3 seasonal or short term, and those that serve
4 rural populations; and

5 “(C)(i) review and revise as necessary the
6 performance standards in effect under this sub-
7 section; and

8 “(ii) ensure that any such revisions in the
9 performance standards will not result in the
10 elimination of or any reduction in quality, scope
11 or types of health, education, parental involve-
12 ment, nutritional, social, or other services re-
13 quired to be provided under such standards as in
14 effect on October 27, 1998.

15 “(3) STANDARDS RELATING TO OBLIGATIONS TO
16 DELEGATE AGENCIES.—In developing standards
17 under this subsection, the Secretary shall describe the
18 obligations of a Head Start agency to a delegate
19 agency to which the Head Start agency has delegated
20 responsibility for providing services under this sub-
21 chapter and determine whether the Head Start agency
22 complies with the standards. The Secretary shall con-
23 sider such compliance during the review described in
24 subsection (c)(1)(A) and in determining whether to

1 *renew financial assistance to the Head Start agency*
2 *under this subchapter.*

3 “(b) *MEASURES.*—

4 “(1) *IN GENERAL.*—*The Secretary, in consulta-*
5 *tion with representatives of Head Start agencies and*
6 *with experts in the fields of early childhood education*
7 *and development, shall use the study on Develop-*
8 *mental Outcomes and Assessments for Young Children*
9 *by the National Academy of Sciences to provide guid-*
10 *ance to Head Start agencies for utilizing scientif-*
11 *ically-based measures that support, as appropriate—*

12 “(A) *classroom instructional practices;*

13 “(B) *identification of special needs; and*

14 “(C) *program evaluation.*

15 “(2) *CHARACTERISTICS OF MEASURES.*—*The*
16 *measures under this subsection shall*

17 “(A) *be developmentally, linguistically, and*
18 *culturally appropriate for the population served;*

19 “(B) *be reviewed not less than every 4*
20 *years, based on advances in the science of early*
21 *childhood development;*

22 “(C) *be consistent with relevant, nationally*
23 *recognized professional and technical standards*
24 *related to the assessment of young children;*

1 “(D) be valid and reliable (in English,
2 Spanish, and any other language, as appro-
3 priate);

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

6 “(F) provide appropriate accommodations
7 for children with disabilities and children who
8 are limited English proficient; and

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

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

13 “(A) Measures shall be designed for the pur-
14 pose of—

15 “(i) promoting the skills, knowledge,
16 and competencies of children participating
17 in Head Start programs specified in sub-
18 section (a)(1)(B)(ii), with an emphasis on
19 measuring skills that scientifically-based re-
20 search has demonstrated are related to chil-
21 dren’s school readiness and later success in
22 school;

23 “(ii) improving classroom practices,
24 including reviewing children’s strengths and
25 weaknesses;

1 “(iii) identifying special needs; and

2 “(iv) improving overall program per-
3 formance in order to help programs identify
4 problem areas that may require additional
5 training and technical assistance resources.

6 “(B) Such measures shall not be used to ex-
7 clude children from Head Start programs.

8 “(4) *SUSPENDED IMPLEMENTATION OF NATIONAL*
9 *REPORTING SYSTEM.—The Secretary shall—*

10 “(A) suspend implementation and termi-
11 nate further development and use of the National
12 Reporting System; and

13 “(B) incorporate, as appropriate, rec-
14 ommendations from the study on *Developmental*
15 *Outcomes and Assessments for Young Children*
16 by the National Academy of Sciences into any
17 assessment used in the Head Start programs, in
18 accordance with paragraphs (2) and (3).

19 “(5) *SPECIAL RULE.—The use of assessment*
20 *items and data on any assessment authorized under*
21 *this subchapter by an agent or agents of the Federal*
22 *Government to provide rewards or sanctions for indi-*
23 *vidual children or teachers is prohibited. The Sec-*
24 *retary shall not use the results of a single assessment*
25 *as the sole or primary method for assessing program*

1 *effectiveness or making grantee funding determina-*
2 *tions at the national, regional, or local level.*

3 “(6) *CONFIDENTIALITY.*—

4 “(A) *The Secretary, through regulation,*
5 *shall ensure the confidentiality of any personally*
6 *identifiable data, information and records col-*
7 *lected or maintained by the Secretary and any*
8 *Head Start agency. Such regulations shall pro-*
9 *vide the policies, protections, and rights equiva-*
10 *lent to those provided a parent, student, or edu-*
11 *cational agency or institution under section 444*
12 *of the General Education Provisions Act.*

13 “(B) *Nothing in this subsection shall be*
14 *construed to authorize the development of a na-*
15 *tionwide database of personally identifiable in-*
16 *formation on children participating in measures*
17 *under this subsection.*

18 “(c) *MONITORING OF LOCAL AGENCIES AND PRO-*
19 *GRAMS.*—

20 “(1) *IN GENERAL.*—*To determine whether Head*
21 *Start agencies meet standards established under this*
22 *subchapter with respect to program, administrative,*
23 *financial management, and other requirements and*
24 *in order to help programs identify areas for improve-*
25 *ment and areas of strengths as part of an on-going*

1 *self-assessment process, the Secretary shall develop*
2 *and use a risk-based assessment system to conduct the*
3 *following reviews of Head Start agencies, and of the*
4 *Head Start programs operated by such agencies:*

5 *“(A) A full review of each such agency at*
6 *least once during each 3-year period.*

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

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

15 *“(D) other reviews, including unannounced*
16 *site inspections of Head Start centers, as appro-*
17 *priate.*

18 *“(2) CONDUCT OF REVIEWS.—The Secretary*
19 *shall ensure that reviews described in subparagraphs*
20 *(A) through (C) of paragraph (1)—*

21 *“(A) are conducted by review teams that—*

22 *“(i) include individuals who are*
23 *knowledgeable about Head Start programs*
24 *and, to the maximum extent practicable, the*
25 *diverse (including linguistic and cultural)*

1 *needs of eligible children (including children*
2 *with disabilities) and limited-English pro-*
3 *ficient children and their families; and*

4 “(i) include, to the maximum extent
5 *practicable, current or former employees of*
6 *the Department of Health and Human*
7 *Services who are knowledgeable about Head*
8 *Start programs;*

9 “(B) include as part of the reviews of the
10 *programs, a review and assessment of program*
11 *strengths and areas in need of improvement;*

12 “(C) include as part of the reviews of the
13 *programs, a review and assessment of whether*
14 *programs have adequately addressed the popu-*
15 *lation and community needs (including popu-*
16 *lations of children with limited English pro-*
17 *ficiency and children of migrant and seasonal*
18 *farm-working families);*

19 “(D) include as part of the review the extent
20 *to which the program addresses the community*
21 *needs and strategic plan identified in section*
22 *640(g)(2)(C);*

23 “(E) include as part of the review the im-
24 *plementation by qualified individuals with dem-*
25 *onstrated reliability, of a valid and reliable re-*

1 *search-based observational instrument that as-*
2 *sesses classroom quality, including multiple di-*
3 *mensions of teacher-child interactions that are*
4 *linked to positive child development and later*
5 *achievement;*

6 “(F) are conducted in a manner that evalu-
7 ates program performance, quality, and overall
8 operations with consistency and objectivity, and
9 based on a transparent and reliable system of re-
10 view;

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

15 “(H) include as part of the review a pro-
16 tocol for fiscal management that shall be used to
17 assess the compliance with program requirements
18 for—

19 “(i) using federal funds appropriately;

20 “(ii) using federal funds specifically to
21 purchase property and to compensate per-
22 sonnel;

23 “(iii) securing and using qualified fis-
24 cal officer support; and

1 “(iv) reporting financial information
2 and implementing appropriate internal
3 controls to safeguard federal funds.

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

6 “(A) be presented to an agency in a timely,
7 transparent, and uniform manner that conveys
8 information of program strengths and weaknesses
9 and assists with program improvement; and

10 “(B) be used by the Head Start agencies to
11 inform the development and implementation of
12 their plan for training and technical assistance.

13 “(d) *EVALUATIONS AND CORRECTIVE ACTIONS FOR*
14 *DELEGATE AGENCIES.*—

15 “(1) *PROCEDURES.*—The Head Start agency
16 shall establish procedures relating to its delegate agen-
17 cies, including—

18 “(A) procedures for evaluating delegate
19 agencies;

20 “(B) procedures for defunding delegate
21 agencies; and

22 “(C) procedures for appealing a defunding
23 decision relating to a delegate agency.

24 “(2) *EVALUATIONS.*—Each Head Start agency—

1 “(A) shall evaluate its delegate agencies
2 using the procedures established under this sec-
3 tion; and

4 “(B) shall inform the delegate agencies of
5 the deficiencies identified through the evaluation
6 that are required to be corrected.

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

11 “(A) initiate procedures to terminate the
12 designation of the delegate agency unless such
13 agency corrects the deficiency; and

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

18 “(4) *RULE OF CONSTRUCTION.—Nothing in this*
19 *subsection shall be construed to modify, supersede, or*
20 *affect the powers, duties, or functions of the Secretary*
21 *with respect to Head Start agencies or delegate agen-*
22 *cies that receive financial assistance under this sub-*
23 *chapter.*

24 “(e) *CORRECTIVE ACTION; TERMINATION.—*

1 “(1) *DETERMINATION.*—*If the Secretary deter-*
2 *mines, on the basis of a review pursuant to subsection*
3 *(c), that a Head Start agency designated pursuant to*
4 *section 641 fails to meet the standards described in*
5 *subsection (a) or fails to adequately address the com-*
6 *munity needs and strategic plan identified in section*
7 *640(g)(2)(C), the Secretary shall—*

8 “(A) *inform the agency of the deficiencies*
9 *that shall be corrected;*

10 “(B) *with respect to each identified defi-*
11 *ciency, require the agency—*

12 “(i) *to correct the deficiency imme-*
13 *diately, if the Secretary finds that the defi-*
14 *ciency threatens the health or safety of staff*
15 *or program participants or poses a threat*
16 *to the integrity of Federal funds;*

17 “(ii) *to correct the deficiency not later*
18 *than 90 days after the identification of the*
19 *deficiency if the Secretary finds, in the dis-*
20 *cretion of the Secretary, that such a 90-day*
21 *period is reasonable, in light of the nature*
22 *and magnitude of the deficiency; or*

23 “(iii) *in the discretion of the Secretary*
24 *(taking into consideration the seriousness of*
25 *the deficiency and the time reasonably re-*

1 *quired to correct the deficiency), to comply*
2 *with the requirements of paragraph (2) con-*
3 *cerning a quality improvement plan; and*

4 “(C) *initiate proceedings to terminate the*
5 *designation of the agency unless the agency cor-*
6 *rects the deficiency.*

7 “(2) *QUALITY IMPROVEMENT PLAN.—*

8 “(A) *AGENCY AND PROGRAM RESPONSIBIL-*
9 *ITIES.—To retain a designation as a Head Start*
10 *agency under this subchapter, or in the case of*
11 *a Head Start program to continue to receive*
12 *funds from such agency, a Head Start agency, or*
13 *Head Start program that is the subject of a de-*
14 *termination described in paragraph (1) (exclud-*
15 *ing an agency or program required to correct a*
16 *deficiency immediately or during a 90-day pe-*
17 *riod under clause (i) or (ii) of paragraph (1)(B))*
18 *shall—*

19 “(i) *develop in a timely manner, a*
20 *quality improvement plan that shall be sub-*
21 *ject to the approval of the secretary, or in*
22 *the case of a program, the sponsoring agen-*
23 *cy, and which shall specify—*

24 “(I) *the deficiencies to be cor-*
25 *rected;*

1 “(II) the actions to be taken to
2 correct such deficiencies; and

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

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

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

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

1 *reasons why the proposed plan cannot be ap-*
2 *proved.*

3 “(3) *TRAINING AND TECHNICAL ASSISTANCE.—*

4 *The Secretary shall provide training and technical*
5 *assistance to Head Start agencies and programs with*
6 *respect to the development or implementation of such*
7 *quality improvement plans to the extent the Secretary*
8 *finds such provision to be feasible and appropriate*
9 *given available funding and other statutory respon-*
10 *sibilities.*

11 “(f) *SUMMARIES OF MONITORING OUTCOMES.—Not*
12 *later than 120 days after the end of each fiscal year, the*
13 *Secretary shall publish a summary report on the findings*
14 *of reviews conducted under subsection (c) and on the out-*
15 *comes of quality improvement plans implemented under*
16 *subsection (e), during such fiscal year. Such report shall*
17 *be made available to all parents with children receiving as-*
18 *sistance under this subchapter in an understandable and*
19 *uniform format, and to the extent practicable, provided in*
20 *a language that the parents can understand, and in addi-*
21 *tion, make the information widely available through public*
22 *means such as distribution through public agencies, and at*
23 *a minimum posting such information on the Internet im-*
24 *mediately upon publication. Such reports shall contain de-*
25 *tailed data on compliance with specific performance stand-*

1 *ards and measures sufficient to allow individual Head*
2 *Start agencies to use such data to improve the quality of*
3 *their program.*

4 “(g) *SELF-ASSESSMENTS.*—

5 “(1) *IN GENERAL.*—*Not less frequently than once*
6 *each program year, with the consultation and partici-*
7 *pation of policy councils, and as applicable, policy*
8 *committees, and as appropriate, other community*
9 *members, each Head Start agency and each delegate*
10 *agency that receives financial assistance under this*
11 *subchapter shall conduct a comprehensive self-assess-*
12 *ment of its effectiveness and progress in meeting pro-*
13 *gram goals and objectives (including professional de-*
14 *velopment plans) and in implementing and com-*
15 *plying with Head Start program performance stand-*
16 *ards.*

