

## Calendar No. 137

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

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IN THE SENATE OF THE UNITED STATES

MAY 7, 2007

Received; read twice and placed on the calendar

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**AN ACT**

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

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 (a) SHORT TITLE.—This Act may be cited as the  
5 “Improving Head Start Act of 2007”.

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

7 (1) finds that—

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

1 this prosperity and continue to be  
2 socioeconomically disadvantaged,

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

21 **SEC. 3. DEFINITIONS.**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

9           “(G) assist teachers with—

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

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

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

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

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

5 “(II) aligned with—

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

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

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

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

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

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

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

7 “(B) includes research that—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

24 “(a) ALLOTMENT OF FUNDS.—

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

25                  “(3) QUALITY IMPROVEMENT FUNDS.—

1 “(A) DETERMINATION OF FUNDS.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

5 “(C) ALLOCATION.—

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

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

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

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

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

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

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

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

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



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

14 “(5) COLLABORATION GRANTS.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 education more accessible to  
2 Head Start staff; and

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

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

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

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

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

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

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

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

19 “(6) EARLY HEAD START.—

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



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

7 “(B) LIMITATIONS.—

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

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

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

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

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

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

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

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

7 “(f) SERVICE DELIVERY MODELS.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

7           (e) TRANSPORTATION SAFETY.—

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

18 “(A) annual budget data;

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

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

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

25 “(E) Program Information Report.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

18           “(iii) State prekindergarten programs;

19           “(iv) child care programs; and

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

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

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

5 “(J) the plan of such applicant—

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

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

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

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

3 “(I) family literacy services; and

4 “(II) parenting skills training;

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

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

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

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

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

23 “(IV) regular in-home visitation;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

7 “(a) QUALITY STANDARDS.—

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

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

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

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

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

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

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

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

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

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

23 “(viii) creative arts; and

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

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

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

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

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

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

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

1 “(B) take into consideration—

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

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

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

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

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

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

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

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

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

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

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

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

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

13           “(b) MEASURES.—

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

23                   “(A) classroom instructional practices;

24                   “(B) identification of special needs; and

25                   “(C) program evaluation.

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

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

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

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

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

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

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

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

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

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



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

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

12          “(iii) identifying special needs; and

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

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

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

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

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

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

17          “(6) CONFIDENTIALITY.—

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

1           tion 444 of the General Education Provisions  
2           Act.

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

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

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

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

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

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

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

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

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

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

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

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

1 Services who are knowledgeable about  
2 Head Start programs;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

21           “(e) CORRECTIVE ACTION; TERMINATION.—

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



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

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

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

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

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

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

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

4           “(2) QUALITY IMPROVEMENT PLAN.—

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

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

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

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

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

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

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

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

1           “(3) TRAINING AND TECHNICAL ASSISTANCE.—

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

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

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

3 “(g) SELF-ASSESSMENTS.—

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

16 “(2) REPORT AND IMPROVEMENT PLANS.—

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

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

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

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

12 “(h) ENROLLMENT REPORTING REQUIREMENT.—

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

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

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

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

1 “(3) In this subsection:

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

5 “(ii) to enable the parents—

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

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

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

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

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

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

10           “(1) GOVERNING BODY.—

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

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

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

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

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

1           affairs and shall reflect the community  
2           served.

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

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

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

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

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



1           selected by election or politically appointed;  
2           and

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 equivalent position within the Head Start  
2 agency;

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

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

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

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

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

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

3                   “(2) POLICY COUNCIL.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

24 “(D) Service delivery areas.

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

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

3           “(F) Program technical assistance.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

7 “(a) IN GENERAL.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 “(f) FACILITIES.—

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

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

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

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

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

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

11 “(D) information demonstrating that—

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

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

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

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

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

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

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

17                 (1) in subsection (a)—

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

24 “(1) pregnant women; and

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



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

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

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

11 “(2) Indian Head Start programs; and

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

23 “(i) STAFF QUALIFICATIONS AND DEVELOPMENT.—

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

15          “(c) RULE OF CONSTRUCTION.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

7               “(1) give priority consideration to—

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

15                      “(B) assisting Head Start agencies in—

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

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

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

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

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

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

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

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

1           “(5) assist Head Start agencies and programs  
2           in conducting and participating in community-wide  
3           strategic planning and needs assessment, including  
4           the needs of homeless children and their families;

5           “(6) assist Head Start agencies and programs  
6           in developing and implementing full-working-day and  
7           full-calendar-year programs where community need  
8           is clearly identified and making the transition to  
9           such programs, with particular attention to involving  
10          parents and programming for children throughout  
11          the day, and assist the agencies and programs in ex-  
12          pediting the sharing of information about innovative  
13          models for providing full-working-day, full calendar  
14          year services for children;

15          “(7) assist Head Start agencies in better serv-  
16          ing the needs of families with very young children;

17          “(8) assist Head Start agencies and programs  
18          in the development of sound management practices,  
19          including financial management procedures;

20          “(9) assist in efforts to secure and maintain  
21          adequate facilities for Head Start programs;

22          “(10) assist Head Start agencies in developing  
23          innovative program models, including mobile and  
24          home-based programs;



1           “(11) provide support for Head Start agencies  
2           (including policy councils and policy committees)  
3           that meet the standards described in section  
4           641A(a) but that have, as documented by the Sec-  
5           retary through reviews conducted pursuant to sec-  
6           tion 641A(c), significant programmatic, quality, and  
7           fiscal issues to address;

8           “(12) assist Head Start agencies and programs  
9           in increasing program participation of homeless chil-  
10          dren;

11          “(13) assist Head Start agencies and Head  
12          Start programs in improving outreach to, and the  
13          quality of services available to, limited English pro-  
14          ficient children and their families, particularly in  
15          communities that have experienced a large percent-  
16          age increase in the population of limited English  
17          proficient individuals, as measured by the Bureau of  
18          the Census;

19          “(14) assist Head Start agencies in developing  
20          appropriate methods and approaches for identifying  
21          and working with children and families experiencing  
22          toxic stress;

23          “(15) assist programs in improving outreach to  
24          serve additional children with disabilities, if such  
25          program’s enrollment opportunities or funded enroll-

1 ment for children with disabilities is less than 10  
2 percent;

3 “(16) provide assistance to address the unique  
4 needs of programs located in rural communities, in-  
5 cluding—

6 “(A) removing barriers related to the re-  
7 cruitment and retention of Head Start teachers  
8 in rural communities;

9 “(B) developing innovative and effective  
10 models of professional development for improv-  
11 ing staff qualifications and skills for staff living  
12 in rural communities;

13 “(C) removing barriers related to outreach  
14 efforts to eligible families in rural communities;

15 “(D) removing barriers to parent involve-  
16 ment in Head Start programs in rural commu-  
17 nities;

18 “(E) removing barriers to providing home  
19 visiting services in rural communities; and

20 “(F) removing barriers to obtaining health  
21 screenings for Head Start participants in rural  
22 communities; and

23 “(17) assist Head Start agencies and programs  
24 to increase the capacity of classroom staff to meet  
25 the needs of eligible children in inclusive classrooms.