17 “(2) *REPORT AND IMPROVEMENT PLANS.*—

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

24 “(B) *IMPROVEMENT PLAN.*—*The agency*
25 *shall develop and report to the Secretary an im-*

1 *provement plan approved by the governing body*
2 *of the agency to strengthen any areas identified*
3 *in the self-assessment as weaknesses or in need of*
4 *improvement.*

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

13 *“(h) ENROLLMENT REPORTING REQUIREMENT.—*

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

16 *“(A) the actual enrollment in such program;*
17 *and*

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

21 *“(2) The Secretary shall determine on a regular*
22 *basis which Head Start agencies are operating with*
23 *an actual enrollment that is less than the funded en-*
24 *rollment and shall provide appropriate and timely*

1 *training and technical assistance to increase actual*
2 *enrollment, as appropriate.*

3 “(3) *In this subsection:*

4 “(A) *The term ‘actual enrollment’ means,*
5 *with respect to a Head Start program, the actual*
6 *number of children enrolled in such program in*
7 *a given month.*

8 “(B) *The term ‘base grant’ means, with re-*
9 *spect to Head Start agency for a fiscal year, that*
10 *portion of the grant derived from—*

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

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

18 “(iii) *amounts available under section*
19 *640(a)(2)(D) or allotted among States*
20 *under section 640(a)(4).*

21 “(C) *The term ‘funded enrollment’ means,*
22 *with respect to the program of a Head Start*
23 *agency in a fiscal year, the number of children*
24 *that the agency is funded to serve through a*

1 *grant for the program during such fiscal year, as*
2 *indicated in the grant award.*

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

8 “(1) *If such funds are derived from an Indian*
9 *Head Start program, then such funds shall be redis-*
10 *tributed to increase enrollment in such fiscal year in*
11 *1 or more Indian Head Start programs.*

12 “(2) *If such funds are derived from the operation*
13 *of a migrant and seasonal Head Start program, then*
14 *such funds shall be redistributed to increase enroll-*
15 *ment in such fiscal year in 1 or more migrant and*
16 *seasonal Head Start programs.*

17 “(3) *If such funds are derived from the operation*
18 *of a Head Start program in a State (excluding In-*
19 *dian Head Start program and migrant and seasonal*
20 *Head Start programs), then such funds shall be redis-*
21 *tributed to increase enrollment in such fiscal year in*
22 *1 or more Head Start programs (excluding Indian*
23 *Head Start programs and migrant and seasonal*
24 *Head Start programs) that are carried out in such*
25 *State, except that—*

1 “(A) not less than 50 percent of the funds
2 shall be prioritized to increase the program par-
3 ticipation of children and families served under
4 *Early Head Start*; and

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

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

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

13 **“SEC. 642. POWERS AND FUNCTIONS OF HEAD START AGEN-**
14 **CIES.**

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

1 *gram. Such an agency must also be empowered to transfer*
2 *funds so received, and to delegate powers to other agencies,*
3 *subject to the powers of its governing board and its overall*
4 *program responsibilities. The power to transfer funds and*
5 *delegate powers must include the power to make transfers*
6 *and delegations covering component projects in all cases*
7 *where this will contribute to efficiency and effectiveness or*
8 *otherwise further program objectives.*

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

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

17 “(2) *Seek the involvement of parents, area resi-*
18 *dents, and local business in the design and implemen-*
19 *tation of the program.*

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

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

6 “(4) Offer (directly or through referral to local
7 *entities, such as entities carrying out Even Start pro-*
8 *grams under subpart 3 of part B of title I of the Ele-*
9 *mentary and Secondary Education Act of 1965 (20*
10 *U.S.C. 2741 et seq.)), to parents of participating chil-*
11 *dren, family literacy services and parenting skills*
12 *training.*

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

19 “(6) At the option of such agency, offer (directly
20 *or through referral to local entities) to such parents—*

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

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

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

4 “(D) mental and behavioral health services;

5 “(E) regular in-home visitation; or

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

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

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

22 “(9) Perform community outreach to encourage
23 individuals previously unaffiliated with Head Start
24 programs to participate in its Head Start program
25 as volunteers.

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

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

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

14 “(12) Provide technical and other support needed
15 to enable parents and area residents to secure on their
16 own behalf available assistance from public and pri-
17 vate sources.

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

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

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

4 “(ii) to enable the parents—

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

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

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

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

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

23 “(c) PROGRAM GOVERNANCE.—Head Start agencies
24 must establish and maintain a formal structure of shared
25 governance through which an independent governing body

1 *with legal and fiscal responsibility for administering and*
2 *overseeing programs under this subchapter and a parent*
3 *policy council and parent policy committee, as appropriate,*
4 *shall ensure that such agency operates a high quality Head*
5 *Start program in compliance with all applicable Federal,*
6 *State, and local laws.*

7 “(1) *GOVERNING BODY.—*

8 “(A) *COMPOSITION.—The governing body*
9 *shall be composed as follows:*

10 “(i) *Not less than 1 member with sig-*
11 *nificant financial management or account-*
12 *ing experience.*

13 “(ii) *Not less than 1 member shall have*
14 *a background and expertise in early child-*
15 *hood development.*

16 “(iii) *Not less than 1 member shall be*
17 *a licensed attorney familiar with issues that*
18 *come before the governing body.*

19 “(iv) *Additional members shall be se-*
20 *lected for their expertise in education, busi-*
21 *ness administration, and community affairs*
22 *and shall reflect the community served.*

23 “(v) *Exceptions shall be made when*
24 *members of the governing body oversee a*

1 *public entity and are selected by public elec-*
2 *tion or are political appointments.*

3 “(B) *CONFLICT OF INTEREST.—Members of*
4 *the governing body shall—*

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

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

16 “(iii) *not be employed nor shall mem-*
17 *bers of their immediate family be employed*
18 *by the Head Start agency or one of its dele-*
19 *gate agencies, exceptions shall be made*
20 *when a board member of a public entity is*
21 *selected by election or politically appointed;*
22 *and*

23 “(iv) *operate as an entity independent*
24 *of staff employed by the Head Start agency*
25 *entity or applicant, exceptions shall be*

1 *made when a board member of a public en-*
2 *tity is selected by election or politically ap-*
3 *pointed.*

4 “(C) *CONSULTANTS.*—*In the case that per-*
5 *sons described in subparagraph (A) are not*
6 *available to serve as members, the governing*
7 *body shall make use of consultants in the areas*
8 *described in subparagraph (A) to work directly*
9 *with the governing body.*

10 “(D) *TRAINING.*—*All members of the gov-*
11 *erning body shall receive training in manage-*
12 *ment responsibilities and obligations, ethics, and*
13 *financial literacy management.*

14 “(E) *RESPONSIBILITIES OF GOVERNING*
15 *BODY.*—*The governing body shall be responsible*
16 *for—*

17 “(i) *adoption of practices that assure*
18 *active, independent and informed govern-*
19 *ance of the Head Start agency;*

20 “(ii) *oversight to ensure that the Head*
21 *Start agency under the direction of the exec-*
22 *utive director is delivering high quality*
23 *services to children and families in compli-*
24 *ance with all applicable standards in effect*
25 *under this subchapter and with the applica-*

1 *ble performance measures established by the*
2 *Secretary under section 644;*

3 *“(iii) establish an audit and finance*
4 *committee whose primary responsibility*
5 *shall be—*

6 *“(I) to approve annually the oper-*
7 *ating budget of the Head Start agency;*

8 *“(II) to review and recommend to*
9 *the governing body the selection of*
10 *independent auditors who shall report*
11 *all critical accounting policies and*
12 *practices to the finance and audit com-*
13 *mittee, except when the auditor is as-*
14 *signed by the State under State law;*

15 *“(III) to review and recommend*
16 *to the governing body the termination*
17 *or extension of the existing audit firm*
18 *at least once every 5 years;*

19 *“(IV) to review and advise the*
20 *governing body of the audit manage-*
21 *ment letter provided pursuant to the*
22 *chapter 75 of title 31, United States*
23 *Code, and of any audit findings; and*

24 *“(V) to monitor agency actions to*
25 *correct any such audit findings or*

1 *other actions necessary to comply with*
2 *applicable laws (including regulations)*
3 *governing financial statements and ac-*
4 *counting practices;*

5 *“(iv) approve all major policies of the*
6 *agency, including the mission of the agency*
7 *and policies addressing accounting, finan-*
8 *cial management, procurement, record con-*
9 *fidentiality, and personnel (including spe-*
10 *cific standards governing salaries, salary*
11 *adjustments, travel and per diem allow-*
12 *ances, and other employee benefits);*

13 *“(v) approve all major financial ex-*
14 *penditures of the agency;*

15 *“(vi) approve the selection or dismissal*
16 *of the Head Start Director or the equivalent*
17 *position within the Head Start agency;*

18 *“(vii) approve or disapprove all poli-*
19 *cies, applications, and decisions of the Pol-*
20 *icy Council made under the authority of*
21 *paragraph (2);*

22 *“(viii) to oversee the program planning*
23 *of the Head Start agency, including adop-*
24 *tion of policies for setting long- and short-*
25 *range goals and objectives;*

1 “(ix) oversee and approve the agency’s
2 applications to receive funds made available
3 under this subchapter; and

4 “(x) to establish, adopt and periodi-
5 cally update written standards of conduct
6 that establish standards and formal proce-
7 dures for disclosing, addressing, and resolv-
8 ing—

9 “(I) any conflict of interest, and
10 any appearance of a conflict of inter-
11 est, by members of the governing body,
12 officers, employees, consultants and
13 agents who provide services or furnish
14 goods to the Head Start agency; and

15 “(II) complaints, including inves-
16 tigations, when appropriate.

17 “(2) POLICY COUNCIL.—

18 “(A) COMPOSITION.—The Policy Council or
19 Policy Committee, as appropriate, shall be com-
20 posed as follows:

21 “(i) Members of the Policy Council
22 shall be either parents of children currently
23 enrolled in the Head Start agency’s (or del-
24 egate’s) Head Start or Early Head Start
25 program or that are parents of children who

1 *were enrolled in the program in the pre-*
2 *vious year (Parent Members) or shall be*
3 *members of the community served by the*
4 *Head Start agency or delegate (Community*
5 *Members).*

6 “(ii) *Parent members of the Policy*
7 *Council shall constitute a majority of the*
8 *members of the Policy Council and shall be*
9 *elected by parents of currently enrolled chil-*
10 *dren.*

11 “(iii) *Parent members shall represent,*
12 *proportionately, all program options and*
13 *settings operated by the Head Start agency*
14 *or delegate.*

15 “(iv) *The term of a Policy Council*
16 *member shall be no more than 2 years and*
17 *no Policy Council member shall serve longer*
18 *than 6 years.*

19 “(B) *RESPONSIBILITIES OF POLICY COUN-*
20 *CIL.—In order to be designated as a Head Start*
21 *agency, an entity or delegate of such an entity*
22 *shall have a Policy Council which shall approve*
23 *and submit to the governing body decisions about*
24 *the following activities:*

1 “(i) *The strategic direction of the pro-*
2 *gram, including long and short-term plan-*
3 *ning goals and objectives (such planning*
4 *and goals shall take into account the an-*
5 *ual community assessment and self-assess-*
6 *ment).*

7 “(ii) *Selection of delegate agencies and*
8 *their service areas.*

9 “(iii) *Recruitment, selection and en-*
10 *rollment priorities.*

11 “(iv) *Funding applications and*
12 *amendments to funding applications for*
13 *Head Start or Early Head Start prior to*
14 *submission of such applications.*

15 “(v) *Budget planning for program ex-*
16 *penditures.*

17 “(vi) *Bylaws for the operation of the*
18 *Policy Council including procedures by*
19 *which Policy Council members are chosen.*

20 “(vii) *Program personnel policies, in-*
21 *cluding standards of conduct for program*
22 *staff, contractors and volunteers.*

23 “(viii) *Decisions regarding employ-*
24 *ment of Head Start staff other than the di-*
25 *rector and executive director.*

1 “(ix) *Activities to support the active*
2 *involvement of parents in supporting pro-*
3 *gram operations.*

4 “(x) *Program responsiveness to com-*
5 *munity and parent needs.*

6 “(C) *TRAINING.*—*Appropriate training and*
7 *technical assistance shall be provided to the*
8 *members of the Policy Council to ensure that the*
9 *members understand the information the mem-*
10 *bers receive and effectively oversee and partici-*
11 *pate in the programs of the Head Start agency*
12 *or delegate.*

13 “(3) *IMPASSE POLICY.*—*The Secretary shall de-*
14 *velop policies and procedures describing how Head*
15 *Start agencies will implement shared decision-mak-*
16 *ing, including a process for resolving any impasse be-*
17 *tween the Governing Body and the Policy Council.*

18 “(d) *COLLABORATION AND COORDINATION.*—*To be so*
19 *designated, a Head Start agency must collaborate and co-*
20 *ordinate with public and private entities to improve the*
21 *available services to Head Start children and families, in-*
22 *cluding the following activities:*

23 “(1) *Conduct outreach to schools in which chil-*
24 *dren participating in Head Start programs enroll,*
25 *local educational agencies, the local business commu-*

1 *nity, community-based organizations, faith-based or-*
2 *ganizations, museums, and libraries to generate sup-*
3 *port and leverage the resources of the entire local com-*
4 *munity in order to improve school readiness.*

5 *“(2) In communities where both public pre-*
6 *kindergarten programs and Head Start programs op-*
7 *erate, a Head Start agency shall collaborate and co-*
8 *ordinate activities with the local educational agency*
9 *or other public agency responsible for the operation of*
10 *the prekindergarten program and providers of pre-*
11 *kindergarten, including outreach activities to identify*
12 *eligible children, as possible.*

13 *“(3) Head Start agency staff shall, with the per-*
14 *mission of the parents of children enrolled in Head*
15 *Start programs, regularly communicate with the ele-*
16 *mentary schools such children will be attending—*

17 *“(A) to share information about such chil-*
18 *dren; and*

19 *“(B) to ensure a smooth transition to ele-*
20 *mentary school for such children.*

21 *“(4) Each Head Start agency shall collaborate,*
22 *as appropriate, with providers of social and commu-*
23 *nity services available to children and families par-*
24 *ticipating in Head Start programs, and may support*

1 *such partnerships with financial agreements, when*
2 *applicable, for the provision of such services.*

3 *“(5) A Head Start agency shall take steps to co-*
4 *ordinate activities with the local educational agency*
5 *serving the community involved and with schools in*
6 *which children participating in a Head Start pro-*
7 *gram operated by such agency will enroll following*
8 *such program, including—*

9 *“(A) collaborating on the shared use of*
10 *transportation and facilities;*

11 *“(B) collaborating to enhance the efficiency*
12 *of services while increasing the program partici-*
13 *pation of underserved populations of eligible*
14 *children; and*

15 *“(C) exchanging information on the provi-*
16 *sion of noneducational services to such children.*

17 *“(6) The Secretary, in consultation with the Sec-*
18 *retary of Education, shall—*

19 *“(A) evaluate the effectiveness of the projects*
20 *and activities funded under section 642A;*

21 *“(B) disseminate to Head Start agencies in-*
22 *formation (including information from the eval-*
23 *uation required by subparagraph (A)) on effec-*
24 *tive policies and activities relating to the transi-*

1 *tion of children from Head Start programs to*
2 *public schools; and*

3 *“(C) provide technical assistance to such*
4 *agencies to promote and assist such agencies to*
5 *adopt and implement such effective policies and*
6 *activities.*

7 *“(e) QUALITY STANDARDS, CURRICULA AND ASSESS-*
8 *MENT.—To be so designated, each Head Start agency*
9 *shall—*

10 *“(1) take steps to ensure, to the maximum extent*
11 *possible, that children maintain the developmental*
12 *and educational gains achieved in Head Start pro-*
13 *grams and build upon such gains in further school-*
14 *ing;*

15 *“(2) establish a program with standards set forth*
16 *in section 641A(a)(1), with particular attention to*
17 *the standards set forth in subparagraphs (A) and (B)*
18 *of such section;*

19 *“(3) implement a research-based early childhood*
20 *curriculum that promotes young children’s school*
21 *readiness in the areas of language and cognitive de-*
22 *velopment, early reading and premathematics skills,*
23 *socio-emotional development, physical development,*
24 *and approaches to learning. Such curricula shall be—*

1 “(A) based on scientifically based research
2 and have standardized training procedures and
3 curriculum materials to support implementation;

4 “(B) comprehensive, linked to ongoing as-
5 sessment, with developmental and learning goals
6 and measurable objectives; and focused on im-
7 proving the learning environment, teaching prac-
8 tices, family involvement, and child outcomes
9 across all areas of development; and

10 “(C) aligned to the Head Start Child Out-
11 comes Framework developed by the Secretary
12 and to State early learning standards, as appro-
13 priate;

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

24 “(5) use high-quality research-based develop-
25 mental screening tools that have been demonstrated to

1 *be standardized, reliable, valid, and accurate for chil-*
2 *dren from a range of racial, ethnic, linguistic, and*
3 *cultural backgrounds, for the purpose of meeting the*
4 *relevant performance standards;*

5 *“(6) adopt, in consultation with experts in child*
6 *development and with classroom teachers, an assess-*
7 *ment to be used when hiring or evaluating any class-*
8 *room teacher in a center-based Head Start program.*
9 *Such assessment shall measure whether such teacher*
10 *has mastered the functions described in section*
11 *648A(a)(1) and attained a level of literacy appro-*
12 *priate to implement Head Start curricula;*

13 *“(7) use the information provided from the as-*
14 *essment conducted under section 640A(C)(2)(H) to*
15 *adopt a professional development plan that leads to*
16 *improved teacher effectiveness;*

17 *“(8) establish measurable objectives for the provi-*
18 *sion of health, educational, nutritional, and social*
19 *services related to the program mission and to school*
20 *readiness and provided under this subchapter; and*

21 *“(9) develop procedures for identifying children*
22 *as limited English proficient, and inform the parents*
23 *of such children as to the instructional services used*
24 *to help children make progress towards acquiring the*
25 *knowledge and skills described in section*

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

3 *“Each Head Start agency shall take steps to coordi-*
4 *nate with the local educational agency serving the commu-*
5 *nity involved and with schools in which children partici-*
6 *pating in a Head Start program operated by such agency*
7 *will enroll following such program to promote continuity*
8 *of services and effective transitions, including—*

9 *“(1) developing and implementing a systematic*
10 *procedure for transferring, with parental consent,*
11 *Head Start program records for each participating*
12 *child to the school in which such child will enroll;*

13 *“(2) establishing ongoing channels of commu-*
14 *nication between Head Start staff and their counter-*
15 *parts in the schools (including teachers, social work-*
16 *ers, McKinney-Vento liaisons as established under sec-*
17 *tion 722 (g)(1)(J)(ii) of the McKinney-Vento Home-*
18 *less Assistance Act (42 U.S.C. 11432(g)(1)(J)(ii)),*
19 *and health staff) to facilitate coordination of pro-*
20 *grams;*

21 *“(3) establish on-going communication for devel-*
22 *oping continuity of developmentally appropriate cur-*
23 *ricula between Head Start and local educational*
24 *agencies to ensure an effective transition and appro-*
25 *priate shared expectations for children’s learning and*
26 *development as they make such transition to school;*

1 “(4) organizing and participating in joint train-
2 ing, including transition-related training for school
3 staff and Head Start staff;

4 “(5) conducting meetings involving parents, kin-
5 dergarten or elementary school teachers, and Head
6 Start program teachers to discuss the educational, de-
7 velopmental, and other needs of individual children;

8 “(6) helping parents of limited English Pro-
9 ficient children understand the method of instruction
10 and other services provided by the school in which
11 such child will enroll after participation in Head
12 Start and as appropriate, information provided to
13 parents of limited English proficient children under
14 section 3302 of title III of the Elementary and Sec-
15 ondary Education Act of 1965 (20U.S.C. 7012);

16 “(7) developing and implementing a family out-
17 reach and support program in cooperation with enti-
18 ties carrying out parental involvement efforts under
19 title I of the Elementary and Secondary Education
20 Act of 1965 (20 U.S.C. 6301 et seq.) and family out-
21 reach and support efforts under subtitle B of title VII
22 of the McKinney-Vento Homeless Assistance Act (42
23 U.S.C. 11431–11435);

24 “(8) assisting families, administrators, and
25 teachers in enhancing educational and developmental

1 *continuity and continuity in parental involvement*
2 *activities between Head Start services and elementary*
3 *school classes;*

4 *“(9) linking the services provided in such Head*
5 *Start program with the education services, including*
6 *services relating to language, literacy, and numeracy,*
7 *provided by such local educational agency;*

8 *“(10) helping parents (including grandparents*
9 *and kinship caregivers, as appropriate) to understand*
10 *the importance of parental involvement in a child’s*
11 *academic success while teaching them strategies for*
12 *maintaining parental involvement as their child*
13 *moves from Head Start to elementary school;*

14 *“(11) developing and implementing a system to*
15 *increase program participation of underserved popu-*
16 *lations of eligible children; and*

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

20 *“(A) the Head Start Child Outcomes*
21 *Framework as developed by the Secretary; and*

22 *“(B) State early learning standards, as ap-*
23 *propriate, with regard to cognitive, social, emo-*
24 *tional, and physical competencies that children*

1 *entering kindergarten are expected to dem-*
2 *onstrate.”.*

3 **SEC. 10. LOCAL AND STATE INTEGRATION OF EARLY CHILD-**
4 **HOOD EDUCATION.**

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

7 **“SEC. 642B. LOCAL AND STATE INTEGRATION OF EARLY**
8 **CHILDHOOD EDUCATION.**

9 *“(a) LOCAL INTEGRATION.—In general, Head Start*
10 *agencies shall enter into ongoing partnerships with local*
11 *educational agencies and with State-funded preschool and*
12 *other early childhood programs.*

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

23 *“(A) Educational activities, curricula, and*
24 *instruction.*

1 “(B) *Public information dissemination and*
2 *access to programs for families contacting any of*
3 *the early childhood programs.*

4 “(C) *Selection priorities for eligible children*
5 *to be served by programs.*

6 “(D) *Service delivery areas.*

7 “(E) *Staff training, including opportunities*
8 *for joint staff training on topics such as aca-*
9 *ademic content standards, instructional methods,*
10 *and social and emotional development.*

11 “(F) *Program technical assistance.*

12 “(G) *Provision of additional services to*
13 *meet the needs of working parents.*

14 “(H) *Planning and parent education for*
15 *smooth transitions to kindergarten as required*
16 *in section 642A(3) and 642A(6).*

17 “(I) *Provision and use of facilities, trans-*
18 *portation, and other program elements.*

19 “(J) *Other elements mutually agreed to by*
20 *the parties to such memorandum.*

21 “(2) *TIMING OF MEMORANDA.—Each Head Start*
22 *agency shall enter into a memorandum of under-*
23 *standing under paragraph (1) not later than 1 year*
24 *after the effective date of this section.*

1 “(3) *SECRETARIAL REVIEW.*—*Each memo-*
2 *randum of understanding entered into under para-*
3 *graph (1) shall be submitted to the Secretary not later*
4 *than 30 days after entering into such memorandum.*

5 “(A) *If a Head Start agency is unable to*
6 *comply with the requirement in paragraph (1)*
7 *the Head Start agency shall notify the Secretary*
8 *and the chief executive officer of the State not*
9 *later than 30 days after determining that they*
10 *are unable to enter into such memorandum. The*
11 *Secretary, in cooperation with the State Early*
12 *Learning Council and the State Director of*
13 *Head Start Collaboration, shall evaluate the*
14 *causes of failure to enter into a memorandum of*
15 *understanding under paragraph (1). With the*
16 *assistance of the State Early Learning Council*
17 *and the State Director of Head Start Collabora-*
18 *tion, all parties shall again attempt to enter into*
19 *a memorandum of understanding under para-*
20 *graph (1). Then if no such memorandum of un-*
21 *derstanding is entered into, the Secretary shall*
22 *make 1 of the following determinations:*

23 “(i) *The local educational agency, local*
24 *council, or other appropriate entity is un-*
25 *able or unwilling to enter into such a*

1 *memorandum despite reasonable efforts on*
2 *the part of the Head Start agency.*

3 “(ii) *The Head Start agency has not*
4 *engaged in reasonable efforts to successfully*
5 *negotiate and enter into a memorandum of*
6 *understanding pursuant to paragraph (1).*

7 “(iii) *There is an absence of publicly*
8 *funded prekindergarten in the service area*
9 *of the Head Start agency.*

10 “(B) *If the Secretary determines the Head*
11 *Start agency is not making reasonable efforts to*
12 *enter into a memorandum of understanding pur-*
13 *suant to paragraph (1), the Head Start agency*
14 *shall be found to be noncompliant with program*
15 *performance standards.*

16 “(C) *If the Secretary concludes that the*
17 *local educational agency, local council, or other*
18 *appropriate entity is not making reasonable ef-*
19 *forts to reach such a memorandum of under-*
20 *standing, the Head Start agency shall not be*
21 *found out of compliance with paragraph (1).*

22 “(4) *REVISION OF MEMORANDA.—Each memo-*
23 *randum of understanding shall be revised and re-*
24 *newed annually by the parties to such memorandum,*
25 *in alignment with the beginning of the school year.*

1 “(5) *ABSENCE OF PREKINDERGARTEN.*—*In the*
2 *absence of publicly funded prekindergarten in the*
3 *service area of a Head Start agency, the Head Start*
4 *agency shall submit notice to the Secretary and the*
5 *chief executive officer of the State and shall work with*
6 *the State Early Learning Council and the State Di-*
7 *rector of Head Start Collaboration to improve coordi-*
8 *nation in their service area.*

9 “(b) *STATE EARLY LEARNING COUNCILS.*—*From the*
10 *amounts reserved under section 640(a)(2)(C)(iii), the Sec-*
11 *retary shall award, upon submission of a written request*
12 *and pursuant to the requirements of paragraph (2), an*
13 *early learning collaboration grant to each State for the pur-*
14 *poses of supporting a State Early Learning Council respon-*
15 *sible for advancing the development of a coordinated early*
16 *childhood services delivery system in the State. A State that*
17 *receives a grant under this subparagraph shall—*

18 “(1) *establish a State Early Learning Council,*
19 *which shall include—*

20 “(A) *the State Director of Head Start Col-*
21 *laboration;*

22 “(B) *representatives from the State pre-*
23 *school programs;*

24 “(C) *representatives of local educational*
25 *agencies;*

1 “(D) the State official who oversees child
2 care programs;