1       “(d) The Secretary may provide, either directly or  
2 through grants to public or private nonprofit entities,  
3 training for Head Start personnel in the use of the per-  
4 forming and visual arts and interactive programs using  
5 electronic media to enhance the learning experience of  
6 Head Start children. Special consideration shall be given  
7 to entities that have demonstrated effectiveness in edu-  
8 cational programming for preschool children that includes  
9 components for parental involvement, care provider train-  
10 ing, and developmentally appropriate related activities.

11       “(e) The Secretary shall provide, either directly or  
12 through grants or other arrangements, funds from pro-  
13 grams authorized under this subchapter to support an or-  
14 ganization to administer a centralized child development  
15 and national assessment program leading to recognized  
16 credentials for personnel working in early childhood devel-  
17 opment and child care programs, training for personnel  
18 providing services to limited English proficient children  
19 (including services to promote the acquisition of the  
20 English language), training for personnel providing serv-  
21 ices to children determined to be abused or neglected,  
22 training for personnel providing services to children re-  
23 ferred by or receiving child welfare services, training for  
24 personnel in helping children cope with community vio-  
25 lence, resource access projects for personnel working with

1 disabled children, and training for appropriate personnel  
2 to recognize common health, including mental health,  
3 problems in children for appropriate referral.

4 “(f) The Secretary shall provide, either directly or  
5 through grants, or other arrangements, funds for training  
6 of Head Start personnel in addressing the unique needs  
7 of migrant and seasonal working families, families with  
8 1 or more children with disabilities, families with a limited  
9 English proficiency, homeless families, and children and  
10 families experiencing toxic stress.

11 “(g) More than 50 percent of funds expended under  
12 this section shall be used to provide high quality, sus-  
13 tained, intensive, and classroom-focused training and tech-  
14 nical assistance in order to have a positive and lasting im-  
15 pact on classroom instruction. Funds shall be used to  
16 carry out activities related to any or all of the following:

17 “(1) Education and early childhood develop-  
18 ment.

19 “(2) Child health, nutrition, and safety.

20 “(3) Family and community partnerships and  
21 services.

22 “(4) Other areas that impact the quality or  
23 overall effectiveness of Head Start programs.

24 “(h) The Secretary shall develop and implement a  
25 program of outreach to recruit and train minority men

1 to become Head Start teachers in order to reflect the com-  
2 munities in which Head Start children live and to increase  
3 the provision of quality services and instruction to children  
4 with diverse backgrounds.

5 “(i) Funds under this subchapter used for training  
6 shall be used for needs identified annually by a grant ap-  
7 plicant or delegate agency in their program improvement  
8 plan, except that funds shall not be used for long-distance  
9 travel expenses for training activities available locally or  
10 regionally or for training activities substantially similar to  
11 locally or regionally available training activities.

12 “(j) Funds made available under section  
13 640(a)(2)(C)(i) shall be used by a Head Start agency for  
14 any of the following:

15 “(1) Activities that ensure that Head Start pro-  
16 grams meet or exceed the program performance  
17 standards described in section 641A(a)(1).

18 “(2) Activities that ensure that Head Start pro-  
19 grams have adequate numbers of trained, qualified  
20 staff who have skills in working with children and  
21 families, including children and families who are lim-  
22 ited English proficient and children with disabilities.

23 “(3) Activities to pay expenses, including direct  
24 training for expert consultants working with any

1 staff, to improve the management and implementa-  
2 tion of Head Start services and systems.

3 “(4) Activities that help ensure that Head Start  
4 programs have qualified staff who can promote lan-  
5 guage skills and literacy growth of children and who  
6 can provide children with a variety of skills that  
7 have been identified as predictive of later reading  
8 achievement, school success, and the skills, knowl-  
9 edge, abilities, development, and progress described  
10 in section 641A(a)(1)(B)(ii).

11 “(5) Activities to improve staff qualifications  
12 and to assist with the implementation of career de-  
13 velopment programs and to encourage the staff to  
14 continually improve their skills and expertise, includ-  
15 ing developing partnerships with programs that re-  
16 cruit, train, place, and support college students in  
17 Head Start centers to deliver an innovative early  
18 learning program to preschool children.

19 “(6) Activities that help local programs ensure  
20 that the arrangement, condition, and implementation  
21 of the learning environments in Head Start pro-  
22 grams are conducive to providing effective program  
23 services to children and families.

24 “(7) Activities to provide training necessary to  
25 improve the qualifications of Head Start staff and to

1 support staff training, child counseling, health serv-  
2 ices, and other services necessary to address the  
3 needs of children enrolled in Head Start programs,  
4 including children from families in crises, children  
5 who experience chronic violence or homelessness,  
6 children who experience substance abuse in their  
7 families, and children under 3 years of age, where  
8 applicable.

9 “(8) Activities to provide classes or in-service-  
10 type programs to improve or enhance parenting  
11 skills, job skills, adult and family literacy, including  
12 financial literacy, or training to become a classroom  
13 aide or bus driver in a Head Start program.

14 “(9) Additional activities deemed appropriate to  
15 the improvement of Head Start agencies’ programs,  
16 as determined by the agencies’ technical assistance  
17 and training plans.

18 “(10) Any other activities regarding the use of  
19 funds as determined by the Secretary.

20 “(k) The Secretary shall—

21 “(1) work in collaboration with the Head Start  
22 agencies that carry out Indian Head Start pro-  
23 grams, the Indian Head Start collaboration director,  
24 and other appropriate entities, including tribal gov-

1 ernments and the National Indian Head Start Di-  
2 rectors Association—

3 “(A) to undertake a study or set of studies  
4 designed to focus on the American Indian and  
5 Alaska Native Head Start-eligible population,  
6 with a focus on issues such as curriculum devel-  
7 opment, availability and need for services, ap-  
8 propriate research methodologies and measures  
9 for these populations, and best practices for  
10 teaching and educating American Indian and  
11 Alaska Native Head Start Children;

12 “(B) to accurately determine the number  
13 of children nationwide who are eligible to par-  
14 ticipate in Indian Head Start programs each  
15 year;

16 “(C) to document how many of these chil-  
17 dren are receiving Head Start services each  
18 year;

19 “(D) to the extent practicable, to ensure  
20 that access to Indian Head Start programs for  
21 eligible children is comparable to access to other  
22 Head Start programs for other eligible children;  
23 and

24 “(E) to make the funding decisions re-  
25 quired in section 640(a)(2)(A)(iii), after com-



1           pletion of the studies required in that section,  
2           taking into account:

3                   “(i) the Federal government’s unique  
4                   trust responsibility to American Indians  
5                   and Alaska Natives;

6                   “(ii) limitations faced by tribal com-  
7                   munities in accessing non-Federal sources  
8                   of funding to supplement Federal funding  
9                   for early childhood programs; and