3 “(E) the State official who oversees section
4 619 and part C of the Individuals with Disabil-
5 ities Education Act (20 U.S.C. 1419, 1431 et
6 seq.);

7 “(F) the State official who oversees the
8 State educational agency;

9 “(G) representatives from Head Start agen-
10 cies located in the State, including migrant and
11 seasonal Head Start programs and Indian Head
12 Start programs;

13 “(H) representatives of local child care pro-
14 grams or organizations; and

15 “(I) a representative of the State agency re-
16 sponsible for health and mental health care;

17 except that the chief executive officer of the State may
18 designate an existing entity to serve as the Early
19 Learning Council if such entity includes representa-
20 tives described in this paragraph;

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

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

4 “(A) to increase coordination and collabora-
5 tion among State preschool, Head Start pro-
6 grams, child care programs, early childhood spe-
7 cial education, and other early childhood pro-
8 grams, including in the areas of outcomes and
9 standards, technical assistance, coordination of
10 services, cross-sector professional development
11 and training, community outreach, communica-
12 tion, and better serving the needs of working
13 families through provision of full-day and full-
14 year early education services;

15 “(B) to work with State agencies responsible
16 for education, child care, and early intervention
17 to provide leadership and assistance to local
18 Head Start programs, local education agencies,
19 and State and locally funded preschool and child
20 care programs to increase integration among
21 early childhood programs through adoption of
22 local memoranda of understanding described in
23 subparagraph (A) and other means;

24 “(C) to work with State agencies responsible
25 for education, child care, and early intervention

1 to provide leadership and assistance to develop
2 developmentally appropriate standards for chil-
3 dren birth through the early elementary grades
4 to effect a smooth transition to and success in the
5 early elementary grades;

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

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

15 “(F) to develop recommendations regarding
16 means of establishing a unified data collection
17 system for early care and education programs
18 operating throughout the State;

19 “(G) to address coordination of early learn-
20 ing programs with health care (including mental
21 and behavioral health care), welfare, family lit-
22 eracy and services for homeless children;

23 “(H) to support a State system of early
24 childhood education, and training and technical
25 assistance that improves the quality of early

1 *learning programs and the capacity of such pro-*
2 *grams to deliver services pursuant to section*
3 *648(b);*

4 “(I) to develop a plan for increasing the
5 *participation of children underrepresented in*
6 *State early childhood education and child care*
7 *programs, including Head Start, State preschool*
8 *programs, and programs carried out under the*
9 *Child Care and Development Block Grant Act of*
10 *1990 (42 U.S.C. 9858 et seq.);*

11 “(J) developing a Statewide professional de-
12 *velopment and career ladder plan for early care*
13 *and education in the State; and*

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

18 “(4) Nothing in this subsection shall be construed
19 *to provide the Early Learning Council with authority*
20 *to modify, supersede, or affect the operation of this*
21 *subchapter.*

22 “(5) Funds made available under this section
23 *shall be used to supplement, and not supplant, other*
24 *Federal, State, and local funds that would otherwise*

1 *be expended to carry out the purposes of this sec-*
2 *tion.”.*

3 **SEC. 11. ADMINISTRATIVE REQUIREMENTS AND STAND-**
4 **ARDS.**

5 *Section 644 of the Head Start Act (42 U.S.C. 9839)*
6 *is amended—*

7 *(1) by amending subsection (a) to read as fol-*
8 *lows:*

9 “*(a) IN GENERAL.—*

10 “*(1) STANDARDS.—Each Head Start agency*
11 *shall observe standards of organization, management,*
12 *and administration which will ensure, so far as rea-*
13 *sonably possible, that all program activities are con-*
14 *ducted in a manner consistent with the purposes of*
15 *this subchapter and the objective of providing assist-*
16 *ance effectively, efficiently, and free of any taint of*
17 *partisan political bias or personal or family favor-*
18 *itism. Each such agency shall establish or adopt rules*
19 *to carry out this section, which shall include rules to*
20 *assure full staff accountability in matters governed by*
21 *law, regulations, or agency policy. Each agency shall*
22 *also provide for reasonable public access to informa-*
23 *tion, including public hearings at the request of ap-*
24 *propriate community groups and reasonable public*
25 *access to books and records of the agency or other*

1 *agencies engaged in program activities or operations*
2 *involving the use of authority or funds for which it*
3 *is responsible.*

4 *“(2) ANNUAL REPORT.—Each Head Start agen-*
5 *cy shall make available to the public a report pub-*
6 *lished at least once in each fiscal year that discloses*
7 *the following information from the then most recently*
8 *concluded fiscal year, except that reporting such in-*
9 *formation shall not reveal personally identifiable in-*
10 *formation about an individual child or parent:*

11 *“(A) The total amount of public and pri-*
12 *vate funds received and the amount from each*
13 *source.*

14 *“(B) An explanation of budgetary expendi-*
15 *tures and proposed budget for the following fiscal*
16 *year.*

17 *“(C) The total number of children and fam-*
18 *ilies served and percent of average monthly en-*
19 *rollment, including the percent of eligible chil-*
20 *dren served.*

21 *“(D) The results of the most recent review*
22 *by the Secretary and the financial audit.*

23 *“(E) The percentage of enrolled children*
24 *that received medical and dental exams.*

1 “(F) Information about parent involvement
2 activities.

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

5 “(H) Any other information required by the
6 Secretary.

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

11 “(A) establish specific standards governing
12 salaries, salary increases, travel and per diem
13 allowances, and other employee benefits;

14 “(B) assure that only persons capable of
15 discharging their duties with competence and in-
16 tegrity are employed and that employees are pro-
17 moted or advanced under impartial procedures
18 calculated to improve agency performance and
19 effectiveness;

20 “(C) guard against personal or financial
21 conflicts of interest; and

22 “(D) define employee duties in an appro-
23 priate manner which will in any case preclude
24 employees from participating, in connection with
25 the performance of their duties, in any form of

1 *picketing, protest, or other direct action which is*
2 *in violation of law.”, and*

3 *(2) by amending subsection (f) to read as follows:*

4 “(f) *FACILITIES.—*

5 *“(1) The Secretary shall establish uniform proce-*
6 *dures for Head Start agencies to request approval to*
7 *purchase facilities, or to request approval of the pur-*
8 *chase (after December 31, 1986) of facilities, to be*
9 *used to carry out Head Start programs. The Sec-*
10 *retary shall suspend any proceedings pending against*
11 *any Head Start agency to claim costs incurred in*
12 *purchasing such facilities until the agency has been*
13 *afforded an opportunity to apply for approval of the*
14 *purchase and the Secretary has determined whether*
15 *the purchase will be approved. The Secretary shall*
16 *not be required to repay claims previously satisfied*
17 *by Head Start agencies for costs incurred in the pur-*
18 *chase of such facilities.*

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

1 “(A) a description of the consultation con-
2 ducted by the Head Start agency with the pro-
3 viders in the community demonstrating capacity
4 and capability to provide services under this
5 subchapter, and of the potential for collaboration
6 with such providers and the cost effectiveness of
7 such collaboration as opposed to the cost effec-
8 tiveness of the purchase of a facility;

9 “(B) a description of the site of the facility
10 proposed to be purchased or that was previously
11 purchased;

12 “(C) the plans and specifications of such fa-
13 cility;

14 “(D) information demonstrating that—

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

21 “(ii) the lack of alternative facilities
22 will prevent, or would have prevented, the
23 operation of such program;

24 “(E) in the case of a request regarding a
25 previously purchased facility, information dem-

1 *onstrating that the facility will be used prin-*
2 *cipally as a Head Start center, or a direct sup-*
3 *port facility for a Head Start program; and*

4 *“(F) such other information and assurances*
5 *as the Secretary may require.*

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

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

18 *Section 645 of the Head Start Act (42 U.S.C. 9840)*
19 *is amended—*

20 *(1) in subsection (a)—*

21 *(A) by amending paragraph (1)(B)(i) to*
22 *read as follows:*

23 *“(i) programs assisted under this sub-*
24 *chapter may include, to a reasonable extent,*
25 *participation of children in the area served*

1 *who would benefit from such programs, in-*
2 *cluding children referred by child welfare*
3 *services, but whose families do not meet the*
4 *low-income criteria prescribed pursuant to*
5 *subparagraph (A) (A homeless child shall be*
6 *deemed to meet the low-income criteria.);*
7 *and”, and*
8 *(B) by adding at the end the following:*

9 “(3) *The amount of a basic allowance provided under*
10 *section 403 of title 37, United States Code, on behalf of an*
11 *individual who is a member of the uniformed services for*
12 *housing that is acquired or constructed under the authority*
13 *of subchapter IV of chapter 169 of title 10, United States*
14 *Code, or any other related provision of law, shall not be*
15 *considered to be income for purposes of determining the eli-*
16 *gibility of a child of the individual for programs assisted*
17 *under this subchapter.*

18 “(4)(A) *Upon written request and pursuant to the re-*
19 *quirements of this paragraph, a Head Start agency may*
20 *use funds under section 640(a) to serve infants and toddlers*
21 *if the agency submits an application to the Secretary con-*
22 *taining the following information, as specified in rules*
23 *issued by the Secretary—*

1 “(i) the amount of funds under section
2 640(a) that are proposed to be used in accord-
3 ance with section 645A(b);

4 “(ii) a community-wide needs assessment
5 demonstrating how the use of such funds would
6 best meet the needs of the community;

7 “(iii) a description of how the needs of
8 pregnant women, and of infants and toddlers,
9 will be addressed in accordance with section
10 645A(b), and with regulations prescribed by the
11 Secretary pursuant to section 641A in areas in-
12 cluding the agency’s approach to child develop-
13 ment and provision of health services, approach
14 to family and community partnerships, and ap-
15 proach to program design and management;

16 “(iv) a description of how the needs of eligi-
17 ble Head Start children will be met in the com-
18 munity;

19 “(v) assurances that the agency will partici-
20 pate in technical assistance activities (including
21 a planning period, start-up site visits, and na-
22 tional training activities) in the same manner
23 as recipients of grants under section 645A; and

1 “(vi) evidence that the agency meets the
2 same eligibility criteria as recipients of grants
3 under section 645A.

4 “(B) An application that satisfies the require-
5 ments specified in subparagraph (A) shall be ap-
6 proved by the Secretary unless the Secretary finds
7 that—

8 “(i) the agency lacks adequate capacity and
9 capability to carry out an effective Early Head
10 Start program; or

11 “(ii) the information provided under sub-
12 paragraph (A) is inadequate.

13 “(C) Any Head Start agency approved under
14 subparagraph (B) shall be considered to be an entity
15 that receives assistance under section 645A, and such
16 funds under (i) shall be subject to the same rules, reg-
17 ulations, and conditions as apply to recipients of
18 grants under section 645A.

19 “(5)(A) Upon written request and pursuant to
20 the requirements of this paragraph, a Head Start
21 agency may consider children from low-income fami-
22 lies to be eligible for participation in programs as-
23 sisted under this subchapter if their family income is
24 at or above the poverty line but below 130 percent of
25 the poverty line, if the agency submits an application

1 *to the Secretary containing the following information,*
2 *as specified in rules issued by the Secretary—*

3 “(i) a description of how the needs of
4 eligible Head Start children, as described in
5 paragraph (1)(A) are being adequately met
6 in the agency’s service area;

7 “(ii) a description of outreach efforts to
8 the community to reach full enrollment
9 under the eligibility guidelines under para-
10 graph (1), including using outreach efforts
11 that are linguistically and culturally ap-
12 propriate;

13 “(iii) assurance that the agency will
14 prioritize serving children currently eligible
15 under the guidelines under paragraph (1);
16 and

17 “(iv) a description of why increasing
18 the number of infants and toddlers being
19 served, as described in paragraph (4), is not
20 appropriate based upon the communitywide
21 needs assessment or the agency’s capability.

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

24 “(i) cost of living for families living
25 the area served by the Head Start agency;

1 “(ii) the efforts the Head Start agency
2 has undertaken to be fully enrolled under
3 the eligibility criteria in paragraph (1);
4 and

5 “(iii) the policies and procedures the
6 Head Start agency will implement to en-
7 sure that children currently eligible under
8 the criteria described under paragraph (1)
9 will be prioritized.

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

13 (2) in subsection (c) by striking “(age 3 to com-
14 pulsory school attendance)”, and

15 (3) in subsection (d) by adding at the end the
16 following:

17 “(4) Notwithstanding any other provision of this Act,
18 an Indian tribe that operates both a Head Start program
19 and an Early Head Start program under section 645A
20 may, at its discretion, at any time during the grant period
21 involved, reallocate funds between the Head Start program
22 and the Early Head Start program in order to address fluc-
23 tuations in client population, including pregnant women
24 and children birth to compulsory school age. The realloca-
25 tion of such funds between programs by an Indian tribe

1 *shall not serve as the basis for the Secretary to reduce a*
2 *base grant (as defined in section 641A(g)(1)) for either pro-*
3 *gram in succeeding years.”.*

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

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

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

9 *“(a) IN GENERAL.—The Secretary shall make grants,*
10 *in accordance with this section for programs (to be known*
11 *as ‘Early Head Start programs’) that provide family-cen-*
12 *tered services for low-income families with very young chil-*
13 *dren designed to promote the development of the children,*
14 *and to enable their parents to fulfill their roles as parents*
15 *and to move toward self-sufficiency.*

16 *“(b) SCOPE AND DESIGN OF PROGRAMS.—In carrying*
17 *out a program described in subsection (a), an entity receiv-*
18 *ing assistance under this section shall—*

19 *“(1) provide, either directly or through referral,*
20 *early, continuous, intensive, and comprehensive child*
21 *development and family support services that will en-*
22 *hance the physical, social, emotional, and intellectual*
23 *development of participating children;*

24 *“(2) ensure that the level of services provided to*
25 *families responds to their needs and circumstances;*

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

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

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

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

17 “(7) in the case of a Head Start agency that op-
18 erates a program and that also provides Head Start
19 services through the age of mandatory school attend-
20 ance, ensure that children and families participating
21 in the program receive such services through such age;

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

1 *for infants and toddlers with disabilities under the*
2 *Individuals with Disabilities Education Act (20*
3 *U.S.C. 1400 et seq.) and the agency responsible for*
4 *administering section 106 of the Child Abuse Preven-*
5 *tion and Treatment Act (42 U.S.C. 5106a);*

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

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

16 “(11) *meet such other requirements concerning*
17 *design and operation of the program described in sub-*
18 *section (a) as the Secretary may establish.*

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

22 “(1) *pregnant women; and*

23 “(2) *families with children under age 3;*

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

1 “(d) *ELIGIBLE SERVICE PROVIDERS.*—*To be eligible*
2 *to receive assistance under this section, an entity shall sub-*
3 *mit an application to the Secretary at such time, in such*
4 *manner, and containing such information as the Secretary*
5 *may require. Entities that may apply to carry out activi-*
6 *ties under this section include—*

7 “(1) *entities operating Head Start programs*
8 *under this subpart;*

9 “(2) *Indian Head Start programs; and*

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

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

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

3 “(1) *ensure an equitable national geographic dis-*
4 *tribution of the grants; and*

5 “(2) *award grants to applicants proposing to*
6 *serve communities in rural areas and to applicants*
7 *proposing to serve communities in urban areas.*

8 “(g) *MONITORING, TRAINING, TECHNICAL ASSIST-*
9 *ANCE, AND EVALUATION.*—

10 “(1) *REQUIREMENT.*—*To ensure the successful*
11 *operation of programs assisted under this section, the*
12 *Secretary shall use funds from the portion specified in*
13 *section 640(a)(6) to monitor the operation of such*
14 *programs, evaluate their effectiveness, and provide*
15 *training and technical assistance tailored to the par-*
16 *ticular needs of such programs.*

17 “(2) *TRAINING AND TECHNICAL ASSISTANCE AC-*
18 *COUNT.*—

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

1 “(B) *ACTIVITIES.*—*Funds in the account*
2 *may be used by the Secretary for purposes in-*
3 *cluding—*

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

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

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

24 “(iv) *providing professional develop-*
25 *ment and personnel enhancement activities,*

1 including the provision of funds to recipi-
2 ents of grants under subsection (a) for the
3 recruitment and retention of qualified staff
4 with an appropriate level of education and
5 experience; and

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

10 “(h) *CENTER-BASED STAFF.*—The Secretary shall en-
11 sure that, not later than September 30, 2009, all teachers
12 providing direct services to children and families partici-
13 pating in early Head Start programs located in early Head
14 Start centers have a minimum of a child development asso-
15 ciate credential, and have been trained (or have equivalent
16 course work) in early childhood development.

17 “(i) *STAFF QUALIFICATIONS AND DEVELOPMENT.*—

18 “(1) *HOME VISITOR STAFF STANDARDS.*—In
19 order to further enhance the quality of home visiting
20 services provided to families of children participating
21 in home-based, center-based, or combination program
22 options under this subchapter, the Secretary shall es-
23 tablish standards for training, qualifications, and the
24 conduct of home visits for home visitor staff in Early
25 Head Start programs.

1 “(2) *CONTENTS OF STANDARDS.*—*The standards*
2 *for training, qualifications, and the conduct of home*
3 *visits shall include content related to—*

4 “(A) *structured child-focused home visiting*
5 *that promotes parents’ ability to support the*
6 *child’s cognitive, social, emotional, and physical*
7 *development;*

8 “(B) *effective strengths-based parent edu-*
9 *cation, including methods to encourage parents*
10 *as their child’s first teachers;*

11 “(C) *early childhood development with re-*
12 *spect to children from birth through age 3;*

13 “(D) *methods to help parents promote emer-*
14 *gent literacy in their children from birth through*
15 *age 3;*

16 “(E) *ascertaining what health and develop-*
17 *mental services the family receives and working*
18 *with these providers to eliminate gaps in service*
19 *by offering annual health, vision, hearing, and*
20 *developmental screening for children from birth*
21 *to entry into kindergarten, when needed;*

22 “(F) *strategies for helping families coping*
23 *with crisis; and*

1 “(G) the relationship of health and well-
2 being of pregnant women to prenatal and early
3 child development.”.

4 **SEC. 14. PARENTAL CONSENT REQUIREMENT FOR HEALTH**
5 **CARE SERVICES.**

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

8 **“SEC. 645B. PARENTAL CONSENT REQUIREMENT FOR**
9 **HEALTH CARE SERVICES.**

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

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

12 “(A) *any nonemergency intrusive physical*
13 *examination; and*

14 “(B) *any screening, including but not lim-*
15 *ited to, a medical, dental, developmental, mental*
16 *health, social, or behavioral screening.*

17 “(2) *The term ‘nonemergency intrusive physical*
18 *examination’ means, with respect to a child, a phys-*
19 *ical examination that—*

20 “(A) *is not immediately necessary to protect*
21 *the health or safety of such child, or the health*
22 *or safety of another individual; and*

23 “(B) *includes incision or is otherwise*
24 *invasive, or includes exposure of private body*
25 *parts.*

1 “(b) *REQUIREMENT.*—*Before administering any*
2 *health care service to a child (or referring a child to obtain*
3 *such service) in connection with participation in a program*
4 *under this subchapter, a Head Start agency and an entity*
5 *that receives assistance under section 645A shall obtain the*
6 *written consent of a parent of such child indicating consent*
7 *for each specific health care service to be performed.*

8 “(c) *RULE OF CONSTRUCTION.*—

9 “(1) *Nothing in this section shall be construed to*
10 *prohibit a Head Start agency or an entity that re-*
11 *ceives assistance under section 645A from using estab-*
12 *lished methods for handling cases of suspected or*
13 *known child abuse and neglect, that are in compli-*
14 *ance with applicable Federal, State, or tribal law.*

15 “(2) *Nothing in this subchapter shall be con-*
16 *strued to permit a Head Start agency, an entity that*
17 *receives assistance under section 645A, or the per-*
18 *sonnel of such agency or entity to administer any*
19 *health care service to a child (or to refer a child to*
20 *obtain such service) without the informed written con-*
21 *sent of a parent of such child indicating consent for*
22 *each specific health care service to be performed.*

23 “(3) *Nothing in this section shall be construed to*
24 *require a Head Start agency or an entity that re-*
25 *ceives assistance under section 645A to provide sepa-*

1 *rate consent forms for each specific health care serv-*
2 *ice.”.*

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

4 *Section 646(a)(3) of the Head Start Act (42 U.S.C.*
5 *9841(a)(3)) is amended to read as follows:*

6 *“(3) if financial assistance under this subchapter*
7 *is terminated or reduced, an application for a non-*
8 *competing continuation award is denied based on a*
9 *previous failure to comply with terms applicable to*
10 *financial assistance previously provided under this*
11 *subchapter, or suspension of financial assistance is*
12 *continued for more than 30 days, the recipient with*
13 *respect to whom such action is taken shall have the*
14 *opportunity to appeal such action in accordance with*
15 *such procedures, except that no funds made available*
16 *under this subchapter may be used to reimburse any*
17 *such recipient for legal fees and other costs incurred*
18 *in pursuing such an appeal; and”.*

19 **SEC. 16. RECORDS AND AUDITS.**

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

22 *“(c) Each recipient of financial assistance under this*
23 *subchapter shall—*

24 *“(1) maintain, and annually submit to the Sec-*
25 *retary, a complete accounting of its administrative*

1 *expenses (including a detailed statement identifying*
2 *the amount of financial assistance provided under*
3 *this subchapter used to pay expenses for salaries and*
4 *compensation and the amount (if any) of other funds*
5 *used to pay such expenses);*

6 *“(2) within 30 days after the completion of an*
7 *audit conducted in the manner and to the extent pro-*
8 *vided in chapter 75 of title 31, United States Code*
9 *(commonly known as the ‘Single Audit Act Amend-*
10 *ments of 1996’), submit to the Secretary a copy of the*
11 *audit management letter and of any audit findings as*
12 *it relates to the Head Start program; and*

13 *“(3) provide such additional documentation as*
14 *the Secretary may require.”.*

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

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

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

19 *“(a) The Secretary shall provide, directly or through*
20 *grants or other arrangements—*

21 *“(1) technical assistance to communities in de-*
22 *veloping, conducting, and administering programs*
23 *under this subchapter; and*

24 *“(2) training for specialized or other personnel*
25 *needed in connection with Head Start programs, in*

1 *accordance with the process, and the provisions for al-*
2 *locating resources, set forth in subsections (b) and (c).*

3 “(b) *The process for determining the technical assist-*
4 *ance and training activities to be carried out under this*
5 *section shall—*

6 “(1) *ensure that the needs of local Head Start*
7 *agencies and programs relating to improving pro-*
8 *gram quality and to program expansion are ad-*
9 *dressed to the maximum extent feasible;*

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

14 “(3) *ensure the provision of technical assistance*
15 *to assist Head Start agencies, entities carrying out*
16 *other child care and early childhood programs, com-*
17 *munities, and States in collaborative efforts to pro-*
18 *vide quality full-working-day, full calendar year serv-*
19 *ices, including technical assistance related to identi-*
20 *fying and assisting in resolving barriers to collabora-*
21 *tion.*

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

24 “(1) *give priority consideration to—*

1 “(A) activities to correct program and man-
2 agement deficiencies identified through reviews
3 carried out pursuant to section 641A(c) (includ-
4 ing the provision of assistance to local programs
5 in the development of quality improvement plans
6 under section 641A(d)(2)); and

7 “(B) assisting Head Start agencies in—

8 “(i) ensuring the school readiness of
9 children; and

10 “(ii) meeting the educational perform-
11 ance measures described in section
12 641A(b)(4);

13 “(2) supplement amounts provided under section
14 640(a)(3)(C)(ii) in order to address the training and
15 career development needs of classroom staff (including
16 instruction for providing services to children with
17 disabilities), and nonclassroom staff, including home
18 visitors and other staff working directly with families,
19 including training relating to increasing parent in-
20 volvement and services designed to increase family lit-
21 eracy and improve parenting skills;

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

1 “(4) provide technical assistance and training,
2 either directly or through a grant, contract, or cooper-
3 ative agreement with an entity that has experience in
4 the development and operation of successful family
5 literacy services programs, for the purpose of—

6 “(A) assisting Head Start agencies pro-
7 viding family literacy services, in order to im-
8 prove the quality of such family literacy services;
9 and

10 “(B) enabling those Head Start agencies
11 that demonstrate effective provision of family lit-
12 eracy services, based on improved outcomes for
13 children and their parents, to provide technical
14 assistance and training to other Head Start
15 agencies and to service providers that work in
16 collaboration with such agencies to provide fam-
17 ily literacy services;

18 “(5) assist Head Start agencies and programs in
19 conducting and participating in community-wide
20 strategic planning and needs assessment, including
21 the needs of homeless children and their families;

22 “(6) assist Head Start agencies and programs in
23 developing and implementing full-working-day and
24 full-calendar-year programs where community need is
25 clearly identified and making the transition to such

1 *programs, with particular attention to involving par-*
2 *ents and programming for children throughout the*
3 *day, and assist the agencies and programs in expe-*
4 *diting the sharing of information about innovative*
5 *models for providing full-working-day, full calendar*
6 *year services for children;*

7 *“(7) assist Head Start agencies in better serving*
8 *the needs of families with very young children;*

9 *“(8) assist Head Start agencies and programs in*
10 *the development of sound management practices, in-*
11 *cluding financial management procedures;*

12 *“(9) assist in efforts to secure and maintain ade-*
13 *quate facilities for Head Start programs;*

14 *“(10) assist Head Start agencies in developing*
15 *innovative program models, including mobile and*
16 *home-based programs;*

17 *“(11) provide support for Head Start agencies*
18 *(including policy councils and policy committees)*
19 *that meet the standards described in section 641A(a)*
20 *but that have, as documented by the Secretary*
21 *through reviews conducted pursuant to section*
22 *641A(c), significant programmatic, quality, and fis-*
23 *cal issues to address;*

1 “(12) assist Head Start agencies and programs
2 in increasing program participation of homeless chil-
3 dren;

4 “(13) assist Head Start agencies and Head Start
5 programs in improving outreach to, and the quality
6 of services available to, limited English proficient
7 children and their families, particularly in commu-
8 nities that have experienced a large percentage in-
9 crease in the population of limited English proficient
10 individuals, as measured by the Bureau of the Cen-
11 sus;

12 “(14) assist Head Start agencies in developing
13 appropriate methods and approaches for identifying
14 and working with children and families experiencing
15 toxic stress;

16 “(15) assist programs in improving outreach to
17 serve additional children with disabilities, if such
18 program’s enrollment opportunities or funded enroll-
19 ment for children with disabilities is less than 10 per-
20 cent; and

21 “(16) provide assistance to address and remove
22 barriers related to recruitment and retention of Head
23 Start teachers for rural communities, and remove
24 barriers related to outreach efforts to eligible families
25 in rural communities.