10                   “(iii) other factors that uniquely and  
11                   adversely impact children in American In-  
12                   dian and Alaska Native communities such  
13                   as highly elevated poverty, unemployment  
14                   and violent crime rates, as well as de-  
15                   pressed levels of educational achievement  
16                   and limited access to non-Federal health,  
17                   social and educational resources;

18                   “(2) in carrying out paragraph (1), consult with  
19                   the Secretary of Education about the Department of  
20                   Education’s systems for collecting and reporting  
21                   data about, and maintaining records on, American  
22                   Indian and Alaska Native students;

23                   “(3) not later than 9 months after the effective  
24                   date of this subsection, publish in the Federal Reg-  
25                   ister a notice of how the Secretary plans to carry out

1 paragraph (1) and shall provide a period for public  
2 comment. To the extent practicable, the Secretary  
3 shall consider comments received before submitting  
4 a report to the Congress;

5 “(4) not later than 1 year after the effective  
6 date of this subsection, submit a report to the Com-  
7 mittee on Education and Labor of the House of  
8 Representatives and the Committee on Health, Edu-  
9 cation, Labor, and Pensions of the Senate, detailing  
10 how the Department of Health and Human Services  
11 plans to carry out paragraph (1);

12 “(5) through regulation, ensure the confiden-  
13 tiality of any personally identifiable data, informa-  
14 tion, and records collected or maintained by the Sec-  
15 retary, by Head Start agencies that carry out Indian  
16 Head Start programs, and by State Directors of  
17 Head Start Collaboration, by the Indian Head Start  
18 Collaboration Project Director and by other appro-  
19 priate entities pursuant to this subsection (Such reg-  
20 ulations shall provide the policies, protections, and  
21 rights equivalent to those provided a parent, stu-  
22 dent, or educational agency or institution under sec-  
23 tion 444 of the General Education Provisions Act.);  
24 and

1           “(6) ensure that nothing in this subsection shall  
2           be construed to authorize the development of a na-  
3           tionwide database of personally identifiable informa-  
4           tion on individuals involved in studies or other col-  
5           lections of data under this subsection.

6           “(l) The Secretary shall—

7           “(1) in order to increase access to Head Start  
8           services for eligible migrant and seasonal children,  
9           work in collaboration with migrant and seasonal  
10          Head Start providers, the Department of Agri-  
11          culture (land grant universities), the Department of  
12          Labor, the Bureau of Migrant Health, and the De-  
13          partment of Education to—

14               “(A) establish a system for collecting and  
15               reporting data on farm workers and their fami-  
16               lies in order to adequately account for the num-  
17               ber of seasonal and migrant children that are  
18               eligible for Head Start and determine how  
19               many of these eligible children receive services;

20               “(B) identify barriers that prevent eligible  
21               migrant and seasonal children from accessing  
22               Head Start services and develop a plan for  
23               eliminating barriers and increasing enrollment;  
24               and

1           “(C) develop a system through which mi-  
2           grant and seasonal Head Start programs can  
3           effectively track health records and educational  
4           documents as a child moves from State to  
5           State;

6           “(2) not later than 6 months after the effective  
7           date of this subsection, publish in the Federal Reg-  
8           ister a notice on how the Secretary plans to carry  
9           out the activities identified in paragraph (1) and  
10          shall provide a period for public comment. To the  
11          extent practicable, the Secretary shall consider com-  
12          ments received before implementing any of the ac-  
13          tivities identified in paragraph (1);

14          “(3) not later than 1 year after the effective  
15          date of this subsection, submit a report to the Com-  
16          mittee on Education and Labor of the House of  
17          Representatives and the Health, Education, Labor  
18          and Pensions Committee of the Senate detailing how  
19          the Secretary plans to carry out the activities identi-  
20          fied in (1);

21          “(4) submit a report to Congress annually on  
22          the migrant and seasonal Head Start program in-  
23          cluding a report on the progress made in carrying  
24          out the activities identified in paragraph (1), the  
25          progress made in reaching out to and serving eligible

1 migrant and seasonal children, and information on  
2 states where migrant and seasonal children are still  
3 underserved;

4 “(5) through regulation, ensure the protection  
5 of the confidentiality of any personally identifiable  
6 data, information, and records collected or main-  
7 tained by the Secretary, by Head Start agencies that  
8 carry out migrant and seasonal Head Start pro-  
9 grams, by the State director of Head Start Collabo-  
10 ration, by the Migrant and Seasonal Farmworker  
11 Collaboration project Director (Such regulations  
12 shall provide the policies, protections, and rights  
13 equivalent to those provided a parent, student, or  
14 educational agency or institution under section 444  
15 of the General Education Provisions Act.); and

16 “(6) ensure that nothing in this subsection shall  
17 be construed to authorize the development of a na-  
18 tionwide database of personally identifiable informa-  
19 tion on individuals involved in studies or other col-  
20 lections of data under this subsection.

21 “(m) For purposes of this section, the term ‘eligible  
22 entities’ means an institution of higher education or other  
23 entity with expertise in delivering training in early child-  
24 hood development, family support, and other assistance  
25 designed to improve the delivery of Head Start services.

1       “(n) For the purposes of delivering a State-based  
2 training and technical assistance system, as described in  
3 section 640(a)(C)(ii), that will meet the needs of local  
4 grantees and provide high quality, sustained, and intensive  
5 training and technical assistance to Head Start programs  
6 in order to help them meet or exceed the program per-  
7 formance standards described in section 641A(a)(1), the  
8 Secretary shall—

9               “(1) enter into contracts in each State with 1  
10 or more entities who have a demonstrated expertise  
11 in supporting the delivery of high quality early edu-  
12 cation programs, except that bi-State contracts may  
13 be entered in to if the demographics of proximal  
14 States make such a system more appropriate;

15               “(2) ensure that the entities described in sub-  
16 paragraph (1) determine the types of services to be  
17 provided through consultation with—

18                       “(A) local Head Start agencies;

19                       “(B) the State Head Start collaboration  
20 office; and

21                       “(C) the State Head Start Association;

22               “(3) provide a report, to the Committee on  
23 Education and Labor of the House of Representa-  
24 tives and the Committee on Health, Education,  
25 Labor, and Pensions of the Senate. No later than 90

1 days after the end of the fiscal year, summarizing  
2 the funding for such contracts and the activities car-  
3 ried out thereunder.

4 “(4) periodically evaluate the usefulness of the  
5 delivery of services in each State and their effective-  
6 ness in promoting program quality; and

7 “(5) ensure that in entering into such contracts  
8 as described in paragraph (1), such entities will ad-  
9 dress the needs of grantees in both urban and rural  
10 communities.