1 “(d) The Secretary may provide, either directly or
2 through grants to public or private nonprofit entities, train-
3 ing for Head Start personnel in the use of the performing
4 and visual arts and interactive programs using electronic
5 media to enhance the learning experience of Head Start
6 children. Special consideration shall be given to entities
7 that have demonstrated effectiveness in educational pro-
8 gramming for preschool children that includes components
9 for parental involvement, care provider training, and devel-
10 opmentally appropriate related activities.

11 “(e) The Secretary shall provide, either directly or
12 through grants or other arrangements, funds from programs
13 authorized under this subchapter to support an organiza-
14 tion to administer a centralized child development and na-
15 tional assessment program leading to recognized credentials
16 for personnel working in early childhood development and
17 child care programs, training for personnel providing serv-
18 ices to limited English proficient children (including serv-
19 ices to promote the acquisition of the English language),
20 training for personnel providing services to children deter-
21 mined to be abused or neglected, training for personnel pro-
22 viding services to children referred by or receiving child wel-
23 fare services, training for personnel in helping children cope
24 with community violence, resource access projects for per-
25 sonnel working with disabled children, and training for ap-

1 *appropriate personnel to recognize common health, including*
2 *mental health, problems in children for appropriate refer-*
3 *ral.*

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

11 “(g) *More than 50 percent of funds expended under*
12 *this section shall be used to provide high quality, sustained,*
13 *intensive, and classroom-focused training and technical as-*
14 *sistance in order to have a positive and lasting impact on*
15 *classroom instruction. Funds shall be used to carry out ac-*
16 *tivities related to any or all of the following:*

17 “(1) *Education and early childhood development.*

18 “(2) *Child health, nutrition, and safety.*

19 “(3) *Family and community partnerships and*
20 *services.*

21 “(4) *Other areas that impact the quality or over-*
22 *all effectiveness of Head Start programs.*

23 “(h) *The Secretary shall develop and implement a pro-*
24 *gram of outreach to recruit and train minority men to be-*
25 *come Head Start teachers in order to reflect the commu-*

1 *nities in which Head Start children live and to increase*
2 *the provision of quality services and instruction to children*
3 *with diverse backgrounds.*

4 “(i) *Funds under this subchapter used for training*
5 *shall be used for needs identified annually by a grant appli-*
6 *cant or delegate agency in their program improvement*
7 *plan, except that funds shall not be used for long-distance*
8 *travel expenses for training activities available locally or*
9 *regionally or for training activities substantially similar*
10 *to locally or regionally available training activities.*

11 “(j) *Funds made available under section*
12 *640(a)(2)(C)(i) shall be used by a Head Start agency for*
13 *any of the following:*

14 “(1) *Activities that ensure that Head Start pro-*
15 *grams meet or exceed the program performance stand-*
16 *ards described in section 641A(a)(1).*

17 “(2) *Activities that ensure that Head Start pro-*
18 *grams have adequate numbers of trained, qualified*
19 *staff who have skills in working with children and*
20 *families, including children and families who are*
21 *limited English proficient and children with disabil-*
22 *ities.*

23 “(3) *Activities to pay expenses, including direct*
24 *training for expert consultants working with any*

1 *staff, to improve the management and implementa-*
2 *tion of Head Start services and systems.*

3 “(4) *Activities that help ensure that Head Start*
4 *programs have qualified staff who can promote lan-*
5 *guage skills and literacy growth of children and who*
6 *can provide children with a variety of skills that have*
7 *been identified as predictive of later reading achieve-*
8 *ment, school success, and the skills, knowledge, abili-*
9 *ties, development, and progress described in section*
10 *641A(a)(1)(B)(ii).*

11 “(5) *Activities to improve staff qualifications*
12 *and to assist with the implementation of career devel-*
13 *opment programs and to encourage the staff to con-*
14 *tinually improve their skills and expertise, including*
15 *developing partnerships with programs that recruit,*
16 *train, place, and support college students in Head*
17 *Start centers to deliver an innovative early learning*
18 *program to preschool children.*

19 “(6) *Activities that help local programs ensure*
20 *that the arrangement, condition, and implementation*
21 *of the learning environments in Head Start programs*
22 *are conducive to providing effective program services*
23 *to children and families.*

24 “(7) *Activities to provide training necessary to*
25 *improve the qualifications of Head Start staff and to*

1 *support staff training, child counseling, health serv-*
2 *ices, and other services necessary to address the needs*
3 *of children enrolled in Head Start programs, includ-*
4 *ing children from families in crises, children who ex-*
5 *perience chronic violence or homelessness, children*
6 *who experience substance abuse in their families, and*
7 *children under 3 years of age, where applicable.*

8 *“(8) Activities to provide classes or in-service-*
9 *type programs to improve or enhance parenting skills,*
10 *job skills, adult and family literacy, including finan-*
11 *cial literacy, or training to become a classroom aide*
12 *or bus driver in a Head Start program.*

13 *“(9) Additional activities deemed appropriate to*
14 *the improvement of Head Start agencies’ programs,*
15 *as determined by the agencies’ technical assistance*
16 *and training plans.*

17 *“(10) Any other activities regarding the use of*
18 *funds as determined by the Secretary.*

19 *“(k) The Secretary shall—*

20 *“(1) work in collaboration with the Head Start*
21 *agencies that carry out Indian Head Start programs,*
22 *the Indian Head Start collaboration director, and*
23 *other appropriate entities, including tribal govern-*
24 *ments and the National Indian Head Start Directors*
25 *Association—*

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

10 “(B) to accurately determine the number of
11 *children nationwide who are eligible to partici-*
12 *pate in Indian Head Start programs each year;*

13 “(C) to document how many of these chil-
14 *dren are receiving Head Start services each year;*

15 “(D) to the extent practicable, to ensure
16 *that access to Indian Head Start programs for*
17 *eligible children is comparable to access to other*
18 *Head Start programs for other eligible children;*
19 *and*

20 “(E) to make the funding decisions required
21 *in section 640(a)(2)(A)(iii), after completion of*
22 *the studies required in that section, taking into*
23 *account:*

1 “(i) the Federal government’s unique
2 trust responsibility to American Indians
3 and Alaska Natives;

4 “(ii) limitations faced by tribal com-
5 munities in accessing non-Federal sources of
6 funding to supplement Federal funding for
7 early childhood programs; and

8 “(iii) other factors that uniquely and
9 adversely impact children in American In-
10 dian and Alaska Native communities such
11 as highly elevated poverty, unemployment
12 and violent crime rates, as well as depressed
13 levels of educational achievement and lim-
14 ited access to non-Federal health, social and
15 educational resources;

16 “(2) in carrying out paragraph (1), consult with
17 the Secretary of Education about the Department of
18 Education’s systems for collecting and reporting data
19 about, and maintaining records on, American Indian
20 and Alaska Native students;

21 “(3) not later than 9 months after the effective
22 date of this subsection, publish in the Federal Register
23 a notice of how the Secretary plans to carry out para-
24 graph (1) and shall provide a period for public com-
25 ment. To the extent practicable, the Secretary shall

1 *consider comments received before submitting a report*
2 *to the Congress;*

3 *“(4) not later than 1 year after the effective date*
4 *of this subsection, submit a report to the Committee*
5 *on Education and Labor of the House of Representa-*
6 *tives and the Committee on Health, Education,*
7 *Labor, and Pensions of the Senate, detailing how the*
8 *Department of Health and Human Services plans to*
9 *carry out paragraph (1);*

10 *“(5) through regulation, ensure the confiden-*
11 *tiality of any personally identifiable data, informa-*
12 *tion, and records collected or maintained by the Sec-*
13 *retary, by Head Start agencies that carry out Indian*
14 *Head Start programs, and by State Directors of*
15 *Head Start Collaboration, by the Indian Head Start*
16 *Collaboration Project Director and by other appro-*
17 *priate entities pursuant to this subsection (Such regu-*
18 *lations shall provide the policies, protections, and*
19 *rights equivalent to those provided a parent, student,*
20 *or educational agency or institution under section*
21 *444 of the General Education Provisions Act.); and*

22 *“(6) ensure that nothing in this subsection shall*
23 *be construed to authorize the development of a nation-*
24 *wide database of personally identifiable information*

1 *on individuals involved in studies or other collections*
2 *of data under this subsection.*

3 “(l) *The Secretary shall—*

4 “(1) *in order to increase access to Head Start*
5 *services for eligible migrant and seasonal children,*
6 *work in collaboration with migrant and seasonal*
7 *Head Start providers, the Department of Agriculture*
8 *(land grant universities), the Department of Labor,*
9 *the Bureau of Migrant Health, and the Department*
10 *of Education to—*

11 “(A) *establish a system for collecting and*
12 *reporting data on farm workers and their fami-*
13 *lies in order to adequately account for the num-*
14 *ber of seasonal and migrant children that are el-*
15 *igible for Head Start and determine how many*
16 *of these eligible children receive services;*

17 “(B) *identify barriers that prevent eligible*
18 *migrant and seasonal children from accessing*
19 *Head Start services and develop a plan for*
20 *eliminating barriers and increasing enrollment;*
21 *and*

22 “(C) *develop a system through which mi-*
23 *grant and seasonal Head Start programs can ef-*
24 *fectively track health records and educational*
25 *documents as a child moves from state to state;*

1 “(2) not later than 6 months after the effective
2 date of this subsection, publish in the *Federal Register*
3 a notice on how the Secretary plans to carry out the
4 activities identified in paragraph (1) and shall pro-
5 vide a period for public comment. To the extent prac-
6 ticable, the Secretary shall consider comments re-
7 ceived before implementing any of the activities iden-
8 tified in paragraph (1);

9 “(3) not later than 1 year after the effective date
10 of this subsection, submit a report to the Committee
11 on Education and Labor of the House of Representa-
12 tives and the Health, Education, Labor and Pensions
13 Committee of the Senate detailing how the Secretary
14 plans to carry out the activities identified in (1);

15 “(4) submit a report to Congress annually on the
16 migrant and seasonal Head Start program including
17 a report on the progress made in carrying out the ac-
18 tivities identified in paragraph (1), the progress made
19 in reaching out to and serving eligible migrant and
20 seasonal children, and information on states where
21 migrant and seasonal children are still underserved;

22 “(5) through regulation, ensure the protection of
23 the confidentiality of any personally identifiable data,
24 information, and records collected or maintained by
25 the Secretary, by Head Start agencies that carry out

1 *migrant and seasonal Head Start programs, by the*
2 *State director of Head Start Collaboration, by the*
3 *Migrant and Seasonal Farmworker Collaboration*
4 *project Director (Such regulations shall provide the*
5 *policies, protections, and rights equivalent to those*
6 *provided a parent, student, or educational agency or*
7 *institution under section 444 of the General Edu-*
8 *cation Provisions Act.); and*

9 *“(6) ensure that nothing in this subsection shall*
10 *be construed to authorize the development of a nation-*
11 *wide database of personally identifiable information*
12 *on individuals involved in studies or other collections*
13 *of data under this subsection.*

14 *“(m) For purposes of this section, the term ‘eligible en-*
15 *tities’ means an institution of higher education or other en-*
16 *tity with expertise in delivering training in early childhood*
17 *development, family support, and other assistance designed*
18 *to improve the delivery of Head Start services.*

19 *“(n) For the purposes of delivering a State-based*
20 *training and technical assistance system, as described in*
21 *section 640(a)(C)(ii), that will meet the needs of local grant-*
22 *ees and provide high quality, sustained, and intensive*
23 *training and technical assistance to Head Start programs*
24 *in order to help them meet or exceed the program perform-*

1 *ance standards described in section 641A(a)(1), the Sec-*
2 *retary shall—*

3 *“(1) enter into contracts in each State with 1 or*
4 *more entities who have a demonstrated expertise in*
5 *supporting the delivery of high quality early edu-*
6 *cation programs, except that bi-State contracts may*
7 *be entered in to if the demographics of proximal*
8 *States make such a system more appropriate;*

9 *“(2) ensure that the entities described in sub-*
10 *paragraph (1) determine the types of services to be*
11 *provided through consultation with—*

12 *“(A) local Head Start agencies;*

13 *“(B) the State Head Start collaboration of-*
14 *fice; and*

15 *“(C) the State Head Start Association;*

16 *“(3) provide a report, to the Committee on Edu-*
17 *cation and Labor of the House of Representatives and*
18 *the Committee on Health, Education, Labor, and*
19 *Pensions of the Senate, no later than 90 days after*
20 *the end of the fiscal year, summarizing the funding*
21 *for such contracts and the activities carried out there-*
22 *under; and*

23 *“(4) periodically evaluate the usefulness of the*
24 *delivery of services in each State and their effective-*
25 *ness in promoting program quality.*

1 “(o) To support enhanced early language and
2 *preliteracy development of children in Head Start pro-*
3 *grams, and to provide the children with high-quality oral*
4 *language skills, and environments that are rich in lit-*
5 *erature, in which to acquire language and preliteracy skills,*
6 *each Head Start agency shall ensure that—*

7 “(1) all of the agency’s Head Start teachers re-
8 *ceive ongoing training in language and emergent lit-*
9 *eracy (referred to in this subsection as ‘literacy train-*
10 *ing’), and including appropriate curricula and as-*
11 *essment to improve instruction and learning;*

12 “(2) such literacy training shall include training
13 *in methods to promote vocabulary development and*
14 *phonological awareness (including phonemic aware-*
15 *ness) in a developmentally, culturally, and linguis-*
16 *tically appropriate manner and support children’s*
17 *development in their home language;*

18 “(3) the literacy training shall include training
19 *in how to work with parents to enhance positive lan-*
20 *guage and early literacy development at home;*

21 “(4) the literacy training shall include specific
22 *methods to best address the needs of children who are*
23 *limited English proficient; and*

24 “(5) the literacy training shall include training
25 *on how to best address the language and literacy*

1 *needs of children with disabilities, including training*
2 *on how to work with specialists in language develop-*
3 *ment.*

4 “(p) *The Secretary is encouraged to contract, on a*
5 *competitive basis, with an institution of higher education*
6 *(as defined in section 102 of the Higher Education Act of*
7 *1965) to develop an on-line graduate-level professional de-*
8 *velopment program with the goal of improving the leader-*
9 *ship of those working in Head Start programs and improv-*
10 *ing teacher quality and the capacity of effective Head Start*
11 *teachers.*

12 “(q) *INDOOR AIR QUALITY.—The Secretary shall con-*
13 *sult with experts on issues of air quality related to chil-*
14 *dren’s health and inform Head Start agencies of existing*
15 *programs or combination of programs that provide methods*
16 *for improving indoor air quality.*

17 “(r) *DEMONSTRATION FOR CAREER LADDER PART-*
18 *NERSHIPS WITH TRIBAL COLLEGES AND HISPANIC-SERV-*
19 *ING INSTITUTIONS.—*

20 “(1) *TRIBAL COLLEGE CAREER LADDER DEM-*
21 *ONSTRATION PROGRAM.—The Secretary is authorized*
22 *to award demonstration grants, for periods of not less*
23 *than 5 years, to tribal colleges and universities to—*

24 “(A) *implement education programs that*
25 *include education concerning tribal culture and*

1 *language and increase the number of associate,*
2 *baccalaureate, and graduate degrees in early*
3 *childhood and related fields that are earned by*
4 *Indian Head Start agency staff members, par-*
5 *ents of children served by such an agency, and*
6 *members of the tribal community involved;*

7 “(B) *develop and implement the programs*
8 *under subparagraph (A) in technology-mediated*
9 *formats, including providing the programs*
10 *through such means as distance learning and use*
11 *of advanced technology, as appropriate; and*

12 “(C) *provide technology literacy programs*
13 *for Indian Head Start agency staff members and*
14 *children and families of children served by such*
15 *an agency.*

16 “(2) *HISPANIC-SERVING INSTITUTIONS CAREER*
17 *LADDER DEMONSTRATION PROGRAM.—The Secretary*
18 *is authorized to award demonstration grants, for pe-*
19 *riods of not less than 5 years, to Hispanic-serving in-*
20 *stitutions to—*

21 “(A) *provide assistance for stipends and*
22 *costs related to tuition, fees, and books for enroll-*
23 *ing Head Start agency staff members and par-*
24 *ents of children served by such an agency in*
25 *courses required to complete the degree and cer-*

1 *tification requirements to become bilingual*
2 *teachers in early childhood education and related*
3 *fields;*

4 “(B) *develop career ladder program cur-*
5 *ricula to increase the number of associate’s,*
6 *bachelor’s, and graduate degrees earned by Head*
7 *Start agency staff who have the linguistic skills*
8 *and expertise to teach in programs serving a*
9 *large number of limited English proficient chil-*
10 *dren and parents of children served by such an*
11 *agency; and*

12 “(C) *other activities to upgrade the skills*
13 *and qualifications of noncertified educational*
14 *personnel to meet the professional standards in*
15 *section 648A(a)(1), including certification and*
16 *licensure as bilingual education teachers and*
17 *other educational personnel who serve limited*
18 *English proficient children.*

19 “(3) *REQUIREMENT.—Individuals who receive*
20 *assistance under paragraphs (1) and (2) shall subse-*
21 *quently teach in a Head Start center for a period of*
22 *time equivalent to the period for which they received*
23 *assistance or repay the amount of funds.”.*

1 **SEC. 18. STAFF QUALIFICATIONS AND DEVELOPMENT.**

2 *Section 648A of the Head Start Act (42 U.S.C. 9843a)*

3 *is amended—*

4 *(1) in subsection (a)—*

5 *(A) by striking “(a)” and all that follows*
6 *through paragraph (2), and inserting the fol-*
7 *lowing:*

8 *“(a) CLASSROOM TEACHERS.—*

9 *“(1) PROFESSIONAL REQUIREMENTS.—The Sec-*
10 *retary shall ensure that each Head Start classroom in*
11 *a center-based program is assigned 1 teacher who has*
12 *demonstrated competency to perform functions that*
13 *include—*

14 *“(A) planning and implementing learning*
15 *experiences that advance the intellectual and*
16 *physical development of children, including im-*
17 *proving the readiness of children for school by*
18 *developing their literacy, phonemic, and print*
19 *awareness, their understanding and use of lan-*
20 *guage, their understanding and use of increas-*
21 *ingly complex and varied vocabulary, their ap-*
22 *preciation of books, their understanding of early*
23 *math and early science, their problem solving*
24 *abilities, and their approaches to learning;*

25 *“(B) establishing and maintaining a safe,*
26 *healthy learning environment;*

1 “(C) *supporting the social and emotional*
2 *development of children; and*

3 “(D) *encouraging the involvement of the*
4 *families of the children in a Head Start pro-*
5 *gram and supporting the development of rela-*
6 *tionships between children and their families.*

7 “(2) *DEGREE REQUIREMENTS.—*

8 “(A) *IN GENERAL.—The Secretary shall en-*
9 *sure that not later than September 30, 2013, at*
10 *least 50 percent of all Head Start teachers na-*
11 *tionwide in center-based programs have—*

12 “(i) *a baccalaureate, or advanced de-*
13 *gree in early childhood education;*

14 “(ii) *a baccalaureate or advanced de-*
15 *gree in a field related to early childhood*
16 *education, with experience in teaching pre-*
17 *school children; or*

18 “(iii) *except that teachers providing*
19 *services in migrant and seasonal Head*
20 *Start classrooms that serve children under*
21 *age 3 shall be required to meet the teacher*
22 *requirements described in section 645A(h).*

23 “(B) *PROGRESS REPORT.—*

24 “(i) *On an annual basis, each Head*
25 *Start agency shall provide to the Secretary*

1 *a report indicating the number and per-*
2 *centage of classroom instructors with child*
3 *development/ early childhood education as-*
4 *sociate credentials and associate, bacca-*
5 *laureate, or advanced degrees, and number*
6 *of classroom instructors who successfully*
7 *transferred associate credit and completed a*
8 *baccalaureate degree disaggregated by race,*
9 *ethnicity, and proficiency in a language*
10 *other than English, with a description of*
11 *those languages.*

12 “(ii) Not later than September 30,
13 2008 the Secretary shall compile and trans-
14 mit reports received under (i) to the Com-
15 mittee on Education and Labor of the
16 House of Representatives and the Committee
17 on Health, Education, Labor, and Pensions
18 of the Senate.

19 “(C) *PROGRESS.*—Each Head Start agency
20 shall provide to the Secretary a report indicating
21 the number and percentage of teachers and teach-
22 er’s aides with child development associate cre-
23 dentials and associate, baccalaureate, or ad-
24 vanced degrees. The Secretary shall compile all
25 program reports and make them available to the

1 *Committee on Education and Labor of the House*
2 *of Representatives and the Committee on Health,*
3 *Education, Labor, and Pensions of the Senate.*

4 “(D) *REQUIREMENT FOR NEW HEAD START*
5 *TEACHERS.—In accordance with rules issued by*
6 *the Secretary and made effective 2 years after*
7 *the effective date of this subparagraph, all Head*
8 *Start agencies shall require that all Head Start*
9 *teachers hired after such rules take effect to pro-*
10 *vide Head Start services in center-based pro-*
11 *grams—*

12 “(i) *have an associate, baccalaureate,*
13 *or advanced degree in early childhood edu-*
14 *cation or a related field; or*

15 “(ii) *be currently enrolled in a pro-*
16 *gram of study leading to an associate degree*
17 *in early childhood education or a related*
18 *field, and agree to complete degree require-*
19 *ments not later than 3 years after the date*
20 *of hire.*

21 “(E) *SERVICE REQUIREMENTS.—The Sec-*
22 *retary shall establish requirements to ensure that*
23 *individuals who receive financial assistance*
24 *under this subchapter in order to comply with*
25 *the requirements under section 648A(a)(2) shall*

1 *subsequently teach in a Head Start center for a*
2 *period of time equivalent to the period for which*
3 *they received assistance or repay the amount of*
4 *the funds.*

5 “(F) *LIMITATION.*—*The Secretary shall re-*
6 *quire that any Federal funds provided directly*
7 *or indirectly to comply with subparagraph (A)*
8 *shall be used toward degrees awarded by an in-*
9 *stitution of higher education, as defined by sec-*
10 *tions 101 or 102 of the Higher Education Act*
11 *(20 U.S.C. 1001, 1002).”, and*

12 *(B) in paragraph (3)—*

13 *(i) in subparagraph (B) by striking*

14 *“or” at the end,*

15 *(ii) in subparagraph (C) by striking*

16 *the period at the end and inserting “; or”,*

17 *and*

18 *(iii) by adding at the end, the fol-*

19 *lowing:*

20 “(D) *a baccalaureate and has been admitted*
21 *into the Teach For America program, passed a*
22 *rigorous early childhood content exam, such as*
23 *the Praxis II, participated in a Teach For*
24 *America summer training institute that includes*
25 *teaching preschool children, and is receiving on-*

1 going professional development and support from
2 *Teach For America's professional staff.*”, and
3 (2) by amending subsection (c) to read as fol-
4 lows:

5 “(c) *FAMILY SERVICE WORKERS.*—To improve the
6 quality and effectiveness of staff providing in-home and
7 other services (including needs assessment, development of
8 service plans, family advocacy, and coordination of service
9 delivery) to families of children participating in Head
10 Start programs, the Secretary, in coordination with con-
11 cerned public and private agencies and organizations exam-
12 ining the issues of standards and training for family service
13 workers, shall—

14 “(1) review and, as necessary, revise or develop
15 new qualification standards for Head Start staff pro-
16 viding such services;

17 “(2) review, and as necessary, revise or develop
18 maximum caseload requirements, as suggested by best
19 practices;

20 “(3) promote the development of model curricula
21 (on subjects including parenting training and family
22 literacy) designed to ensure the attainment of appro-
23 priate competencies by individuals working or plan-
24 ning to work in the field of early childhood and fam-
25 ily services; and

1 “(4) promote the establishment of a credential
2 that indicates attainment of the competencies and
3 that is accepted nationwide.”, and

4 (3) is amended by adding at the end the fol-
5 lowing:

6 “(f) *PROFESSIONAL DEVELOPMENT PLANS.*—Each
7 Head Start agency and program shall create, in consulta-
8 tion with an employee, a professional development plan for
9 all full-time Head Start employees who provide direct serv-
10 ices to children and shall ensure that such plans are regu-
11 larly evaluated for their impact on teacher and staff effec-
12 tiveness.”.

13 **SEC. 19. RESEARCH, DEMONSTRATIONS, AND EVALUATION.**

14 Section 649 of the Head Start Act (42 U.S.C. 9844)
15 is amended—

16 (1) by amending subsection (a)(1)(B) to read as
17 follows:

18 “(B) use the Head Start programs to de-
19 velop, test, and disseminate new ideas and based
20 on existing scientifically based research, for ad-
21 dressing the needs of low-income preschool chil-
22 dren (including children with disabilities, home-
23 less children, children who have been abused or
24 neglected, and children in foster care) and their
25 families and communities (including demonstra-

1 *tions of innovative non-center-based program*
2 *models such as home-based and mobile pro-*
3 *grams), and otherwise to further the purposes of*
4 *this subchapter.”,*

5 *(2) in subsection (d)—*

6 *(A) in paragraph (7) by adding “and” at*
7 *the end,*

8 *(B) in paragraph (8) by striking the semi-*
9 *colon at the end and inserting a period,*

10 *(C) by striking paragraphs (9) and (10),*
11 *and*

12 *(D) by striking the last sentence,*

13 *(3) in subsection (g)—*

14 *(A) in paragraph(1)(A)—*

15 *(i) by striking clause (i), and*

16 *(ii) by redesignating clauses (ii) and*
17 *(iii) as clauses (i) and (ii), respectively,*
18 *and*

19 *(B) by amending paragraph (7)(C) to read*
20 *as follows:*

21 *“(C) TRANSMITTAL OF REPORT TO CON-*
22 *GRESS.—Not later than September 30, 2009, the*
23 *Secretary shall transmit the final report to the*
24 *Committee on Education and Labor of the House*
25 *of Representatives and the Committee on Health,*

1 *Education, Labor, and Pensions of the Senate.*”,
2 *and*

3 *(4) by amending subsection (h) to read as fol-*
4 *lows:*

5 “(h) *LIMITED ENGLISH PROFICIENT CHILDREN.*—

6 “(1) *STUDY.*—*Not later than 1 year after the*
7 *date of enactment of the Improving Head Start Act*
8 *of 2007, the Secretary shall conduct a study on the*
9 *status of limited English proficient children and their*
10 *families in participating Head Start programs and*
11 *Early Head Start programs.*