11 “(o) To support enhanced early language and  
12 preliteracy development of children in Head Start pro-  
13 grams, and to provide the children with high-quality oral  
14 language skills, and environments that are rich in lit-  
15 erature, in which to acquire language and preliteracy  
16 skills, each Head Start agency shall ensure that—

17 “(1) all of the agency’s Head Start teachers re-  
18 ceive ongoing training in language and emergent lit-  
19 eracy (referred to in this subsection as ‘literacy  
20 training’), and including appropriate curricula and  
21 assessment to improve instruction and learning;

22 “(2) such literacy training shall include training  
23 in methods to promote vocabulary development and  
24 phonological awareness (including phonemic aware-  
25 ness) in a developmentally, culturally, and linguis-

1 tically appropriate manner and support children’s  
2 development in their home language;

3 “(3) the literacy training shall include training  
4 in how to work with parents to enhance positive lan-  
5 guage and early literacy development at home;

6 “(4) the literacy training shall include specific  
7 methods to best address the needs of children who  
8 are limited English proficient; and

9 “(5) the literacy training shall include training  
10 on how to best address the language and literacy  
11 needs of children with disabilities, including training  
12 on how to work with specialists in language develop-  
13 ment.

14 “(p) The Secretary is encouraged to contract, on a  
15 competitive basis, with an institution of higher education  
16 (as defined in section 102 of the Higher Education Act  
17 of 1965) to develop an on-line graduate-level professional  
18 development program with the goal of improving the lead-  
19 ership of those working in Head Start programs and im-  
20 proving teacher quality and the capacity of effective Head  
21 Start teachers.

22 “(q) INDOOR AIR QUALITY.—The Secretary shall  
23 consult with experts on issues of air quality related to chil-  
24 dren’s health and inform Head Start agencies of existing



1 programs or combination of programs that provide meth-  
2 ods for improving indoor air quality.

3 “(r) DEMONSTRATION FOR CAREER LADDER PART-  
4 NERSHIPS WITH TRIBAL COLLEGES AND HISPANIC-SERV-  
5 ING INSTITUTIONS.—

6 “(1) TRIBAL COLLEGE CAREER LADDER DEM-  
7 ONSTRATION PROGRAM.—The Secretary is author-  
8 ized to award demonstration grants, for periods of  
9 not less than 5 years, to tribal colleges and univer-  
10 sities to—

11 “(A) implement education programs that  
12 include education concerning tribal culture and  
13 language and increase the number of associate,  
14 baccalaureate, and graduate degrees in early  
15 childhood and related fields that are earned by  
16 Indian Head Start agency staff members, par-  
17 ents of children served by such an agency, and  
18 members of the tribal community involved;

19 “(B) develop and implement the programs  
20 under subparagraph (A) in technology-mediated  
21 formats, including providing the programs  
22 through such means as distance learning and  
23 use of advanced technology, as appropriate; and

24 “(C) provide technology literacy programs  
25 for Indian Head Start agency staff members

1           and children and families of children served by  
2           such an agency.

3           “(2) HISPANIC-SERVING INSTITUTIONS CAREER  
4           LADDER DEMONSTRATION PROGRAM.—The Sec-  
5           retary is authorized to award demonstration grants,  
6           for periods of not less than 5 years, to Hispanic-  
7           serving institutions to—

8                   “(A) provide assistance for stipends and  
9                   costs related to tuition, fees, and books for en-  
10                  rolling Head Start agency staff members and  
11                  parents of children served by such an agency in  
12                  courses required to complete the degree and  
13                  certification requirements to become bilingual  
14                  teachers in early childhood education and re-  
15                  lated fields;

16                  “(B) develop career ladder program cur-  
17                  ricula to increase the number of associate’s,  
18                  bachelor’s, and graduate degrees earned by  
19                  Head Start agency staff who have the linguistic  
20                  skills and expertise to teach in programs serv-  
21                  ing a large number of limited English proficient  
22                  children and parents of children served by such  
23                  an agency; and

24                  “(C) other activities to upgrade the skills  
25                  and qualifications of noncertified educational

1 personnel to meet the professional standards in  
2 section 648A(a)(1), including certification and  
3 licensure as bilingual education teachers and  
4 other educational personnel who serve limited  
5 English proficient children.

6 “(3) REQUIREMENT.—Individuals who receive  
7 assistance under paragraphs (1) and (2) shall subse-  
8 quently teach in a Head Start center for a period of  
9 time equivalent to the period for which they received  
10 assistance or repay the amount of funds.

11 “(s) HISTORICALLY BLACK COLLEGES AND UNIVER-  
12 SITIES HEAD START PARTNERSHIPS.—In order to pro-  
13 mote quality services and instruction to children with di-  
14 verse backgrounds, the Secretary shall work in collabora-  
15 tion with Historically Black Colleges and Universities to—

16 “(1) implement education programs that in-  
17 clude education to increase the number of associate,  
18 baccalaureate, and advanced degrees in early child-  
19 hood education and related fields that are earned by  
20 Head Start agency staff members, and parents of  
21 children served by such an agency; and

22 “(2) carry out other activities to upgrade the  
23 skills and qualifications of noncertified educational  
24 personnel to meet the professional standards in sec-  
25 tion 648A(a).

1 Individuals who receive assistance under this paragraph  
2 shall subsequently teach in a center-based Head Start pro-  
3 gram for a period of time equivalent to the period for  
4 which they received assistance or shall repay such assist-  
5 ance.”.

6 **SEC. 18. STAFF QUALIFICATIONS AND DEVELOPMENT.**

7 Section 648A of the Head Start Act (42 U.S.C.  
8 9843a) is amended—

9 (1) in subsection (a)—

10 (A) by striking “(a)” and all that follows  
11 through paragraph (2), and inserting the fol-  
12 lowing:

13 “(a) CLASSROOM TEACHERS.—

14 “(1) PROFESSIONAL REQUIREMENTS.—The  
15 Secretary shall ensure that each Head Start class-  
16 room in a center-based program is assigned 1 teach-  
17 er who has demonstrated competency to perform  
18 functions that include—

19 “(A) planning and implementing learning  
20 experiences that advance the intellectual and  
21 physical development of children, including im-  
22 proving the readiness of children for school by  
23 developing their literacy, phonemic, and print  
24 awareness, their understanding and use of lan-  
25 guage, their understanding and use of increas-

1 ingly complex and varied vocabulary, their ap-  
2 preciation of books, their understanding of early  
3 math and early science, their problem solving  
4 abilities, and their approaches to learning;

5 “(B) establishing and maintaining a safe,  
6 healthy learning environment;

7 “(C) supporting the social and emotional  
8 development of children; and

9 “(D) encouraging the involvement of the  
10 families of the children in a Head Start pro-  
11 gram and supporting the development of rela-  
12 tionships between children and their families.

13 “(2) DEGREE REQUIREMENTS.—

14 “(A) IN GENERAL.—The Secretary shall  
15 ensure that not later than September 30, 2013,  
16 at least 50 percent of all Head Start teachers  
17 nationwide in center-based programs have—

18 “(i) a baccalaureate, or advanced de-  
19 gree in early childhood education;

20 “(ii) a baccalaureate or advanced de-  
21 gree in a field related to early childhood  
22 education, with experience in teaching pre-  
23 school children; or

24 “(iii) except that teachers providing  
25 services in migrant and seasonal Head

1 Start classrooms that serve children under  
2 age 3 shall be required to meet the teacher  
3 requirements described in section 645A(h).

4 “(B) PROGRESS REPORT.—

5 “(i) On an annual basis, each Head  
6 Start agency shall provide to the Secretary  
7 a report indicating the number and per-  
8 centage of classroom instructors with child  
9 development/early childhood education as-  
10 sociate credentials and associate, bacca-  
11 laurate, or advanced degrees, and number  
12 of classroom instructors who successfully  
13 transferred associate credit and completed  
14 a baccalaureate degree disaggregated by  
15 race, ethnicity, and proficiency in a lan-  
16 guage other than English, with a descrip-  
17 tion of those languages.

18 “(ii) Not later than September 30,  
19 2008 the Secretary shall compile and  
20 transmit reports received under (i) to the  
21 Committee on Education and Labor of the  
22 House of Representatives and the Com-  
23 mittee on Health, Education, Labor, and  
24 Pensions of the Senate.

1           “(C) PROGRESS.—Each Head Start agen-  
2           cy shall provide to the Secretary a report indi-  
3           cating the number and percentage of teachers  
4           and teacher’s aides with child development as-  
5           sociate credentials and associate, baccalaureate,  
6           or advanced degrees. The Secretary shall com-  
7           pile all program reports and make them avail-  
8           able to the Committee on Education and Labor  
9           of the House of Representatives and the Com-  
10          mittee on Health, Education, Labor, and Pen-  
11          sions of the Senate.

12           “(D) REQUIREMENT FOR NEW HEAD  
13          START TEACHERS.—In accordance with rules  
14          issued by the Secretary and made effective 2  
15          years after the effective date of this subpara-  
16          graph, all Head Start agencies shall require  
17          that all Head Start teachers hired after such  
18          rules take effect to provide Head Start services  
19          in center-based programs—

20                   “(i) have an associate, baccalaureate,  
21                   or advanced degree in early childhood edu-  
22                   cation or a related field; or

23                   “(ii) be currently enrolled in a pro-  
24                   gram of study leading to an associate de-  
25                   gree in early childhood education or a re-

1           lated field, and agree to complete degree  
2           requirements not later than 3 years after  
3           the date of hire.

4           “(E) SERVICE REQUIREMENTS.—The Sec-  
5           retary shall establish requirements to ensure  
6           that individuals who receive financial assistance  
7           under this subchapter in order to comply with  
8           the requirements under section 648A(a)(2)  
9           shall subsequently teach in a Head Start center  
10          for a period of time equivalent to the period for  
11          which they received assistance or repay the  
12          amount of the funds.

13          “(F) LIMITATION.—The Secretary shall re-  
14          quire that any Federal funds provided directly  
15          or indirectly to comply with subparagraph (A)  
16          shall be used toward degrees awarded by an in-  
17          stitution of higher education, as defined by sec-  
18          tion 101 or 102 of the Higher Education Act  
19          (20 U.S.C. 1001, 1002).”, and

20                 (B) in paragraph (3)—

21                     (i) in subparagraph (B) by striking  
22                     “or” at the end,

23                     (ii) in subparagraph (C) by striking  
24                     the period at the end and inserting “; or”,  
25                     and



1 (iii) by adding at the end, the fol-  
2 lowing:

3 “(D) a baccalaureate and has been admit-  
4 ted into the Teach For America program,  
5 passed a rigorous early childhood content exam,  
6 such as the Praxis II, participated in a Teach  
7 For America summer training institute that in-  
8 cludes teaching preschool children, and is re-  
9 ceiving ongoing professional development and  
10 support from Teach For America’s professional  
11 staff.”, and

12 (2) by amending subsection (c) to read as fol-  
13 lows:

14 “(c) FAMILY SERVICE WORKERS.—To improve the  
15 quality and effectiveness of staff providing in-home and  
16 other services (including needs assessment, development of  
17 service plans, family advocacy, and coordination of service  
18 delivery) to families of children participating in Head  
19 Start programs, the Secretary, in coordination with con-  
20 cerned public and private agencies and organizations ex-  
21 amining the issues of standards and training for family  
22 service workers, shall—

23 “(1) review and, as necessary, revise or develop  
24 new qualification standards for Head Start staff  
25 providing such services;

1           “(2) review, and as necessary, revise or develop  
2           maximum caseload requirements, as suggested by  
3           best practices;

4           “(3) promote the development of model cur-  
5           ricula (on subjects including parenting training and  
6           family literacy) designed to ensure the attainment of  
7           appropriate competencies by individuals working or  
8           planning to work in the field of early childhood and  
9           family services; and

10           “(4) promote the establishment of a credential  
11           that indicates attainment of the competencies and  
12           that is accepted nationwide.”, and

13           (3) is amended by adding at the end the fol-  
14           lowing:

15           “(f) PROFESSIONAL DEVELOPMENT PLANS.—Each  
16           Head Start agency and program shall create, in consulta-  
17           tion with an employee, a professional development plan for  
18           all full-time Head Start employees who provide direct serv-  
19           ices to children and shall ensure that such plans are regu-  
20           larly evaluated for their impact on teacher and staff effec-  
21           tiveness.

22           “(g) STAFF RECRUITMENT AND SELECTION PROCE-  
23           DURES.—Before a Head Start agency employs an indi-  
24           vidual, such agency shall—

25           “(1) conduct an interview of such individual;

1           “(2) verify the personal and employment ref-  
2           erences provided by such individual; and

3           “(3) obtain—

4                   “(A) a State, tribal, or Federal criminal  
5                   record check covering all jurisdictions where the  
6                   grantee provides Head Start services to chil-  
7                   dren;

8                   “(B) a State, tribal, or Federal criminal  
9                   record check as required by the law of the juris-  
10                   diction where the grantee provides Head Start  
11                   services; or

12                   “(C) a criminal record check as otherwise  
13                   required by Federal law.

14           “(h) INCENTIVES FOR HEAD START TEACHERS AND  
15           EARLY HEAD START TEACHERS.—

16                   “(1) STATEMENT OF PURPOSE.—It is the pur-  
17                   pose of this subsection to encourage individuals to  
18                   begin and continue teaching in Head Start programs  
19                   and Early Head Start programs.

20                   “(2) PROGRAM AUTHORIZED.—

21                   “(A) IN GENERAL.—From the sums appro-  
22                   priated pursuant to paragraph (9), the Sec-  
23                   retary of Education, in consultation with the  
24                   Secretary of Health and Human Services, is au-  
25                   thorized carry out a program to forgive, in ac-

1 cordance with this subsection, the student loan  
2 debt of any borrower who has one or more  
3 loans described under subparagraph (B) made  
4 on or after October 1, 1998, and who—

5 “(i) commits to working as a Head  
6 Start teacher or an Early Head Start  
7 teacher for at least 3 consecutive complete  
8 program years;

9 “(ii) has a bachelor’s degree in a field  
10 related to early childhood education; and

11 “(iii) is not in default on a loan for  
12 which the borrower seeks forgiveness.

13 “(B) METHOD OF LOAN FORGIVENESS.—  
14 To provide the loan forgiveness authorized in  
15 subelause (A), the Secretary of Education, in  
16 consultation with the Secretary of Health and  
17 Human Services, shall, subject to subsubclause  
18 (C), carry out a program—

19 “(i) through the holder of the loan, to  
20 assume the obligation to repay a qualified  
21 loan amount for a loan made under section  
22 428 or 428H of the Higher Education Act  
23 of 1965 (20 U.S.C. 1078, 1078–8); and

24 “(ii) to cancel a qualified loan amount  
25 for a Federal Direct Stafford Loan or a

1 Federal Direct Unsubsidized Stafford  
2 Loan made under part D of title IV of  
3 such Act (20 U.S.C. 1087a et seq.).

4 “(C) TREATMENT OF CONSOLIDATION  
5 LOANS.—A loan amount for a loan made under  
6 section 428C or section 455(g) of such Act (20  
7 U.S.C. 1078–3, 1087e(g)) may be a qualified  
8 loan amount for the purposes of subclause (B)  
9 only to the extent that such loan amount was  
10 used to repay a loan made under section 428 or  
11 428H, a Federal Direct Stafford Loan, or a  
12 Federal Direct Unsubsidized Stafford Loan for  
13 a borrower who meets the requirements of sub-  
14 clause (A), as determined in accordance with  
15 regulations prescribed by the Secretary of Edu-  
16 cation, in consultation with the Secretary of  
17 Health and Human Services.

18 “(3) QUALIFIED LOAN AMOUNT.—After the be-  
19 ginning of the qualifying employment described in  
20 subparagraph (2)(A)(i) and upon approval of a bor-  
21 rower’s application under subparagraph (5), the Sec-  
22 retary of Education, in consultation with the Sec-  
23 retary of Health and Human Services, shall forgive  
24 under this subsection not more than \$10,000 of the

1 student loan obligation of a borrower that is out-  
2 standing at the beginning of such employment.

3 “(4) AWARD BASIS.—Loan forgiveness under  
4 this subsection shall be on a first-come, first-served  
5 basis and subject to the availability of appropria-  
6 tions.

7 “(5) APPLICATION FOR FORGIVENESS.—

8 “(A) IN GENERAL.—Each borrower desir-  
9 ing loan forgiveness under this subsection shall  
10 submit a complete and accurate application to  
11 the Secretary of Education at such time, in  
12 such manner, and containing such information  
13 as the Secretary of Education, in consultation  
14 with the Secretary of Health and Human Serv-  
15 ices, may require.

16 “(B) SERVICE AGREEMENT.—Each such  
17 application shall contain an agreement by the  
18 borrower—

19 “(i) to complete the commitment de-  
20 scribed in subclause (2)(A)(i) within 6  
21 years after receiving loan forgiveness under  
22 this subsection; or

23 “(ii) to repay the portion required by  
24 the regulations under subclause (6)(A) if

1           the borrower does not complete such com-  
2           mitment.

3           “(6) REPAYMENT FOR FAILURE TO COMPLETE  
4       SERVICE.—

5           “(A) IN GENERAL.—In the event that any  
6       recipient of loan forgiveness under this sub-  
7       section fails or refuses to complete a portion of  
8       the recipient’s service obligation under the  
9       agreement required by clause (5)(B), the same  
10      portion of the amounts of loans forgiven under  
11      this subsection for such recipient shall be sub-  
12      ject to repayment in accordance with terms and  
13      conditions, and in the amounts, specified by the  
14      Secretary of Education, in consultation with the  
15      Secretary of Health and Human Services, in  
16      regulations under this subsection.

17          “(B) FORGIVENESS IF DECEASED OR DIS-  
18      ABLED.—Such regulations shall provide that,  
19      subject to the availability of appropriations, an  
20      individual shall be excused from repayment of  
21      any amount required under subclause (A) if the  
22      individual dies or becomes permanently and to-  
23      tally disabled (as determined in accordance with  
24      such regulations).

1           “(7) REGULATIONS.—The Secretary of Edu-  
2 cation, in consultation with the Secretary of Health  
3 and Human Services, is authorized to issue such  
4 regulations as may be necessary to carry out the  
5 provisions of this subsection.

6           “(8) CONSTRUCTION.—Nothing in this sub-  
7 section shall be construed to authorize any refunding  
8 of any repayment of a loan.

9           “(9) AUTHORIZATION OF APPROPRIATIONS.—  
10 There are authorized to be appropriated to carry out  
11 this subsection such sums as may be necessary for  
12 fiscal year 2008 and each of the 4 succeeding fiscal  
13 years.

14           “(10) DEFINITIONS.—In this subsection:

15           “(A) HEAD START TEACHER.—The term  
16 ‘Head Start teacher’ means an individual  
17 who—

18           “(i) is employed by a Head Start  
19 agency or an entity that carries out an  
20 Early Head Start program, to provide for  
21 the education and care of children who  
22 have not reached the age of compulsory  
23 school attendance who are enrolled in a  
24 Head Start program or an Early Head  
25 Start program receiving funds under the



1 Head Start Act (42 U.S.C. 9831 et seq.);  
2 and

3 “(ii) who has, at a minimum, an asso-  
4 ciate’s degree in early childhood education  
5 or a related field.

6 “(B) PROGRAM YEAR.—The term ‘program  
7 year’, where applied to service as a Head Start  
8 teacher or an Early Head Start teacher, means  
9 a program year as defined by the Secretary of  
10 Health and Human Services.”.

11 **SEC. 19. RESEARCH, DEMONSTRATIONS, AND EVALUATION.**

12 Section 649 of the Head Start Act (42 U.S.C. 9844)  
13 is amended—

14 (1) by amending subsection (a)(1)(B) to read  
15 as follows:

16 “(B) use the Head Start programs to de-  
17 velop, test, and disseminate new ideas and  
18 based on existing scientifically based research,  
19 for addressing the needs of low-income pre-  
20 school children (including children with disabil-  
21 ities, homeless children, children who have been  
22 abused or neglected, and children in foster care)  
23 and their families and communities (including  
24 demonstrations of innovative non-center-based  
25 program models such as home-based and mobile

1 programs), and otherwise to further the pur-  
2 poses of this subchapter.”,

3 (2) in subsection (d)—

4 (A) in paragraph (8) by adding “and” at  
5 the end,

6 (B) by striking paragraphs (9) and (10)  
7 and insert the following:

8 “(9) contribute to understanding the impact of  
9 Head Start services delivered in inclusive classrooms  
10 on both children with disabilities and children with-  
11 out disabilities, and develop practices for increasing  
12 the availability and quality of inclusive classrooms.”.

13 (3) in subsection (g)—

14 (A) in paragraph(1)(A)—

15 (i) by striking clause (i), and

16 (ii) by redesignating clauses (ii) and

17 (iii) as clauses (i) and (ii), respectively,

18 and

19 (B) by amending paragraph (7)(C) to read  
20 as follows:

21 “(C) TRANSMITTAL OF REPORT TO CON-  
22 GRESS.—Not later than September 30, 2009,  
23 the Secretary shall transmit the final report to  
24 the Committee on Education and Labor of the  
25 House of Representatives and the Committee

1 on Health, Education, Labor, and Pensions of  
2 the Senate.”, and

3 (4) by amending subsection (h) to read as fol-  
4 lows:

5 “(h) LIMITED ENGLISH PROFICIENT CHILDREN.—

6 “(1) STUDY.—Not later than 1 year after the  
7 date of enactment of the Improving Head Start Act  
8 of 2007, the Secretary shall conduct a study on the  
9 status of limited English proficient children and  
10 their families participating Head Start programs  
11 and Early Head Start programs.

12 “(2) REPORT.—The Secretary shall prepare  
13 and submit to Congress, not later than September  
14 2008, a report containing the results of such study,  
15 including information on—

16 “(A)(i) the demographics of limited  
17 English proficient children less than 5 years of  
18 age and the geographical distribution of such  
19 children; and

20 “(ii) the number of such children receiving  
21 Head Start services and the number of such  
22 children receiving Early Head Start services,  
23 and the geographical distribution of such chil-  
24 dren receiving such services;

1           “(B) the nature of the Head Start services  
2           and of the Early Head Start services provided  
3           to limited English proficient children and their  
4           families, including the types, content, duration,  
5           intensity, and costs of family services, language  
6           assistance, and educational services;

7           “(C) procedures in Head Start programs  
8           for assessing language needs and for making  
9           the transition of limited English proficient chil-  
10          dren to kindergarten, including the extent to  
11          which Head Start programs meet the require-  
12          ments of section 642A for limited English pro-  
13          ficient children;

14          “(D) the qualifications and training pro-  
15          vided to Head Start teachers and Early Head  
16          Start teachers who serve limited English pro-  
17          ficient children and their families;

18          “(E) the home languages of Head Start  
19          and Early Head Start teachers;

20          “(F) the rate of progress made by limited  
21          English proficient children and their families in  
22          Head Start programs and in Early Head Start  
23          programs, including—

24                  “(i) the rate of progress made by lim-  
25                  ited English proficient children toward

1 meeting the additional educational stand-  
2 ards described in section 641A(a)(1)(B)(ii)  
3 while enrolled in Head Start programs;

4 “(ii) a description of the type of as-  
5 sessment or assessments used to determine  
6 the rate of progress made by limited  
7 English proficient children;

8 “(iii) the correlation between such  
9 progress and the type and quality of in-  
10 struction and educational programs pro-  
11 vided to limited English proficient children;  
12 and

13 “(iv) the correlation between such  
14 progress and the health and family services  
15 provided by Head Start programs to lim-  
16 ited English proficient children and their  
17 families; and

18 “(G) the extent to which Head Start pro-  
19 grams make use of funds under section  
20 640(a)(3) to improve the quality of Head Start  
21 services provided to limited English proficient  
22 children and their families.

23 “(i) CHILDREN, FAMILIES, AND PROGRAMS AF-  
24 FECTED BY HURRICANES KATRINA AND RITA.—

1           “(1) PURPOSE.—The purpose of this subsection  
2 is to evaluate the status of Head Start and Early  
3 Head Start programs affected by Hurricanes  
4 Katrina and Rita as well as the challenges those  
5 programs have faced in reestablishing themselves  
6 and reenrolling eligible children and families, with  
7 the ultimate goal of providing all Head Start and  
8 Early Head Start programs with recommendations  
9 for developing and implementing disaster plans.

10           “(2) DEFINITION.—The term ‘areas affected by  
11 Hurricanes Katrina and Rita’ means any parish or  
12 county for which it was determined that assistance  
13 was warranted from the Federal Government under  
14 the Robert T. Stafford Disaster Relief and Emer-  
15 gency Assistance Act (42 U.S.C. 5121 et seq.) as a  
16 result of Hurricanes Katrina and Rita.

17           “(3) STUDY.—The Secretary shall conduct a  
18 study on the status of children and families partici-  
19 pating in Head Start and Early Head Start pro-  
20 grams in areas affected by Hurricanes Katrina and  
21 Rita.

22           “(4) REPORT.—Not later than 1 year after the  
23 date of the enactment of the Improving Head Start  
24 Act of 2007, the Secretary shall prepare and submit

1 to Congress a report containing the results of such  
2 study, including—

3 “(A) information on the population served,  
4 including—

5 “(i) the number of children and fami-  
6 lies participating in Head Start and Early  
7 Head Start programs in areas affected by  
8 Hurricanes Katrina and Rita before and  
9 after Hurricanes Katrina and Rita;

10 “(ii) the demographics of such chil-  
11 dren and families; and

12 “(iii) the geographical distribution of  
13 such children and families;

14 “(B) information on staff and programs,  
15 including—

16 “(i) the number and geographic dis-  
17 tribution of staff serving Head Start and  
18 Early Head Start children and families  
19 from areas affected by Hurricanes Katrina  
20 and Rita;

21 “(ii) the current status, including em-  
22 ployment status and geographic location,  
23 of Head Start and Early Head Start staff  
24 serving in areas affected by Hurricanes

1 Katrina and Rita prior to Hurricanes  
2 Katrina and Rita; and

3 “(iii) the response and recovery ef-  
4 forts of Head Start and Early Head Start  
5 staff serving in areas affected by Hurri-  
6 canes Katrina and Rita.

7 “(C) information on facilities, including—

8 “(i) the number of Head Start and  
9 Early Head Start facilities operating prior  
10 to Hurricanes Katrina and Rita in areas  
11 affected by Hurricanes Katrina and Rita;

12 “(ii) the current status of each such  
13 facility; and

14 “(iii) information on any new Head  
15 Start or Early Head Start facility that has  
16 opened in areas affected by Hurricanes  
17 Katrina and Rita or that serves children  
18 and families who lived in areas affected by  
19 Hurricanes Katrina and Rita at the time  
20 of Hurricanes Katrina and Rita;

21 “(D) information on coordination with the  
22 Federal Emergency Management Agency  
23 (FEMA) in areas affected by Hurricanes  
24 Katrina and Rita, including—



1           “(i) areas of success that Head Start  
2 agencies and programs had in working  
3 with FEMA;

4           “(ii) challenges that Head Start agen-  
5 cies and programs had in working with  
6 FEMA; and

7           “(iii) the number of Head Start fami-  
8 lies that received individualized assistance  
9 (as defined under the Robert T. Stafford  
10 Disaster Relief and Emergency Act) and  
11 the types of assistance received by such  
12 families.

13           “(E) challenges that were faced by Head  
14 Start and Early Head Start programs and fam-  
15 ilies in areas affected by Hurricanes Katrina  
16 and Rita including—

17           “(i) the availability of Head Start  
18 services for families displaced during the  
19 period of transition;

20           “(ii) identification of and outreach to  
21 families displaced by the Hurricanes  
22 Katrina and Rita; and

23           “(iii) the extent to which non-Federal  
24 disaster assistance was available to Head  
25 Start agencies and programs, and coordi-

1 nation of such services with non-Federal  
2 disaster assistance resources.

3 “(5) DISASTER PLAN PREPAREDNESS.—Not  
4 later than 1 year after the date of the enactment of  
5 Improving Head Start Act of 2007, the Secretary  
6 shall prepare and submit to Congress, Head Start  
7 disaster plan recommendations based upon the re-  
8 port initiated in paragraph (4), including rec-  
9 ommendations for prevention, preparedness, re-  
10 sponse, and recovery, that can be used to advise  
11 Head Start and Early Head Start programs in the  
12 development and implementation of disaster plans.”.

13 **SEC. 20. REPORTS.**

14 Section 650 of the Head Start Act (42 U.S.C. 9846)  
15 is amended—

16 (1) in subsection (a)—

17 (A) by striking “Committee on Education  
18 and the Workforce of the House of Representa-  
19 tives and the Committee on Labor and Human  
20 Resources of the Senate” each place it appears  
21 and inserting “Committee on Education and  
22 Labor of the House of Representatives and the  
23 Committee on Health, Education, Labor, and  
24 Pensions of the Senate”,

1 (B) by striking “and non-English language  
2 background children” and inserting “children,  
3 homeless children, children in foster care, and  
4 limited English proficient children”, and

5 (C) in paragraph (8) by inserting “home-  
6 lessness, whether the child is in foster care or  
7 was referred by a child welfare agency,” after  
8 “ background,” and

9 (2) by adding at the end the following:

10 “(c) SET-ASIDE ACTIVITIES.—Not later than 60 days  
11 after the end of each fiscal year, the Secretary shall sub-  
12 mit to the Committee on Education and Labor of the  
13 House of Representatives and the Committee on Health,  
14 Education, Labor, and Pensions of the Senate, a report  
15 detailing the different amounts of expenditures under sec-  
16 tion 640(a)(2) and the activities carried out thereunder.

17 “(d) FISCAL PROTOCOL.—The Secretary shall con-  
18 duct an annual review to assess whether the design and  
19 implementation of the triennial reviews described in sec-  
20 tion 641A(c) include compliance procedures that provide  
21 reasonable assurance that Head Start agencies are com-  
22 plying with applicable fiscal laws and regulations. The  
23 Secretary shall report the findings and conclusions of the  
24 annual review to the House Committee on Education and  
25 Labor, and the Senate Committee on Health, Education,

1 Labor and Pensions within 30 days of completing the re-  
2 view.

3 “(e) USE OF INDIVIDUALIZED EDUCATION PLANS.—

4 The Secretary shall track the use of Head Start Individ-  
5 ualized Education Plans by Head Start agencies in order  
6 to evaluate the reasons why Head Start agencies are opt-  
7 ing not to use Individualized Education Plans for children  
8 with disabilities (as specified in the Individuals With Dis-  
9 abilities Education Act (20 U.S.C. 1414(d)), whether  
10 Head Start Individualized Education Plans are used to  
11 provide services prior to the development of an Individual-  
12 ized Education Plan, as required under the Individuals  
13 With Disabilities Education Act, and the length of time  
14 programs use Head Start Individualized Education Plans  
15 before an Individualized Education Plan as required under  
16 Individuals With Disabilities Education Act is developed.  
17 The Secretary shall provide a report to the Committee on  
18 Education and Labor of the House of Representatives and  
19 the Committee on Health, Education, Labor, and Pen-  
20 sions of the Senate, not later than 1 year after the date  
21 of the enactment of the Improving Head Start Act of  
22 2007.

23 “(f) EVALUATION AND RECOMMENDATIONS REGARD-  
24 ING OBESITY PREVENTION.—The Secretary shall evaluate  
25 and publish regulations on the issue of and concerns re-

1 lated to preventing and reducing obesity in children who  
2 participate in Head Start programs and shall consult, at  
3 a minimum, with experts in child and maternal health,  
4 child development, child and family nutrition and physical  
5 education, to determine the effective methods by which  
6 Head Start agencies can help address childhood obesity.  
7 The regulations should include guidance on how Head  
8 Start agencies can incorporate, at a minimum, more phys-  
9 ical activity and nutrition education into such programs  
10 related to preventing and reducing obesity. Not later than  
11 1 year after the effective date of this subsection, the Sec-  
12 retary shall submit to the House Committee on Education  
13 and Labor and the Senate Committee on Health, Edu-  
14 cation, Labor and Pensions, a report containing such rec-  
15 ommendations and the results of such evaluation.”.

16 **SEC. 21. WAGES AND COMPENSATION.**

17 Section 653 of the Head Start Act (42 U.S.C. 9848)  
18 is amended to read as follows:

19 **“SEC. 653. WAGES AND COMPENSATION.**

20 “(a) **COMPARABILITY OF WAGES.**—The Secretary  
21 shall take such action as may be necessary to assure that  
22 persons employed in carrying out programs financed  
23 under this subchapter shall not receive compensation at  
24 a rate which is: (1) in excess of the average rate of com-  
25 pensation paid in the area where the program is carried

1 out to a substantial number of the persons providing sub-  
2 stantially comparable services, or in excess of the average  
3 rate of compensation paid to a substantial number of the  
4 persons providing substantially comparable services in the  
5 area of the person's immediately preceding employment,  
6 whichever is higher; or (2) less than the minimum wage  
7 rate prescribed in section 6(a)(1) of the Fair Labor Stand-  
8 ards Act of 1938. The Secretary shall encourage Head  
9 Start agencies to provide compensation according to salary  
10 scales that are based on training and experience.

11 “(b) FEDERAL RATE LIMITATION.—Notwithstanding  
12 any other provision of law, no Federal funds shall be used  
13 to pay all or any part of the compensation of an individual  
14 employed by a Head Start agency in carrying out pro-  
15 grams under this subchapter, either as direct or indirect  
16 costs of any proration thereof, at a rate in excess of the  
17 rate then payable for level II of the Executive Schedule  
18 under section 5313 of title 5, United States Code.”.

19 **SEC. 22. LIMITATION ON CERTAIN USES OF FUNDS.**

20 The Head Start Act (42 U.S.C. 9858 et seq.) is  
21 amended by adding at the end the following:

22 **“SEC. 656A. LIMITATION ON CERTAIN USES OF FUNDS.**

23 “No funds made available to carry out this sub-  
24 chapter may be used—

1           “(1) for publicity or propaganda purposes not  
2 heretofore authorized by the Congress; or

3           “(2) unless authorized by law in effect on the  
4 effective date of this section, to produce any pre-  
5 packaged news story intended for broadcast or dis-  
6 tribution unless such story includes a clear notifica-  
7 tion contained within the text or audio of such story  
8 stating that the prepackaged news story was pre-  
9 pared or funded by the Department of Health and  
10 Human Services.”.

Passed the House of Representatives May 2, 2007.

Attest:                   LORRAINE C. MILLER,  
*Clerk.*

Calendar No. 137

110<sup>TH</sup> CONGRESS  
1<sup>ST</sup> Session

**H. R. 1429**

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**AN ACT**

To reauthorize the Head Start Act, to improve program quality, to expand access, and for other purposes.

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MAY 7, 2007

Received; read twice and placed on the calendar