12 “(2) *REPORT.*—*The Secretary shall prepare and*
13 *submit to Congress, not later than September 2008, a*
14 *report containing the results of such study, including*
15 *information on—*

16 “(A)(i) *the demographics of limited English*
17 *proficient children less than 5 years of age and*
18 *the geographical distribution of such children;*
19 *and*

20 “(ii) *the number of such children receiving*
21 *Head Start services and the number of such chil-*
22 *dren receiving Early Head Start services, and*
23 *the geographical distribution of such children re-*
24 *ceiving such services;*

1 “(B) the nature of the Head Start services
2 and of the Early Head Start services provided to
3 limited English proficient children and their
4 families, including the types, content, duration,
5 intensity, and costs of family services, language
6 assistance, and educational services;

7 “(C) procedures in Head Start programs
8 for assessing language needs and for making the
9 transition of limited English proficient children
10 to kindergarten, including the extent to which
11 Head Start programs meet the requirements of
12 section 642A for limited English proficient chil-
13 dren;

14 “(D) the qualifications and training pro-
15 vided to Head Start teachers and Early Head
16 Start teachers who serve limited English pro-
17 ficient children and their families;

18 “(E) the home languages of Head Start and
19 Early Head Start teachers;

20 “(F) the rate of progress made by limited
21 English proficient children and their families in
22 Head Start programs and in Early Head Start
23 programs, including—

24 “(i) the rate of progress made by lim-
25 ited English proficient children toward

1 *meeting the additional educational stand-*
2 *ards described in section 641A(a)(1)(B)(ii)*
3 *while enrolled in Head Start programs;*

4 “*(ii) the correlation between such*
5 *progress and the type and quality of in-*
6 *struction and educational programs pro-*
7 *vided to limited English proficient children;*
8 *and*

9 “*(iii) the correlation between such*
10 *progress and the health and family services*
11 *provided by Head Start programs to lim-*
12 *ited English proficient children and their*
13 *families; and*

14 “*(G) the extent to which Head Start pro-*
15 *grams make use of funds under section 640(a)(3)*
16 *to improve the quality of Head Start services*
17 *provided to limited English proficient children*
18 *and their families.*

19 “*(i) CHILDREN, FAMILIES, AND PROGRAMS AFFECTED*
20 *BY HURRICANES KATRINA AND RITA.—*

21 “*(1) PURPOSE.—The purpose of this subsection*
22 *is to evaluate the status of Head Start and Early*
23 *Head Start programs affected by Hurricanes Katrina*
24 *and Rita as well as the challenges those programs*
25 *have faced in reestablishing themselves and re-*

1 *enrolling eligible children and families, with the ulti-*
2 *mate goal of providing all Head Start and Early*
3 *Head Start programs with recommendations for de-*
4 *veloping and implementing disaster plans.*

5 “(2) *DEFINITION.*—*The term ‘areas affected by*
6 *Hurricanes Katrina and Rita’ means any parish or*
7 *county for which it was determined that assistance*
8 *was warranted from the Federal Government under*
9 *the Robert T. Stafford Disaster Relief and Emergency*
10 *Assistance Act (42 U.S.C. 5121 et seq.) as a result of*
11 *Hurricanes Katrina and Rita.*

12 “(3) *STUDY.*—*The Secretary shall conduct a*
13 *study on the status of children and families partici-*
14 *pating in Head Start and Early Head Start pro-*
15 *grams in areas affected by Hurricanes Katrina and*
16 *Rita.*

17 “(4) *REPORT.*—*Not later than 1 year after the*
18 *date of the enactment of the Improving Head Start*
19 *Act of 2007, the Secretary shall prepare and submit*
20 *to Congress a report containing the results of such*
21 *study, including*

22 “(A) *information on the population served,*
23 *including—*

24 “(i) *the number of children and fami-*
25 *lies participating in Head Start and Early*

1 *Head Start programs in areas affected by*
2 *Hurricanes Katrina and Rita before and*
3 *after Hurricanes Katrina and Rita;*

4 “(i) *the demographics of such children*
5 *and families; and*

6 “(iii) *the geographical distribution of*
7 *such children and families;*

8 “(B) *information on staff and programs,*
9 *including—*

10 “(i) *the number and geographic dis-*
11 *tribution of staff serving Head Start and*
12 *Early Head Start children and families*
13 *from areas affected by Hurricanes Katrina*
14 *and Rita;*

15 “(ii) *the current status, including em-*
16 *ployment status and geographic location, of*
17 *Head Start and Early Head Start staff*
18 *serving in areas affected by Hurricanes*
19 *Katrina and Rita prior to Hurricanes*
20 *Katrina and Rita; and*

21 “(iii) *the response and recovery efforts*
22 *of Head Start and Early Head Start staff*
23 *serving in areas affected by Hurricanes*
24 *Katrina and Rita*

25 “(C) *information on facilities, including—*

1 “(i) the number of Head Start and
2 Early Head Start facilities operating prior
3 to Hurricanes Katrina and Rita in areas
4 affected by Hurricanes Katrina and Rita;

5 “(ii) the current status of each such fa-
6 cility; and

7 “(iii) information on any new Head
8 Start or Early Head Start facility that has
9 opened in areas affected by Hurricanes
10 Katrina and Rita or that serves children
11 and families who lived in areas affected by
12 Hurricanes Katrina and Rita at the time of
13 Hurricanes Katrina and Rita;

14 “(D) information on coordination with the
15 Federal Emergency Management Agency
16 (FEMA) in areas affected by Hurricanes
17 Katrina and Rita, including—

18 “(i) areas of success that Head Start
19 agencies and programs had in working with
20 FEMA;

21 “(ii) challenges that Head Start agen-
22 cies and programs had in working with
23 FEMA; and

24 “(iii) the number of Head Start fami-
25 lies that received individualized assistance

1 *(as defined under the Robert T. Stafford*
2 *Disaster Relief and Emergency Act) and the*
3 *types of assistance received by such families.*

4 *“(E) challenges that were faced by Head*
5 *Start and Early Head Start programs and fam-*
6 *ilies in areas affected by Hurricanes Katrina*
7 *and Rita including—*

8 *“(i) the availability of Head Start*
9 *services for families displaced during the*
10 *period of transition;*

11 *“(ii) identification of and outreach to*
12 *families displaced by the Hurricanes*
13 *Katrina and Rita; and*

14 *“(iii) the extent to which non-Federal*
15 *disaster assistance was available to Head*
16 *Start agencies and programs, and coordina-*
17 *tion of such services with non-Federal dis-*
18 *aster assistance resources.*

19 *“(5) DISASTER PLAN PREPAREDNESS.—Not later*
20 *than 1 year after the date of the enactment of Improv-*
21 *ing Head Start Act of 2007, the Secretary shall pre-*
22 *pare and submit to Congress, Head Start disaster*
23 *plan recommendations based upon the report initi-*
24 *ated in paragraph (4), including recommendations*
25 *for prevention, preparedness, response, and recovery,*

1 *that can be used to advise Head Start and Early*
2 *Head Start programs in the development and imple-*
3 *mentation of disaster plans.”.*

4 **SEC. 20. REPORTS.**

5 *Section 650 of the Head Start Act (42 U.S.C. 9846)*
6 *is amended—*

7 *(1) in subsection (a)—*

8 *(A) by striking “Committee on Education*
9 *and the Workforce of the House of Representa-*
10 *tives and the Committee on Labor and Human*
11 *Resources of the Senate” each place it appears*
12 *and inserting “Committee on Education and*
13 *Labor of the House of Representatives and the*
14 *Committee on Health, Education, Labor, and*
15 *Pensions of the Senate”,*

16 *(B) by striking “and non-English language*
17 *background children” and inserting “children,*
18 *homeless children, children in foster care, and*
19 *limited English proficient children”, and*

20 *(C) in paragraph (8) by inserting “home-*
21 *lessness, whether the child is in foster care or was*
22 *referred by a child welfare agency,” after “back-*
23 *ground,” and*

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

1 “(c) *SET-ASIDE ACTIVITIES.*—Not later than 60 days
2 after the end of each fiscal year, the Secretary shall submit
3 to the Committee on Education and Labor of the House of
4 Representatives and the Committee on Health, Education,
5 Labor, and Pensions of the Senate, a report detailing the
6 different amounts of expenditures under section 640(a)(2)
7 and the activities carried out thereunder.

8 “(d) *FISCAL PROTOCOL.*—The Secretary shall conduct
9 an annual review to assess whether the design and imple-
10 mentation of the triennial reviews described in section
11 641A(c) include compliance procedures that provide reason-
12 able assurance that Head Start agencies are complying
13 with applicable fiscal laws and regulations. The Secretary
14 shall report the findings and conclusions of the annual re-
15 view to the House Committee on Education and Labor, and
16 the Senate Committee on Health, Education, Labor and
17 Pensions within 30 days of completing the review.

18 “(e) *USE OF INDIVIDUALIZED EDUCATION PLANS.*—
19 The Secretary shall track the use of Head Start Individual-
20 ized Education Plans by Head Start agencies in order to
21 evaluate the reasons why Head Start agencies are opting
22 not to use Individualized Education Plans for children with
23 disabilities (as specified in the Individuals With Disabil-
24 ities Education Act (20 U.S.C. 1414(d)), whether Head
25 Start Individualized Education Plans are used to provide

1 *services prior to the development of an Individualized Edu-*
2 *cation Plan, as required under the Individuals With Dis-*
3 *abilities Education Act, and the length of time programs*
4 *use Head Start Individualized Education Plans before an*
5 *Individualized Education Plan as required under Individ-*
6 *uals With Disabilities Education Act is developed. The Sec-*
7 *retary shall provide a report to the Committee on Edu-*
8 *cation and Labor of the House of Representatives and the*
9 *Committee on Health, Education, Labor, and Pensions of*
10 *the Senate, not later than 1 year after the date of the enact-*
11 *ment of the Improving Head Start Act of 2007.*

12 “(f) *EVALUATION AND RECOMMENDATIONS REGARD-*
13 *ING OBESITY PREVENTION.—The Secretary shall evaluate*
14 *and publish regulations on the issue of and concerns related*
15 *to preventing and reducing obesity in children who partici-*
16 *pate in Head Start programs and shall consult, at a min-*
17 *imum, with experts in child and maternal health, child de-*
18 *velopment, child and family nutrition and physical edu-*
19 *cation, to determine the effective methods by which Head*
20 *Start agencies can help address childhood obesity. The regu-*
21 *lations should include guidance on how Head Start agencies*
22 *can incorporate, at a minimum, more physical activity and*
23 *nutrition education into such programs related to pre-*
24 *venting and reducing obesity. Not later than 1 year after*
25 *the effective date of this subsection, the Secretary shall sub-*

1 *mit to the House Committee on Education and Labor and*
2 *the Senate Committee on Health, Education, Labor and*
3 *Pensions, a report containing such recommendations and*
4 *the results of such evaluation.”.*

5 **SEC. 21. WAGES AND COMPENSATION.**

6 *Section 653 of the Head Start Act (42 U.S.C. 9848)*
7 *is amended to read as follows:*

8 **“SEC. 653. WAGES AND COMPENSATION.**

9 *“(a) COMPARABILITY OF WAGES.—The Secretary shall*
10 *take such action as may be necessary to assure that persons*
11 *employed in carrying out programs financed under this*
12 *subchapter shall not receive compensation at a rate which*
13 *is (1) in excess of the average rate of compensation paid*
14 *in the area where the program is carried out to a substan-*
15 *tial number of the persons providing substantially com-*
16 *parable services, or in excess of the average rate of com-*
17 *penetration paid to a substantial number of the persons pro-*
18 *viding substantially comparable services in the area of the*
19 *person’s immediately preceding employment, whichever is*
20 *higher; or (2) less than the minimum wage rate prescribed*
21 *in section 6(a)(1) of the Fair Labor Standards Act of 1938.*
22 *The Secretary shall encourage Head Start agencies to pro-*
23 *vide compensation according to salary scales that are based*
24 *on training and experience.*

1 “(b) *FEDERAL RATE LIMITATION.*—Notwithstanding
2 *any other provision of law, no Federal funds shall be used*
3 *to pay all or any part of the compensation of an individual*
4 *employed by a Head Start agency in carrying out pro-*
5 *grams under this subchapter, either as direct or indirect*
6 *costs of any proration thereof, at a rate in excess of the*
7 *rate then payable for level II of the Executive Schedule*
8 *under section 5313 of title 5, United States Code.”.*

9 **SEC. 22. LIMITATION ON CERTAIN USES OF FUNDS.**

10 *The Head Start Act (42 U.S.C. 9858 et seq.) is amend-*
11 *ed by adding at the end the following:*

12 **“SEC. 656A. LIMITATION ON CERTAIN USES OF FUNDS.**

13 *“No funds made available to carry out this subchapter*
14 *may be used—*

15 *“(1) for publicity or propaganda purposes not*
16 *heretofore authorized by the Congress; or*

17 *“(2) unless authorized by law in effect on the ef-*
18 *fective date of this section, to produce any pre-pack-*
19 *aged news story intended for broadcast or distribution*
20 *unless such story includes a clear notification con-*
21 *tained within the text or audio of such story stating*
22 *that the prepackaged news story was prepared or*
23 *funded by the Department of Health and Human*
24 *Services.”.*

Union Calendar No. 38

110TH CONGRESS
1ST Session

H. R. 1429

[Report No. 110-67]

A BILL

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

MARCH 23, 2007

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed