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109TH CONGRESS
1ST SESSION

H. R. 2123

[Report No. 109-136]

To reauthorize the Head Start Act to improve the school readiness of disadvantaged children, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 5, 2005

Mr. CASTLE (for himself, Mr. BOEHNER, Mr. MCKEON, Mr. WILSON of South Carolina, Mr. REGULA, Mr. CUNNINGHAM, Mr. PUTNAM, and Mr. SULLIVAN) introduced the following bill; which was referred to the Committee on Education and the Workforce

JUNE 16, 2005

Additional sponsors: Mr. SOUDER, Mr. FORTUÑO, Mr. TERRY, Mr. OSBORNE, Mr. TIBERI, Mr. KUHLMAN of New York, Ms. FOXX, Mr. INGLIS of South Carolina, Mrs. NORTHUP, Mr. MURPHY, Mr. EHLERS, and Ms. ROSLEHTINEN

JUNE 16, 2005

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

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

[For text of introduced bill, see copy of bill as introduced on May 5, 2005]

A BILL

To reauthorize the Head Start Act to improve the school readiness of disadvantaged children, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 *This Act may be cited as the “School Readiness Act*
5 *of 2005”.*

6 **SEC. 2. PURPOSE.**

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

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

10 *“It is the purpose of this subchapter to promote school*
11 *readiness by enhancing the development of low-income chil-*
12 *dren, including development of cognitive abilities, through*
13 *educational instruction in prereading skills,*
14 *premathematics skills, language, and social and emotional*
15 *development linked to school readiness and through the pro-*
16 *vision to low-income children and their families of health,*
17 *educational, nutritional, social and other services that are*
18 *determined, based on family needs assessments, to be nec-*
19 *essary.”.*

20 **SEC. 3. DEFINITIONS.**

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

23 *(1) in paragraph (17) by striking “, but for fis-*
24 *cal years” and all that follows down to the period;*

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

3 (3) by redesignating paragraph (15) as para-
4 graph (21);

5 (4) by redesignating paragraphs (11) through
6 (14) as paragraphs (16) through (19), respectively;

7 (5) by redesignating paragraph (10) as para-
8 graph (14);

9 (6) by redesignating paragraphs (3) through (9)
10 as paragraphs (6) through (12), respectively;

11 (7) by redesignating paragraph (2) as para-
12 graph (4);

13 (8) by inserting after paragraph (1) the fol-
14 lowing:

15 “(2) The term ‘challenging State developed aca-
16 demic content standards’ has the meaning given such
17 term in paragraphs (1) and (5) of section 1111(b) of
18 the *Elementary and Secondary Education Act of*
19 *1965*.

20 “(3) The term ‘deficient’ means—

21 “(A) systemic or significant failure of a
22 Head Start agency in an area of performance
23 that the Secretary determines involves—

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

1 “(ii) a denial to parents of the exercise
2 of their full roles and responsibilities related
3 to program governance;

4 “(iii) a failure to perform the require-
5 ments of section 641A(a), as determined by
6 the Secretary;

7 “(iv) the misuse of funds received
8 under this subchapter;

9 “(v) loss of legal status (as determined
10 by the Secretary) or financial viability, loss
11 of permits, debarment from receiving Fed-
12 eral grants or contracts, or the improper
13 use of Federal funds; or

14 “(vi) failure to meet any other Federal
15 or State requirement;

16 “(B) failure of the board of directors of a
17 Head Start agency to fully exercise its legal and
18 fiduciary responsibilities;

19 “(C) failure of a Head Start agency to meet
20 the administrative requirements of section
21 644(b); or

22 “(D) failure of a Head Start agency to meet
23 the integration requirements of section
24 642B(a).”;

1 (9) by inserting after paragraph (4), as so redesi-
2 gnated, the following:

3 “(5) The term ‘eligible entities’ means an insti-
4 tution of higher education or other agency with exper-
5 tise in delivering training in early childhood develop-
6 ment, family support, and other assistance designed
7 to improve the quality of early childhood education
8 programs.”;

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

11 “(13) The term ‘homeless children’ has the mean-
12 ing given such term in subtitle B of title VII of the
13 McKinney-Vento Homeless Assistance Act (42 U.S.C.
14 11431–11435).”;

15 (11) by inserting after paragraph (14), as so re-
16 designated, the following:

17 “(15) LIMITED ENGLISH PROFICIENT; LIMITED
18 ENGLISH PROFICIENCY.—The terms ‘limited English
19 proficient’ and ‘limited English proficiency’ mean
20 with respect to an individual, that such individual—

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

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

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

5 “(iii) is migratory, has a native language
6 that is not English, and comes from an environ-
7 ment in which a language that is not English is
8 dominant; and

9 “(B) has difficulty in speaking or under-
10 standing the English language to an extent that
11 may be sufficient to deny such individual—

12 “(i) the ability to successfully achieve
13 in classrooms in which the language of in-
14 struction is English; or

15 “(ii) the opportunity to fully partici-
16 pate in society.”;

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

19 “(20) *PROFESSIONAL DEVELOPMENT.*—The term
20 ‘professional development’ means high quality activi-
21 ties that will enhance the school readiness of eligible
22 children and prevent such children from encountering
23 difficulties once they enter school by improving the
24 knowledge and skills of Head Start teachers and staff,

1 *as relevant to their roles and functions, including ac-*
2 *tivities that—*

3 “(A) *provide teachers with the content*
4 *knowledge and teaching strategies needed to pro-*
5 *vide effective instruction and other school readi-*
6 *ness services in early language and literacy,*
7 *early mathematics, cognitive skills, approaches to*
8 *learning, creative arts, science, physical health*
9 *and development, and social and emotional de-*
10 *velopment linked to school readiness;*

11 “(B) *assist teachers in meeting the require-*
12 *ments in paragraphs (1) and (2) of section*
13 *648A(a), as appropriate;*

14 “(C) *improve teachers’ classroom manage-*
15 *ment skills, as appropriate;*

16 “(D) *for teachers, are sustained, intensive,*
17 *and classroom-focused in order to have a positive*
18 *and lasting impact on classroom instruction and*
19 *teachers’ performance in the classroom;*

20 “(E) *are not primarily 1-day or short-term*
21 *workshops or conferences, and attendance at ac-*
22 *tivities that are 1-day or short-term workshops*
23 *or conferences must be as part of the professional*
24 *development plan defined in section 648A(f);*

1 “(F) assist teachers and staff in increasing
2 their knowledge and skills in program adminis-
3 tration, program quality, and the provision of
4 services and instruction, as appropriate, in a
5 manner that improves service delivery to eligible
6 children and families;

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

10 “(H) advance teacher understanding of ef-
11 fective instructional strategies that are—

12 “(i) based on scientifically based re-
13 search; and

14 “(ii) strategies for improving school
15 readiness or substantially increasing the
16 knowledge and teaching skills of teachers;

17 “(I) are, where applicable, aligned with and
18 directly related to—

19 “(i) challenging State academic con-
20 tent standards, student academic achieve-
21 ment standards, assessments, and the Head
22 Start Child Outcomes Framework developed
23 by the Secretary;

24 “(ii) the curricula, ongoing assess-
25 ments, and other instruction and services

1 *designed to help meet the standards de-*
2 *scribed in section 641A(a)(1); and*

3 *“(iii) the Head Start Child Outcomes*
4 *Framework developed by the Secretary;*

5 *“(J) are developed or selected with extensive*
6 *participation of administrators and teachers*
7 *from Head Start programs;*

8 *“(K) are developmentally appropriate for*
9 *the children being served;*

10 *“(L) are designed to give teachers of limited*
11 *English proficient children, and other teachers*
12 *and instructional staff, the knowledge and skills*
13 *to provide instruction and appropriate language*
14 *and support services to increase the English lan-*
15 *guage skills of such children;*

16 *“(M) as a whole, are regularly evaluated for*
17 *their impact on increased teacher and staff effec-*
18 *tiveness and improved ability of teachers to sup-*
19 *port learning and increase participating chil-*
20 *dren’s school readiness, with the findings of the*
21 *evaluations used to improve the quality of profes-*
22 *sional development;*

23 *“(N) provide instruction in methods of*
24 *teaching children with special needs, as appro-*
25 *priate;*

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

4 “(P) are designed to give teachers and staff
5 the knowledge and skills to provide instruction
6 and appropriate support services to children of
7 diverse backgrounds, as appropriate.”;

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

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

11 “(A) means research that involves the appli-
12 cation of rigorous, systematic and objective pro-
13 cedures to obtain reliable and valid knowledge
14 relevant to education activities and programs;
15 and

16 “(B) includes research that—

17 “(i) employs systematic, empirical
18 methods that draw on observation or experi-
19 ment;

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

24 “(iii) relies on measurements or obser-
25 vational methods that provide reliable and

1 *valid data across evaluators and observers,*
2 *across multiple measurements and observa-*
3 *tions, and across studies by the same or dif-*
4 *ferent investigators;*

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

15 “(v) *ensures that experimental studies*
16 *are presented in sufficient detail and clarity*
17 *to allow for replication or, at a minimum,*
18 *offer the opportunity to build systematically*
19 *on their findings; and*

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

1 (14) by inserting after paragraph (24), as so re-
2 designated, the following:

3 “(25) The term ‘State educational agency’ has
4 the meaning given such term in the Elementary and
5 Secondary Education Act of 1965.

6 “(26) The term ‘unresolved area of noncompli-
7 ance’ means a failure to correct a noncompliance item
8 within 90 days, or within such additional time (if
9 any) authorized by the Secretary, after receiving from
10 the Secretary notice of such noncompliance item.”.

11 **SEC. 4. FINANCIAL ASSISTANCE FOR HEAD START PRO-**
12 **GRAMS.**

13 Section 638 of the Head Start Act (42 U.S.C. 9833)
14 is amended by inserting “for a period of 5 years” after
15 “provide financial assistance to such agency”.

16 **SEC. 5. AUTHORIZATION.**

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

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

20 “(a) *IN GENERAL.*—There are authorized to be appro-
21 priated for carrying out the provisions of this subchapter
22 \$6,899,000,000 for the fiscal year 2006 and such sums as
23 may be necessary for the fiscal years 2007 through 2011.

24 “(b) *SPECIFIC PROGRAMS.*—From the amount appro-
25 priated under subsection (a), the Secretary shall make

1 *available not more than \$20,000,000 for fiscal year 2006,*
2 *and such sums as may be necessary for fiscal years 2007*
3 *through 2011 to carry out such other research, demonstra-*
4 *tion, and evaluation activities, including longitudinal stud-*
5 *ies, under section 649, of which not more than \$7,000,000*
6 *for each of the fiscal years 2006 through 2011 to carry out*
7 *impact studies under section 649(g).”.*

8 **SEC. 6. ALLOTMENT OF FUNDS; LIMITATIONS ON ASSIST-**
9 **ANCE.**

10 *(a) ALLOTMENTS.—Section 640(a) of the Head Start*
11 *Act (42 U.S.C. 9835(a)) is amended—*

12 *(1) in paragraph (2)—*

13 *(A) by amending subparagraph (A) to read*
14 *as follows:*

15 *“(A) Indian Head Start programs, services*
16 *for children with disabilities, and migrant and*
17 *seasonal Head Start programs, except that—*

18 *“(i) there shall be made available for*
19 *each fiscal year for use by Indian Head*
20 *Start programs and by migrant and sea-*
21 *sonal Head Start programs, on a nation-*
22 *wide basis, not less than the amount that*
23 *was obligated for use by Indian Head Start*
24 *programs and by migrant and seasonal*
25 *Head Start programs for fiscal year 2005;*

1 “(ii) migrant and seasonal Head Start
2 programs shall receive at least 5 percent of
3 the amount appropriated for such fiscal
4 year until such time as the Secretary can
5 make funding decisions to ensure access to
6 funding for eligible children of migrant and
7 seasonal farmworkers is comparable to ac-
8 cess to funding for other eligible children
9 based on the data collected and reported
10 pursuant to section 648(j), except that no
11 future reduction in funding shall result in
12 the termination of Head Start services pro-
13 vided to any eligible child 3 years of age or
14 older who is participating in any such pro-
15 gram on the date a reduction in funding oc-
16 curs, and shall, to the extent possible, con-
17 tinue participation for children less than 3
18 years of age receiving services prior to such
19 reduction in funding; and

20 “(iii) Indian Head Start programs
21 shall receive at least 3.5 percent of the
22 amount appropriated for such fiscal year
23 until such time as the Secretary can make
24 funding decisions to ensure access to fund-
25 ing for eligible Indian children is com-

1 *parable to access to funding for other eligi-*
2 *ble children;”;* and

3 *(B) by amending subparagraph (B) to read*
4 *as follows:*

5 *“(B) payments, subject to paragraph (7) to*
6 *Guam, American Samoa, the Commonwealth of the*
7 *Northern Mariana Islands, and the Virgin Islands of*
8 *the United States, and subject to the requirements of*
9 *section 105(f)(1)(B)(ix) of Public Law 108–188 to*
10 *Palau;”;*

11 *(C) by amending (C) to read as follows:*

12 *“(C) training and technical assistance activities*
13 *to foster program quality and management improve-*
14 *ment as described in section 648, in an amount for*
15 *each fiscal year which is equal to 2 percent of the*
16 *amount appropriated for such fiscal year, of which—*

17 *“(i) not less than 50 percent shall be made*
18 *available to local Head Start agencies to make*
19 *program improvements identified by such agen-*
20 *cies and comply with the standards described in*
21 *section 641A(a)(1), of which not less than 50*
22 *percent shall be used to comply with the stand-*
23 *ards described in section 641A(a)(1)(B) and for*
24 *the uses described in clauses (iii), (iv), and (vii)*
25 *of subsection (a)(3)(B);*

1 “(ii) not less than 20 percent shall be made
2 available to support a State system of early
3 childhood education training and technical as-
4 sistance, including the State Early Learning
5 Council described in section 642B(b);

6 “(iii) not less than 30 percent shall be made
7 available to the Secretary to assist local pro-
8 grams in meeting the standards described in sec-
9 tion 641A(a)(1) and shall be allocated to address
10 program weaknesses identified by monitoring ac-
11 tivities conducted by the Secretary under section
12 641A(c); and

13 “(iv) not less than \$3,000,000 of the amount
14 in clause (iii) appropriated for such fiscal year
15 shall be made available to carry out activities
16 described in section 648(d)(4);”;

17 (D) by striking the last sentence.

18 (2) in paragraph (3)—

19 (A) in subparagraph (A)—

20 (i) in clause (i)(I) by striking “year
21 1999” and all that follows down to the
22 semicolon and inserting “years 2006
23 through 2011”; and

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

1 “(iii) After the reservation of amounts under para-
2 graph (2) and the 60 percent amount referred to in sub-
3 paragraph (A) of this paragraph, a portion of the remain-
4 ing funds shall be made available—

5 “(I) to expand services to underserved popu-
6 lations, such as children receiving services under
7 Early Head Start programs and under migrant and
8 seasonal Head Start programs; and

9 “(II) to increase funding to grantees with full
10 enrollment and whose aggregate amount of financial
11 assistance provides funding per child that is below the
12 national average.”;

13 (B) by amending subparagraph (B) to read
14 as follows:

15 “(B) Funds reserved under this paragraph (in this
16 paragraph referred to as ‘quality improvement funds’) shall
17 be used to accomplish the following goals:

18 “(i) Ensuring that Head Start programs meet or
19 exceed standards pursuant to section 641A(a)(1).

20 “(ii) Ensuring that such programs have ade-
21 quate numbers of qualified staff, and that such staff
22 is furnished adequate training, including developing
23 skills to promote the development of language skills,
24 premathematic skills, and prereading in young chil-
25 dren and in working with children with limited

1 *English proficiency, children referred by child welfare*
2 *services, and children with disabilities, when appro-*
3 *priate.*

4 *“(iii) Developing and financing the salary scales*
5 *described under section 644(a)(3) and section 653, in*
6 *order to ensure that salary levels and benefits are ade-*
7 *quate to attract and retain qualified staff for such*
8 *programs.*

9 *“(iv) Using salary increases—*

10 *“(I) to assist with the implementation of*
11 *quality programs and improve staff qualifica-*
12 *tions;*

13 *“(II) to ensure that staff can promote the*
14 *language skills and literacy growth of children*
15 *and can provide children with a variety of skills*
16 *that have been identified, through scientifically*
17 *based early reading research, as predictive of*
18 *later reading achievement; and*

19 *“(III) to encourage the staff to continually*
20 *improve their skills and expertise by informing*
21 *the staff of the availability of Federal and State*
22 *incentive and loan forgiveness programs for pro-*
23 *fessional development.*

24 *“(v) Improving community-wide strategic plan-*
25 *ning and needs assessments for such programs and*

1 *collaboration efforts for such programs, including col-*
2 *laborations to increase program participation by un-*
3 *derserved populations of eligible children.*

4 “(vi) *Ensuring that the physical environments of*
5 *Head Start programs are conducive to providing ef-*
6 *fective program services to children and families, and*
7 *are accessible to children with disabilities and their*
8 *parents.*

9 “(vii) *Ensuring that such programs have quali-*
10 *fied staff that can promote language skills and lit-*
11 *eracy growth of children and that can provide chil-*
12 *dren with a variety of skills that have been identified,*
13 *through scientifically based reading research, as pre-*
14 *dictive of later reading achievement.*

15 “(viii) *Providing assistance to complete postsec-*
16 *ondary course work including scholarships or other fi-*
17 *nancial incentives, such as differential and merit*
18 *pay, to enable Head Start teachers to improve com-*
19 *petencies and the resulting child outcomes.*

20 “(ix) *Upgrading the qualifications and skills of*
21 *educational personnel to meet the professional stand-*
22 *ards established under section 648A(a)(1), including*
23 *certification and licensure as bilingual education*
24 *teachers and other educational personnel who serve*
25 *limited English proficient children.*

1 “(x) Promoting the regular attendance and sta-
2 bility of all children participating in Head Start pro-
3 grams, with particular attention to highly mobile
4 children, including children from migrant and sea-
5 sonal farm worker families (if appropriate), homeless
6 children, and children in foster care.

7 “(xi) Making such other improvements in the
8 quality of such programs as the Secretary may des-
9 ignate.”; and

10 (C) by amending subparagraph (C) to read
11 as follows:

12 “(C) Quality improvement funds shall be used to carry
13 out the activities in any or all of the following clauses:

14 “(i)(I) Not less than one-half of the amount re-
15 served under this paragraph, to improve the com-
16 pensation (including benefits) of classroom teachers
17 and other staff of Head Start agencies providing in-
18 structional services and thereby enhancing recruit-
19 ment and retention of qualified staff, including re-
20 cruitment and retention pursuant to achieving the re-
21 quirements set forth in section 648A(a). The expendi-
22 ture of funds under this clause shall be subject to sec-
23 tion 653. Salary increases, in excess of cost-of-living
24 allowance, provided with such funds shall be subject

1 to the specific standards governing salaries and sal-
2 ary increases established pursuant to section 644(a).

3 “(II) If a Head Start agency certifies to the Sec-
4 retary for such fiscal year that part of the funds set
5 aside under subclause (I) to improve wages cannot be
6 expended by such agency to improve wages because of
7 the operation of section 653, then such agency may
8 expend such part for any of the uses specified in this
9 subparagraph (other than wages).

10 “(III) From the remainder of the amount re-
11 served under this paragraph (after the Secretary car-
12 ries out subclause (I)), the Secretary may carry out
13 the activities described in clauses (ii) through (vii).

14 “(ii) To train classroom teachers and other staff
15 to meet the education standards described in section
16 641A(a)(1)(B), through activities—

17 “(I) to promote children’s language and
18 prereading growth, through techniques identified
19 through scientifically based reading research;

20 “(II) to promote the acquisition of the
21 English language for limited English proficient
22 children and families, while ensuring that chil-
23 dren are making meaningful progress in attain-
24 ing the knowledge, skills, abilities, and develop-
25 ment described in section 641A(a)(1)(B);

1 “(III) to foster children’s school readiness
2 through activities described in section
3 648A(a)(1); and

4 “(IV) to provide education and training
5 necessary to improve the qualifications of Head
6 Start staff, particularly assistance to enable
7 more instructors to be fully competent and to
8 meet the degree requirements under section
9 648A(a)(2)(A), and to support staff training,
10 child counseling, and other services necessary to
11 address the challenges of children participating
12 in Head Start programs, including children
13 from immigrant, refugee, and asylee families,
14 children from families in crisis, children who ex-
15 perience chronic violence in their communities,
16 children who experience substance abuse in their
17 families, and children with emotional and behav-
18 ioral problems.

19 “(iii) To employ additional Head Start staff, in-
20 cluding staff necessary to reduce the child-staff ratio,
21 lead instructors who meet the qualifications of section
22 648A(a) and staff necessary to coordinate a Head
23 Start program with other services available to chil-
24 dren participating in such program and to their fam-
25 ilies.

1 “(iv) To pay costs incurred by Head Start agen-
2 cies to purchase insurance (other than employee bene-
3 fits) and thereby maintain or expand Head Start
4 services.

5 “(v) To supplement amounts provided under
6 paragraph (2)(C) to provide training necessary to
7 improve the qualifications of the staff of the Head
8 Start agencies, and to support staff training, child
9 counseling, and other services necessary to address the
10 problems of children participating in Head Start pro-
11 grams, including children from dysfunctional fami-
12 lies, children who experience chronic violence in their
13 communities, and children who experience substance
14 abuse in their families.

15 “(vi) To conduct outreach to homeless families in
16 an effort to increase the program participation of
17 homeless children.

18 “(vii) To conduct outreach to migrant and sea-
19 sonal farm-working families and families with chil-
20 dren with a limited English proficiency.

21 “(viii) Such other activities as the Secretary
22 may designate.”;

23 (3) in paragraph (4) by striking “1998” in sub-
24 paragraph (A) and inserting “2005”;

1 (4) in paragraph (5) by amending subpara-
2 graphs (A), (B), and (C) to read as follows:

3 “(A) From amounts reserved and allotted pursuant to
4 paragraph (4), the Secretary shall award the collaboration
5 grants described in subparagraphs (B) and (D).

6 “(B) From the reserved sums in paragraph (4), the
7 Secretary shall award a collaboration grant to any State
8 that submits a written request. Such grant shall be equal
9 to the amount the State received under this paragraph for
10 such activity for fiscal year 2005. Such grant shall be used
11 by the State to facilitate collaboration regarding activities
12 carried out in the State under this subchapter, and other
13 activities carried out in and by the State that are designed
14 to benefit low-income children and families and to encour-
15 age Head Start agencies to collaborate with entities in-
16 volved in State and local planning processes (including the
17 State lead agency administering the financial assistance
18 under the Child Care and Development Block Grant Act
19 of 1990 and the entities that provide child care resource
20 and referral services in the State) in order to better meet
21 the needs of low-income children and their families.

22 “(C) In order to improve results for children, a State
23 that receives a grant under subparagraph (B) shall appoint
24 an individual to serve as the State Director of Head Start
25 Collaboration to be a liaison between the appropriate re-

1 *gional office of the Administration for Children and Fami-*
2 *lies and agencies carrying out Head Start programs in the*
3 *State. The State shall—*

4 “(i) *ensure that such Director holds a position*
5 *with sufficient authority and access to ensure that the*
6 *collaboration described in subparagraph (B) is effec-*
7 *tive and involves a range of State agencies and local*
8 *entities, including—*

9 “(I) *the State educational agency;*

10 “(II) *the State Department of Health and*
11 *Human Services;*

12 “(III) *the State agency that oversees child*
13 *care;*

14 “(IV) *the State agency that assists children*
15 *with developmental disabilities;*

16 “(V) *the State Head Start Association;*

17 “(VI) *the State network of child care re-*
18 *source and referral agencies;*

19 “(VII) *local educational agencies;*

20 “(VIII) *community-based and faith-based*
21 *organizations;*

22 “(IX) *representatives of migrant and sea-*
23 *sonal Head Start programs located in the State;*

24 “(X) *representatives of Indian Head Start*
25 *programs located in the State;*

1 “(XI) State and local providers of early
2 childhood education and child care, including
3 providers with experience serving children with
4 limited English proficiency; and

5 “(XII) other entities carrying out programs
6 serving low-income children and families in the
7 State;

8 “(ii) involve the entities described in clause (i)
9 to develop a strategic plan for the coordinated out-
10 reach to identify eligible children and to implement
11 strategies based on a needs assessment, which shall in-
12 clude an assessment of the availability of high quality
13 prekindergarten services for low-income children in
14 the State. Such assessment shall be completed not
15 later than 1 year after the date of enactment of the
16 School Readiness Act of 2005 and be updated on an
17 annual basis and shall be made available to the gen-
18 eral public within the State;

19 “(iii) ensure that the collaboration described in
20 subparagraph (B) involves coordination of Head
21 Start services with health care, welfare, child care,
22 child protective services, education, and community
23 service activities, family literacy services, activities
24 relating to children with disabilities (including co-
25 ordination of services with those State officials who

1 are responsible for administering part C and section
2 619 of the Individuals with Disabilities Education
3 Act (20 U.S.C. 1419, 1431 et seq.), and services for
4 homeless children (including coordination of services
5 with the Office of Coordinator for Education of
6 Homeless Children and Youth designated under sec-
7 tion 722(g)(1)(J)(ii) of the McKinney-Vento Homeless
8 Assistance Act of 2001 (42 U.S.C. 11432(g)(1)(J)(ii));

9 “(iv) require the State Director of Head Start
10 Collaboration to—

11 “(I) serve on the Early Learning Council
12 pursuant to section 642B(b);

13 “(II) consult with the Early Learning
14 Council, chief State school officer, local edu-
15 cational agencies, representatives of local Head
16 Start agencies and providers of early childhood
17 education and care in unified planning regard-
18 ing early care and education services at both the
19 State and local levels, including collaborative ef-
20 forts to develop school readiness standards;

21 “(III) consult with the chief State school of-
22 ficer, local educational agencies, State child care
23 administrators, State human services adminis-
24 trators, representatives of local child care re-
25 source and referral agencies, local early child-

1 *hood councils, providers of early childhood edu-*
2 *cation and care, and other relevant State and*
3 *local agencies, and representatives of the State*
4 *Head Start Association to plan for the provision*
5 *of full-working-day, full-calendar-year early care*
6 *and education services for eligible children with*
7 *working parents who have a demonstrated need;*

8 *“(IV) consult with the chief State school of-*
9 *ficer, local educational agencies and Head Start*
10 *agencies to improve alignment between Head*
11 *Start programs and State-funded prekinde-*
12 *garten activities to meet shared goals of school*
13 *readiness; and*

14 *“(V) establish improved linkages between*
15 *Head Start agencies and other children and fam-*
16 *ily agencies, including agencies that provide*
17 *health, mental health or family services or other*
18 *child and family support services.”;*

19 *(C) in subparagraph (D)(i) by inserting*
20 *“and providers of services supporting early*
21 *childhood education and child care” after “Asso-*
22 *ciations”;* and

23 *(D) by amending paragraph (6)(A) to read*
24 *as follows:*

1 “(A) *From amounts reserved and allotted pursuant to*
2 *paragraphs (2) and (4), the Secretary shall use, for grants*
3 *for programs described in section 645A(a) of this sub-*
4 *chapter, a portion of the combined total of such amounts*
5 *equal to at least 10 percent for each of the fiscal years 2006*
6 *through 2011, of the amount appropriated pursuant to sec-*
7 *tion 639(a), except as provided in subparagraph (B).”.*

8 (b) *SERVICE DELIVERY MODELS.*—Section 640(f) of
9 *the Head Start Act (42 U.S.C. 9835(f)) is amended by in-*
10 *serting before the period at the end the following: “, includ-*
11 *ing models that leverage the existing capacity and capabili-*
12 *ties of the delivery system of early childhood education and*
13 *child care”.*

14 (c) *MAINTENANCE OF SERVICE LEVELS.*—Section
15 *640(g)(2) of the Head Start Act (42 U.S.C. 9835(g)(2)) is*
16 *amended—*

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

19 (2) *by amending subparagraph (C) to read as*
20 *follows:*

21 “(C) *the extent to which the applicant has un-*
22 *dertaken community-wide strategic planning and*
23 *needs assessments involving other community organi-*
24 *zations and Federal, State, and local public agencies*
25 *servicing children and families (including organiza-*

1 *tions and agencies providing family support services*
2 *and protective services to children and families and*
3 *organizations serving families in whose homes*
4 *English is not the language customarily spoken), and*
5 *individuals, organizations, and public entities serving*
6 *children with disabilities and homeless children in-*
7 *cluding the local educational agency liaison des-*
8 *ignated under section 722(g)(1)(J)(ii) of the McKin-*
9 *ney-Veto Homeless Assistance Act (42 U.S.C.*
10 *11432(g)(1)(J)(ii));”;*

11 *(3) in subparagraph (D) by striking “other*
12 *local” and inserting “the State and local”;*

13 *(4) in subparagraph (E) by inserting “would*
14 *like to participate but” after “community who”;*

15 *(5) in subparagraph (G)—*

16 *(A) by inserting “leverage the existing deliv-*
17 *ery systems of such services and” after “manner*
18 *that will”; and*

19 *(B) by striking “and” at the end;*

20 *(6) in subparagraph (H)—*

21 *(A) by inserting “, including the local edu-*
22 *cational agency liaison designated under section*
23 *722(g)(1)(J)(ii) of the McKinney-Vento Homeless*
24 *Assistance Act (42 U.S.C. 11432(g)(1)(J)(ii)),”*
25 *after “community involved”;*

1 (B) by striking “plans to coordinate” and
2 inserting “successfully coordinated its activities”;
3 and

4 (C) by striking the period at the end and
5 inserting “; and”; and

6 (7) by adding at the end the following:

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

11 (d) *VEHICLE SAFETY REQUIREMENTS.*—Section
12 640(i) of the Head Start Act (42 U.S.C. 9835(i)) is amend-
13 ed—

14 (1) by striking “(i) The” and inserting the fol-
15 lowing:

16 “(i) *TRANSPORTATION SAFETY.*—

17 “(1) *REGULATIONS.*—The”; and

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

19 “(2) *WAIVER AUTHORITY.*—

20 “(A) *IN GENERAL.*—The Secretary may
21 waive for a period of up to one year the require-
22 ments of regulations promulgated under para-
23 graph (1) for one or more vehicles used by the
24 agency or its designee in transporting children

1 enrolled in a Head Start program or an Early
2 Head Start program if—

3 “(i) such requirements pertain to child
4 restraint systems and bus monitors;

5 “(ii) the agency demonstrates that
6 compliance with such requirements will re-
7 sult in a significant disruption to the Head
8 Start program or the Early Head Start
9 program; and

10 “(iii) is in the best interest of the
11 child.

12 “(B) RENEWAL.—The Secretary may renew
13 a waiver under subparagraph (A).”.

14 (e) *MIGRANT AND SEASONAL HEAD START PRO-*
15 *GRAMS.*—Section 640(l) of the Head Start Act (42 U.S.C.
16 9835(l)) is amended—

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

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

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

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

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

8 *“(B) The consultations shall be for the purpose of better*
9 *meeting the needs of American Indian and Alaska Native*
10 *children and families pertinent to subsections (a), (b), and*
11 *(c) of section 641, taking into consideration funding alloca-*
12 *tions, distribution formulas, and other issues affecting the*
13 *delivery of Head Start services within tribal communities.*

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

17 *“(D) A detailed report of each consultation shall be*
18 *prepared and made available, on a timely basis, to all trib-*
19 *al governments receiving funds under this subchapter.”.*

20 *(f) ENROLLMENT OF HOMELESS CHILDREN.—Section*
21 *640 of the Head Start Act (42 U.S.C. 9835) is amended*
22 *by adding at the end the following:*

23 *“(m) ENROLLMENT OF HOMELESS CHILDREN.—The*
24 *Secretary shall by regulation prescribe policies and proce-*
25 *dures to remove barriers to the enrollment and participa-*

1 *tion of homeless children in Head Start programs. Such*
2 *regulations shall require Head Start agencies—*

3 “(1) *to implement policies and procedures to en-*
4 *sure that homeless children are identified and*
5 *prioritized for enrollment;*

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

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

16 “(n) *RULE OF CONSTRUCTION.—Nothing in this sub-*
17 *chapter shall be construed to require a State to establish*
18 *a program of early education for children in the State, to*
19 *require any child to participate in a program of early edu-*
20 *cation, to attend school, or to participate in any initial*
21 *screening prior to participation in such program, except*
22 *as provided under section 612(a)(3), (consistent with sec-*
23 *tion 614(a)(1)(C)), of the Individuals with Disabilities*
24 *Education Act.*

1 “(o) *MATERIALS.*—*All curricula and instructional*
 2 *materials funded under this subchapter shall be scientif-*
 3 *ically based and age appropriate. Parents shall have the*
 4 *ability to inspect, upon request, any curricula or instruc-*
 5 *tional materials.”.*

6 **SEC. 7. DESIGNATION OF AGENCIES.**

7 (a) *AUTHORITY TO DESIGNATE.*— *Section 641(a) of*
 8 *the Head Start Act (42 U.S.C. 9836(a)) is amended to read*
 9 *as follows:*

10 “(a) *AUTHORITY TO DESIGNATE.*—

11 “(1) *IN GENERAL.*—*The Secretary is authorized*
 12 *to designate as a Head Start agency any local public*
 13 *or private nonprofit or for-profit agency within a*
 14 *State, including a community-based or faith-based or-*
 15 *ganization that—*

16 “(A) *has power and authority to carry out*
 17 *the purpose of this subchapter and perform the*
 18 *functions set forth in section 642 within a State;*
 19 *and*

20 “(B) *is determined to be capable of plan-*
 21 *ning, conducting, administering, and evaluating,*
 22 *either directly or by other arrangements, a Head*
 23 *Start program.*

24 “(2) *DESIGNATION REQUIREMENTS.*—*To be des-*
 25 *ignated as a Head Start agency and to receive finan-*

1 *cial assistance under this subparagraph, an entity de-*
2 *scribed in sub paragraph (1) shall—*

3 *“(A) establish measurable objectives for—*

4 *“(i) the school readiness of children*
5 *participating in the program under this*
6 *subchapter;*

7 *“(ii) meeting the performance stand-*
8 *ards described in section 641A;*

9 *“(iii) educational instruction in*
10 *prereading, premathematics, and language*
11 *skills; and*

12 *“(iv) the provision of health, edu-*
13 *cational, nutritional, social and other serv-*
14 *ices related to school readiness; and*

15 *“(B) align curricula to challenging State*
16 *developed academic content standards and the*
17 *Head Start Child Outcomes Framework devel-*
18 *oped by the Secretary.*

19 *“(3) ELIGIBILITY FOR SUBSEQUENT FINANCIAL*
20 *ASSISTANCE.—In order to receive financial assistance*
21 *under this subchapter subsequent to the initial finan-*
22 *cial assistance provided following the effective date of*
23 *this subsection, an entity described in paragraph (1)*
24 *shall demonstrate that the entity has met the measur-*
25 *able objectives described in paragraph (2);*

1 “(4) *MEASURING PROGRESS.*—*Progress in meet-*
2 *ing such measurable objectives shall not be measured*
3 *primarily or solely by the results of assessments.*”

4 (b) *PRIORITY IN DESIGNATION.*—*Section 641(c) of the*
5 *Head Start Act (42 U.S.C. 9836(c)) is amended to read*
6 *as follows:*

7 “(c) *CONSULTATION.*—*In the administration of this*
8 *section, the Secretary shall, in consultation with the chief*
9 *executive officer of the State involved, give priority in the*
10 *designation of Head Start agencies to Head Start agencies*
11 *that—*

12 “(1) *are receiving assistance under this sub-*
13 *chapter on the effective date of this subsection;*

14 “(2) *meet or exceed program and financial man-*
15 *agement requirements, standards described in section*
16 *641A(a);*

17 “(3) *meet or exceed the education standards and*
18 *requirements described in section 641A(a)(1)(B);*

19 “(4) *have no unresolved area of noncompliance;*

20 “(5) *have not been deemed deficient since the*
21 *then most recent designation;*

22 “(6) *employ qualified staff (including in center-*
23 *based programs, a teaching staff of whom at least 50*
24 *percent have an associate, baccalaureate, or advanced*
25 *degree in early child education or a related field), ex-*

1 *cept that the Secretary may waive the application of*
2 *this paragraph, for a period not to exceed 3 years, for*
3 *Head Start programs operating in rural areas, for*
4 *migrant and seasonal Head Start programs, and for*
5 *Indian Head Start programs, on a case-by-case basis,*
6 *if the program demonstrates progress in increasing*
7 *the qualifications of teaching staff and demonstrates*
8 *adequate instructional supervision by qualified staff;*

9 *“(7) were not deemed by the Secretary as chron-*
10 *ically under-enrolled since the then most recent des-*
11 *ignation;*

12 *“(8) utilize curricula based on scientifically*
13 *based research, that are aligned with challenging*
14 *State developed academic content standards and the*
15 *Head Start Child Outcomes Framework developed by*
16 *the Secretary;*

17 *“(9) demonstrate active partnerships with local*
18 *educational agencies serving the same communities to*
19 *facilitate smooth transitions to kindergarten;*

20 *“(10) actively implement a memorandum of un-*
21 *derstanding described in section 642B(a) and addi-*
22 *tional collaborative partnerships with organizations*
23 *that enhance the delivery of services to children;*

24 *“(11) demonstrate success in improving child*
25 *outcomes across all domains of development, includ-*

1 *ing measurable progress in language skills,*
2 *prereading knowledge, and premathematics knowl-*
3 *edge;*

4 “(12) *maintain classroom environments con-*
5 *structive to early learning and future school success;*

6 “(13) *demonstrate strong parental involvement*
7 *and activities to develop parent skills to support their*
8 *children’s educational development and ability to*
9 *participate effectively in decisions relating to the edu-*
10 *cation of their children;*

11 “(14) *are overseen by a board described in sec-*
12 *tion 642(b) that provides direction and actively over-*
13 *sees all program activities;*

14 “(15) *document strong fiscal controls, includ-*
15 *ing—*

16 “(A) *the employment of well-qualified fiscal*
17 *staff with a history of successful management of*
18 *a public or private organization;*

19 “(B) *having no reportable material weak-*
20 *nesses with applicable laws and regulations on*
21 *all annual financial audits performed since the*
22 *most recent designation;*

23 “(C) *meeting or exceeding annual require-*
24 *ments for financial support under section 640(b);*
25 *and*

1 “(D) maintaining total administrative costs
2 at or below 15 percent of total program costs;

3 “(16) are licensed to operate in accordance with
4 all applicable State child care regulations;

5 “(17) conduct outreach activities to ensure that
6 services are provided to the most at-risk families in
7 the community;

8 “(18) have developed strong community partner-
9 ships with public and private organizations, such as
10 businesses, health, and social service providers; and

11 “(19) provide opportunities for ongoing profes-
12 sional development.”.

13 (c) *DESIGNATION WHEN NO ENTITY HAS PRIORITY.*—
14 Section 641(d) of the Head Start Act (43 U.S.C. 9836(d))
15 is amended to read as follows:

16 “(d) *DESIGNATION WHEN NO ENTITY HAS PRI-*
17 *ORITY.*—

18 “(1) *IN GENERAL.*—If no entity in a community
19 is entitled to the priority specified in subsection (c),
20 the Secretary shall, after conducting an open competi-
21 tion, designate for a 5-year period a Head Start
22 agency from among qualified applicants in such com-
23 munity.

24 “(2) *CONSIDERATIONS IN DESIGNATION.*—In se-
25 lecting from among qualified applicants for designa-

1 *tion as a Head Start agency, the Secretary shall con-*
2 *sider the effectiveness of each such applicant to pro-*
3 *vide Head Start services, based on—*

4 *“(A) any past performance of such appli-*
5 *cant in providing services comparable to Head*
6 *Start services, including how effectively such ap-*
7 *plicant provided such comparable services;*

8 *“(B) the plan of such applicant to provide*
9 *comprehensive health (including mental and be-*
10 *havioral health), educational, nutritional, social,*
11 *and other services needed to prepare children to*
12 *succeed in school;*

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

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

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

1 “(F) the plan of such applicant to coordi-
2 nate the Head Start program the applicant pro-
3 poses to carry out with other educational pro-
4 grams for young children, including—

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

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

14 “(iii) State prekindergarten programs;

15 “(iv) child care programs;

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

20 “(vi) reading readiness programs such
21 as those conducted by public and school li-
22 braries;

23 “(G) the plan of such applicant to coordi-
24 nate the Head Start program that the applicant
25 proposes to carry out, with public and private

1 *entities that are willing to commit resources to*
2 *assist the Head Start program in meeting its*
3 *program needs;*

4 *“(H) the plan of such applicant—*

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

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

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

1 “(I) family literacy services; and

2 “(II) parenting skills training;

3 “(iv) to offer to parents of partici-
4 pating children, substance abuse counseling
5 (either directly or through referral to local
6 entities), including information on the effect
7 of drug exposure on infants and fetal alco-
8 hol syndrome;

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

12 “(I) training in basic child devel-
13 opment (including cognitive develop-
14 ment);

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

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

20 “(IV) regular in-home visitation;

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

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

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

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

18 “(I) in appropriate cases, includ-
19 ing fathers in home visits and pro-
20 viding opportunities for direct father-
21 child interactions; and

22 “(II) targeting increased male
23 participation in the conduct of the pro-
24 gram;

1 “(I) the ability of such applicant to carry
2 out the plans described in paragraphs (2), (4),
3 and (5);

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

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

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

18 “(M) the plan of such applicant who chooses
19 to assist younger siblings of children who will
20 participate in the Head Start program, to ob-
21 tain health services from other sources;

22 “(N) the plan of such applicant to collabo-
23 rate with other entities carrying out early child-
24 hood education and child care programs in the
25 community;

1 “(O) the plan of such applicant to meet the
2 needs of homeless children, including transpor-
3 tation needs, and children in foster care;

4 “(P) the plan of such applicant to maintain
5 a qualified staff, including a teaching staff
6 qualified to implement research-based edu-
7 cational curricula aligned with challenging
8 State-developed academic content standards, the
9 Head Start Child Outcomes Framework devel-
10 oped by the Secretary, and the State early learn-
11 ing standards in States in which such standards
12 are developed;

13 “(Q) the plan of such applicant to enter
14 into memoranda of understanding with local
15 educational agencies, child care providers, and
16 other entities within the service area; and

17 “(R) other factors related to the require-
18 ments of this subchapter.”.

19 (d) *SELECTION OF APPLICANTS.*—Section 641(g) of the
20 *Head Start Act* (43 U.S.C. 9836(g)) is amended to read
21 as follows:

22 “(g) *ISSUANCE OF RULES.*—Not later than 180 days
23 after the enactment of the *School Readiness Act of 2005*,
24 the Secretary shall issue rules to carry out this section.”.

1 **SEC. 8. QUALITY STANDARDS; MONITORING OF HEAD**
2 **START AGENCIES AND PROGRAMS.**

3 (a) *QUALITY STANDARDS.*—Section 641A(a) of the
4 *Head Start Act (42 U.S.C. 9836a(a))* is amended—

5 (1) *by amending paragraph (1)(B)—*

6 (A) *in clause (i)—*

7 (i) *by inserting “based on sound sci-*
8 *entific evidence” after “standards”; and*

9 (ii) *by inserting “and sustained aca-*
10 *demical gains” after “readiness”; and*

11 (B) *by amending clause (ii) to read as fol-*
12 *lows:*

13 “(i) *additional scientifically-based edu-*
14 *cation standards to ensure that the children par-*
15 *ticipating in the program, at a minimum de-*
16 *velop and demonstrate—*

17 “(I) *language knowledge and skills, in-*
18 *cluding oral language and listening com-*
19 *prehension;*

20 “(II) *prereading knowledge and skills*
21 *that prepare children for early literacy in*
22 *schools, including phonological awareness,*
23 *print awareness and print skills, and al-*
24 *phabetic knowledge;*

25 “(III) *premathematics knowledge and*
26 *skills, including aspects of classification, se-*

1 *riation, number, spatial relations, and*
2 *time;*

3 “(IV) *cognitive abilities related to aca-*
4 *ademic achievement and child development;*

5 “(V) *social and emotional development*
6 *related to early learning, school success, and*
7 *sustained academic gains; and*

8 “(VI) *in the case of limited-English*
9 *proficient children, progress toward acquisi-*
10 *tion of the English language while making*
11 *meaningful progress in attaining the knowl-*
12 *edge, skills, abilities, and development de-*
13 *scribed in subclauses (I) through (IV);”;*

14 (2) *in paragraph (2)—*

15 (A) *by amending subparagraph (B) to read*
16 *as follows:*

17 “(B) *take into consideration—*

18 “(i) *past experience with use of the*
19 *standards in effect under this subchapter on*
20 *October 27, 1998;*

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

1 “(iii) developments concerning research
2 based practices with respect to early child-
3 hood education and development, children
4 with disabilities, family services, program
5 administration, and financial management;

6 “(iv) projected needs of an expanding
7 Head Start program;

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

14 “(vi) changes in the population of chil-
15 dren who are eligible to participate in Head
16 Start programs, including the language
17 background and family structure of such
18 children;

19 “(vii) scientifically based research to
20 ensure that children participating in Head
21 Start programs make a successful transition
22 to schools that the children will be attend-
23 ing; and

24 “(viii) the unique challenges faced by
25 individual programs, including those that

1 are seasonal or short term, and those that
2 serve rural populations; and”;

3 (B) in subparagraph (C)(ii) by striking
4 “the date” and all that follows through “Act of
5 1998”, and inserting “October 27, 1998”; and
6 (3) by adding at the end the following:

7 “(4) *EVALUATIONS AND CORRECTIVE ACTIONS*
8 *FOR DELEGATE AGENCIES.*—

9 “(A) *PROCEDURES.*—The Head Start agen-
10 cy shall establish procedures relating to its dele-
11 gate agencies, including—

12 “(i) procedures for evaluating delegate
13 agencies;

14 “(ii) procedures for defunding delegate
15 agencies; and

16 “(iii) procedures for appealing a
17 defunding decision relating to a delegate
18 agency.

19 “(B) *EVALUATIONS.*—Each Head Start
20 agency—

21 “(i) shall evaluate its delegate agencies
22 using the procedures established pursuant to
23 this section, including subparagraph (A);
24 and

1 “(ii) shall inform the delegate agencies
2 of the deficiencies identified through the
3 evaluation that shall be corrected.

4 “(C) *REMEDIES TO ENSURE CORRECTIVE*
5 *ACTIONS.—If the Head Start agency identifies a*
6 *deficiency for a delegate agency through the eval-*
7 *uation, the Head Start agency may—*

8 “(i) initiate procedures to terminate
9 the designation of the agency unless the
10 agency corrects the deficiency;

11 “(ii) conduct monthly monitoring vis-
12 its to such delegate agency until all defi-
13 ciencies are corrected or the Head Start
14 agency decides to defund such delegate agen-
15 cy; and

16 “(iii) release funds to such delegate
17 agency only as reimbursements until all de-
18 ficiencies are corrected or the Head Start
19 agency decides to defund such delegate agen-
20 cy.

21 “(D) *RULE OF CONSTRUCTION.—Nothing in*
22 *this paragraph shall be construed to impact or*
23 *obviate the responsibilities of the Secretary with*
24 *respect to Head Start agencies or delegate agen-*
25 *cies receiving funding under this subchapter.”.*

1 **(b) RESULTS-BASED PERFORMANCE MEASURES.**—
2 *Section 641A(b) of the Head Start Act (42 U.S.C. 9836a(b))*
3 *is amended—*

4 *(1) by amending paragraph (2) to read as fol-*
5 *lows:*

6 **“(2) CHARACTERISTICS OF MEASURES.**—*The*
7 *performance measures developed under this subsection*
8 *shall—*

9 *“(A) be used to assess the impact of the var-*
10 *ious services provided by Head Start programs*
11 *and, to the extent the Secretary finds appro-*
12 *priate, administrative and financial manage-*
13 *ment practices of such programs;*

14 *“(B) be adaptable for use in self-assessment,*
15 *peer review, and program evaluation of indi-*
16 *vidual Head Start agencies and programs;*

17 *“(C) be developed for other program pur-*
18 *poses as determined by the Secretary;*

19 *“(D) be appropriate for the population*
20 *served; and*

21 *“(E) be reviewed no less than every 4 years,*
22 *based on advances in the science of early child-*
23 *hood development.*

1 *The performance measures shall include the perform-*
2 *ance standards described in subparagraphs (A) and*
3 *(B) of subsection (a)(1).”;*

4 *(2) by amending paragraph (3) to read as fol-*
5 *lows:*

6 “(3) *USE OF MEASURES.—*

7 “(A) *The Secretary shall use the perform-*
8 *ance measures pursuant to this subsection to*
9 *identify—*

10 “(i) *strengths and weaknesses in the*
11 *operation of Head Start programs nation-*
12 *ally, regionally, and locally; and*

13 “(ii) *program areas that may require*
14 *additional training and technical assistance*
15 *resources.*

16 “(B) *The Secretary shall provide a detailed*
17 *justification to the Congress regarding the*
18 *planned uses of the data collected by the Na-*
19 *tional Reporting System developed by the Sec-*
20 *retary and shall demonstrate its scientific valid-*
21 *ity and reliability for such purposes, including*
22 *its scientific validity and reliability with chil-*
23 *dren with limited English proficiency for such*
24 *purposes;*

1 “(C) *The Secretary shall not use the Na-*
2 *tional Reporting System assessment results ei-*
3 *ther as the primary method for assessing pro-*
4 *gram effectiveness or as the primary method for*
5 *making grantee funding determinations.*

6 “(D) *The Secretary shall develop a process*
7 *to ensure that the National Reporting System*
8 *shall not be used to exclude children from Head*
9 *Start programs.”; and*

10 (3) *by amending paragraph (4) to read as fol-*
11 *lows:*

12 “(4) *EDUCATIONAL MEASURES.—Results based*
13 *measures shall be designed for the purpose of pro-*
14 *moting the competencies of children participating in*
15 *Head Start programs specified in subsection*
16 *(a)(1)(B)(ii), with an emphasis on measuring those*
17 *competencies that have a strong scientifically-based*
18 *predictability of a child’s school readiness and later*
19 *performance in school.”.*

20 (c) *MONITORING OF LOCAL AGENCIES AND PRO-*
21 *GRAMS.—Section 641A(c) of the Head Start Act (42 U.S.C.*
22 *9836a(c)) is amended—*

23 (1) *in paragraph (1)—*

1 (A) in the matter preceding subparagraph
2 (A) by inserting “develop and utilize a risk-
3 based assessment system to” after “shall”;

4 (B) by amending subparagraph (C) to read
5 as follows:

6 “(C) Followup reviews, including unan-
7 nounced reviews as appropriate, of programs
8 with 1 or more findings of deficiencies not later
9 than 6 months after the date of such finding.”;
10 and

11 (C) by amending subparagraph (D) to read
12 as follows:

13 “(D) Unannounced site inspections of Head
14 Start centers and other reviews, as appro-
15 priate.”;

16 (2) by amending paragraph (2) to read as fol-
17 lows:

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

21 “(A) that incorporate a monitoring visit,
22 may be done without prior notice of the visit to
23 the local agency or program;

24 “(B) are conducted by review teams com-
25 posed of individuals who are knowledgeable

1 *about the program areas they are reviewing and,*
2 *to the maximum extent practicable, the diverse*
3 *(including linguistic and cultural) needs of eligi-*
4 *ble children (including children with disabilities)*
5 *and limited-English proficient children and their*
6 *families;*

7 “(C) include as part of the reviews of the
8 programs, a review and assessment of program
9 effectiveness, including strengths and areas for
10 improvement, as measured in accordance with
11 the results-based performance measures developed
12 by the Secretary pursuant to subsection (b) and
13 with the standards established pursuant to sub-
14 paragraphs (A) and (B) of subsection (a)(1);

15 “(D) seek information from the commu-
16 nities and the States involved about the perform-
17 ance of the programs and the efforts of the Head
18 Start agencies to collaborate with other entities
19 carrying out early childhood education and child
20 care programs in the community;

21 “(E) seek information from the communities
22 where Head Start programs exist about innova-
23 tive or effective collaborative efforts, barriers to
24 collaboration, and the efforts of the Head Start
25 agencies and programs to collaborate with the

1 *entities carrying out early childhood education*
2 *and child care programs in the community;*

3 *“(F) include as part of the reviews of the*
4 *programs, a review and assessment of whether a*
5 *program is in conformity with the income eligi-*
6 *bility requirements, as defined in section 645*
7 *and regulations promulgated thereunder;*

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

15 *“(H) include as part of the review the ex-*
16 *tent to which the program addresses the commu-*
17 *nity needs and strategic plan identified in sec-*
18 *tion 640(g)(2)(C); and*

19 *“(I) are conducted in a manner that evalu-*
20 *ates program performance, quality, and overall*
21 *operations with consistency and objectivity, and*
22 *based on a transparent and reliable system of re-*
23 *view.”.*

1 (d) *CORRECTIVE ACTION; TERMINATION.*—Section
2 641A(d) of the Head Start Act (42 U.S.C. 9836a(d)) is
3 amended—

4 (1) in paragraph (1) by amending the matter
5 preceding subparagraph (A) to read as follows:

6 “(1) *DETERMINATION.*—If the Secretary deter-
7 mines, on the basis of a review pursuant to subsection
8 (c), that a Head Start agency designated pursuant to
9 section 641 fails to meet the standards described in
10 subsection (a) or results-based performance measures
11 developed by the Secretary under subsection (b), or
12 fails to adequately address the community needs and
13 strategic plan identified in 640(g)(2)(C), the Sec-
14 retary shall—”;

15 (2) by amending paragraph (2) to read as fol-
16 lows:

17 “(2) *QUALITY IMPROVEMENT PLAN.*—

18 “(A) *AGENCY AND PROGRAM RESPONSIBIL-*
19 *ITIES.*—In order to retain a designation as a
20 Head Start agency under this subchapter, or in
21 the case of a Head Start program, in order to
22 continue to receive funds from such agency, a
23 Head Start agency, or Head Start program that
24 is the subject of a determination described in
25 paragraph (1) (other than an agency or program

1 *required to correct a deficiency immediately or*
2 *during a 90-day period under clause (i) or (ii)*
3 *of paragraph (1)(B)) shall—*

4 “(i) *develop in a timely manner, a*
5 *quality improvement plan that shall be sub-*
6 *ject to the approval of the Secretary, or in*
7 *the case of a program, the sponsoring agen-*
8 *cy, and which shall specify—*

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

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

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

16 “(ii) *eliminate each deficiency identi-*
17 *fied, not later than the date for elimination*
18 *of such deficiency specified in such plan*
19 *(which shall not be later than 1 year after*
20 *the date the agency or program received no-*
21 *tice of the determination and of the specific*
22 *deficiency to be corrected).*

23 “(B) *SECRETARIAL RESPONSIBILITY.—Not*
24 *later than 30 days after receiving from a Head*
25 *Start agency a proposed quality improvement*

1 *plan pursuant to subparagraph (A), the Sec-*
2 *retary shall either approve such proposed plan or*
3 *specify the reasons why the proposed plan cannot*
4 *be approved.*

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

13 *(3) in paragraph (3) by inserting “and pro-*
14 *grams” after “agencies”;*

15 *(4) by amending subsection (e) to read as fol-*
16 *lows:*

17 *“(e) SUMMARIES OF MONITORING OUTCOMES.—Not*
18 *later than 120 days after the end of each fiscal year, the*
19 *Secretary shall publish a summary report on the findings*
20 *of reviews conducted under subsection (c) and on the out-*
21 *comes of quality improvement plans implemented under*
22 *subsection (d), during such fiscal year. Such information*
23 *shall be made available to all parents with children receiv-*
24 *ing assistance under this subchapter in an understandable*
25 *and uniform format, and to the extent practicable, provided*

1 *in a language that the parents can understand, and in ad-*
 2 *dition, make the information widely available through pub-*
 3 *lic means such as distribution through public agencies, and*
 4 *at a minimum posting such information on the Internet*
 5 *immediately upon publication.”; and*

6 (5) *by adding at the end the following:*

7 “(f) *REDUCTION OF GRANTS AND REDISTRIBUTION OF*
 8 *FUNDS IN CASES OF UNDER-ENROLLMENT.—*

9 “(1) *DEFINITIONS.—In this subsection:*

10 “(A) *ACTUAL ENROLLMENT.—The term ‘ac-*
 11 *tual enrollment’ means, with respect to the pro-*
 12 *gram of a Head Start agency, the actual number*
 13 *of children enrolled in such program and re-*
 14 *ported by the agency (as required in paragraph*
 15 *(2)) in a given month.*

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

19 “(i) *from amounts reserved for use in*
 20 *accordance with section 640(a)(2)(A), for a*
 21 *Head Start agency administering an In-*
 22 *Indian Head Start program or migrant and*
 23 *seasonal Head Start program;*

24 “(ii) *from amounts reserved for pay-*
 25 *ments under section 640(a)(2)(B); or*

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

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

11 “(2) *ENROLLMENT REPORTING REQUIREMENT*
12 *FOR CURRENT FISCAL YEAR*.—Each entity carrying
13 out a Head Start program shall report on a monthly
14 basis to the Secretary and the relevant Head Start
15 agency—

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

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

21 “(3) *SECRETARIAL REVIEW AND PLAN*.—The Sec-
22 retary shall—

23 “(A) on a semiannual basis, determine
24 which Head Start agencies are operating with
25 an actual enrollment that is less than the funded

1 enrollment based on not less than the average of
2 4 consecutive months of data;

3 “(B) for each such Head Start agency oper-
4 ating a program with an actual enrollment that
5 is less than 95 percent of its funded enrollment,
6 as determined under subparagraph (A), develop,
7 in collaboration with such agency, a plan and
8 timetable for reducing or eliminating under-en-
9 rollment taking into consideration—

10 “(i) the quality and extent of the out-
11 reach, recruitment, and community needs
12 assessment conducted by such agency;

13 “(ii) changing demographics, mobility
14 of populations, and the identification of
15 new underserved low-income populations;

16 “(iii) facilities-related issues that may
17 impact enrollment;

18 “(iv) the ability to provide full-day
19 programs, where needed, through Head
20 Start funds or through collaboration with
21 entities carrying out other preschool or
22 child care programs, or programs with
23 other funding sources (where available);

24 “(v) the availability and use by fami-
25 lies of other preschool and child care options

1 *(including parental care) in the local*
2 *catchment area; and*

3 *“(vi) agency management procedures*
4 *that may impact enrollment; and*

5 *“(C) provide timely and ongoing technical*
6 *assistance to each agency described in subpara-*
7 *graph (B) for the purpose of implementing the*
8 *plan described in such subparagraph.*

9 *“(4) IMPLEMENTATION.—Upon receipt of the*
10 *technical assistance described in paragraph (3)(C), a*
11 *Head Start agency shall immediately implement the*
12 *plan described in paragraph (3)(B).*

13 *“(5) SECRETARIAL ACTION FOR CONVERSION TO*
14 *SERVE YOUNGER CHILDREN.—If, after implementing*
15 *the plan described in paragraph (3)(B), the grantee*
16 *continues to operate a program at less than full en-*
17 *rollment, the grantee may, upon approval by the Sec-*
18 *retary, be permitted to use a portion of the base grant*
19 *equal to the percentage difference between funded en-*
20 *rollment and actual enrollment for the most then re-*
21 *cent year, to serve persons described in section*
22 *645A(c) if such agency currently operates a grant de-*
23 *scribed in section 645A and submits an application*
24 *containing—*

1 “(A) evidence of community need for such
2 services;

3 “(B) a description of how the needs of preg-
4 nant women, infants, and toddlers will be ad-
5 dressed in accordance with section 645A(b) and
6 with regulations prescribed by the Secretary pur-
7 suant to section 641A in areas including—

8 “(i) the approach to childhood develop-
9 ment and health services; and

10 “(ii) the approach to family and com-
11 munity partnerships; and approach to pro-
12 gram design and management;

13 “(C) assurances that the agency will par-
14 ticipate in technical assistance activities for
15 newly funded and existing grantees under section
16 654A; and

17 “(D) evidence that the agency meets the eli-
18 gibility criteria as grantees under section 645A.

19 Any grantee permitted to serve children under this
20 paragraph shall be subject to the rules, regulations,
21 and conditions under section 645A.

22 “(6) SECRETARIAL ACTION FOR CONTINUED
23 UNDER-ENROLLMENT.—If, 1 year after the date of im-
24 plementation of the plan described in paragraph
25 (3)(B), the Head Start agency continues to operate a

1 *program at less than full enrollment, the Secretary*
2 *shall, where determined appropriate, continue to pro-*
3 *vide technical assistance to such agency.*

4 *“(7) SECRETARIAL REVIEW AND ADJUSTMENT*
5 *FOR CHRONIC UNDER-ENROLLMENT.—*

6 *“(A) IN GENERAL.—If, after receiving tech-*
7 *nical assistance and developing and imple-*
8 *menting a plan to the extent described in para-*
9 *graphs (3), (4), and (5) for 6 months, a Head*
10 *Start agency is still operating a program with*
11 *an actual enrollment that is less than 95 percent*
12 *of its funded enrollment, the Secretary may—*

13 *“(i) designate such agency as chron-*
14 *ically under-enrolled; and*

15 *“(ii) recapture, withhold, or reduce the*
16 *base grant for the program by, a percentage*
17 *equal to the percentage difference between*
18 *funded enrollment and actual enrollment for*
19 *the program for the most recent year in*
20 *which the agency is determined to be under-*
21 *enrolled under paragraph (2)(B).*

22 *“(B) WAIVER OR LIMITATION OF REDUC-*
23 *TIONS.—If the Secretary, after the implementa-*
24 *tion of the plan described in paragraph (3)(B),*
25 *finds that—*

1 “(i) *the shortfall can reasonably be ex-*
2 *pected to be temporary; or*

3 “(ii) *the number of slots allotted to the*
4 *agency is small enough that under-enroll-*
5 *ment does not constitute a significant short-*
6 *fall,*

7 *the Secretary may, as appropriate, waive or re-*
8 *duce the percentage recapturing, withholding, or*
9 *reduction otherwise required by subparagraph*
10 *(A).*

11 “(C) *PROCEDURAL REQUIREMENTS; EFFEC-*
12 *TIVE DATE.—The actions taken by the Secretary*
13 *under this paragraph with respect to a Head*
14 *Start agency shall take effect 1 day after the date*
15 *on which—*

16 “(i) *the time allowed for appeal under*
17 *section 646(a) expires without an appeal by*
18 *the agency; or*

19 “(ii) *the action is upheld in an admin-*
20 *istrative hearing under section 646.*

21 “(8) *REDISTRIBUTION OF FUNDS.—*

22 “(A) *IN GENERAL.—Funds held by the Sec-*
23 *retary as a result of recapturing, withholding, or*
24 *reducing a base grant in accordance with para-*

1 *graph (6) in a fiscal year shall be redistributed*
2 *in such fiscal year as follows:*

3 “(i) *If such funds are attributable to*
4 *the portion of a base grant derived from*
5 *amounts specified in paragraph (1)(B)(i)*
6 *payable, but for the operation of this para-*
7 *graph, to carry out an Indian Head Start*
8 *program, then such funds shall be redistrib-*
9 *uted to increase enrollment in such fiscal*
10 *year in 1 or more Indian Head Start pro-*
11 *grams.*

12 “(ii) *If such funds are attributable to*
13 *the portion of a base grant derived from*
14 *amounts specified in paragraph (1)(B)(i)*
15 *payable, but for the operation of this para-*
16 *graph, to carry out a migrant and seasonal*
17 *Head Start program, then such funds shall*
18 *be redistributed to increase enrollment in*
19 *such fiscal year in 1 or more migrant and*
20 *seasonal Head Start programs.*

21 “(iii) *If such funds are attributable to*
22 *the portion of a base grant derived from*
23 *amounts specified in clause (ii) or (iii) of*
24 *paragraph (1)(B) payable, but for the oper-*
25 *ation of this paragraph, to carry out a*

1 *Head Start program (excluding Indian*
2 *Head Start programs, and migrant and*
3 *seasonal Head Start programs) in a State,*
4 *then such funds shall be redistributed to in-*
5 *crease enrollment in such fiscal year in 1 or*
6 *more—*

7 “(I) *other Head Start programs*
8 *(excluding Indian Head Start pro-*
9 *grams and migrant and seasonal Head*
10 *Start programs) that are carried out*
11 *in such State; or*

12 “(II) *if the Secretary determines*
13 *that children eligible under section 641*
14 *are being adequately served within*
15 *such State, 1 or more Early Head*
16 *Start programs (excluding Indian*
17 *Head Start programs and migrant*
18 *and seasonal Head Start programs) or*
19 *1 or more Head Start programs for the*
20 *purpose of becoming a grantee pursu-*
21 *ant to section 645A.*

22 “(B) *ADJUSTMENT TO FUNDED ENROLL-*
23 *MENT.—The Secretary shall adjust as necessary*
24 *the requirements relating to funded enrollment*
25 *indicated in the grant agreement of a Head*

1 *Start agency receiving funds redistributed under*
2 *this paragraph.”.*

3 **SEC. 9. POWERS AND FUNCTIONS OF HEAD START AGEN-**
4 **CIES.**

5 (a) *QUALIFICATIONS FOR DESIGNATION.*—Section
6 *642(b) of the Head Start Act (42 U.S.C. 9837(b)) is amend-*
7 *ed to read as follows:*

8 “(b) *In order to be so designated, a Head Start agency*
9 *shall do all of the following:—*

10 “(1) *Establish a program with standards set*
11 *forth in section 641A(a)(1), with particular attention*
12 *to the standards set forth in subparagraphs (A) and*
13 *(B) of such section.*

14 “(2) *Demonstrate capacity to serve eligible chil-*
15 *dren with scientifically-based curricula and other*
16 *interventions that help promote the school readiness of*
17 *children participating in the program.*

18 “(3) *Establish effective procedures by which par-*
19 *ents and area residents concerned will be enabled to*
20 *directly participate in decisions that influence the*
21 *character of programs affecting their interests.*

22 “(4) *Establish an independent board of directors*
23 *selected from among eligible individuals who shall*
24 *serve on the board (or may designate an existing enti-*
25 *ty whose members are eligible individuals, that shall*

1 *be such board) for a period not to exceed 5 years, ex-*
2 *cept that board members who oversee a public entity*
3 *and who are selected by election (or members of a*
4 *board of a local educational agency or a local council,*
5 *appointed by an elected official or an official of a*
6 *general purpose local government), may serve for such*
7 *period as may be determined by the electing or ap-*
8 *pointing authority, as the case may be. An individual*
9 *who has a conflict of interest is ineligible to serve as*
10 *a member of the board. Members of the board of all*
11 *nonpublic entities shall include representatives of the*
12 *local community (including at least 1 member with*
13 *significant financial management or accounting expe-*
14 *rience and the chair of the council described in sec-*
15 *tion 642(b)(4)(B)(ii)). Additional members shall be*
16 *selected for their expertise in education, business ad-*
17 *ministration, community affairs, government, legal*
18 *affairs, and such other areas of expertise as may con-*
19 *tribute to effective governance of the Head Start agen-*
20 *cy. All members of the board shall receive training in*
21 *the management responsibilities and obligations, eth-*
22 *ics, and financial literacy and management, and*
23 *shall adopt practices that assure active, independent*
24 *and informed governance of the Head Start agency,*
25 *including independent oversight of the financial and*

1 *management practices of such agency. The board shall*
2 *provide direction to the executive director of the Head*
3 *Start agency and shall operate as an entity inde-*
4 *pendent of staff employed by the Head start agency,*
5 *entity, or applicant and have the following duties and*
6 *responsibilities:*

7 *“(A) To provide independent oversight to*
8 *ensure that the Head Start agency under the di-*
9 *rection of the executive director is delivering high*
10 *quality services to children and families in com-*
11 *pliance with all applicable standards in effect*
12 *under this subchapter and with the applicable*
13 *performance measures established by the Sec-*
14 *retary under section 644.*

15 *“(B) To establish 2 or more standing com-*
16 *mittees to facilitate governance of the Head Start*
17 *agency which shall include both of the following:*

18 *“(i) An audit and finance committee*
19 *whose primary responsibility shall be—*

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

22 *“(II) to review and recommend to*
23 *the board the selection of independent*
24 *auditors who shall report all critical*

1 *accounting policies and practices to the*
2 *finance and audit committee;*

3 *“(III) to review and recommend*
4 *to the board the termination or exten-*
5 *sion of the existing audit firm at least*
6 *once every 5 years;*

7 *“(IV) to review and advise the*
8 *board of the audit management letter*
9 *provided pursuant to the chapter 75 of*
10 *title 31 of the United States Code, and*
11 *of any audit findings; and*

12 *“(V) to monitor agency actions to*
13 *correct any such audit findings or*
14 *other actions necessary to comply with*
15 *applicable laws (including regulations)*
16 *governing financial statements and ac-*
17 *counting practices.*

18 *“(ii) A policy council, a majority of*
19 *whose representatives shall be parents of*
20 *children participating in a Head Start pro-*
21 *gram or in an Early Head Start program,*
22 *or of children who participated in a Head*
23 *Start program or in an Early Head Start*
24 *program in the then most recent 5-year pe-*
25 *riod preceding the selection of the particular*

1 *representative involved, and whose primary*
2 *responsibility shall be to serve as a link be-*
3 *tween parents and the board of directors*
4 *and to make and submit recommendations*
5 *on the following activities to the Board:*

6 *“(I) The strategic direction of the*
7 *program, including long and short-*
8 *term planning goals and objectives.*

9 *“(II) Program operation policies,*
10 *including standards of conduct for pro-*
11 *gram staff and volunteers.*

12 *“(III) Activities to support the ac-*
13 *tive involvement of parents in sup-*
14 *porting program operations.*

15 *“(IV) Classroom activities and*
16 *staffing.*

17 *“(V) Program responsiveness to*
18 *community and parent needs.*

19 *“(VI) Other areas the committee*
20 *identifies as necessary to improve pro-*
21 *gram operations.*

22 *“(C) To approve the selection and dismissal*
23 *of the Head Start director, and to review annu-*
24 *ally the human resources available to ensure the*
25 *effective operation of the Head Start agency.*

1 “(D) To consult, on a regular basis, with
2 the policy committee and to take actions on rec-
3 ommendations submitted by such committee.

4 “(E) To review and approve the major
5 operational policies of the Head Start agency,
6 including policies addressing accounting, finan-
7 cial management, procurement, record confiden-
8 tiality, and personnel (including specific stand-
9 ards governing salaries, salary adjustments,
10 travel and per diem allowances, and other em-
11 ployee benefits).

12 “(F) To ensure that the Head Start agency
13 is operated in compliance with applicable Fed-
14 eral, State, and local laws (including regula-
15 tions), and to monitor agency implementation of
16 any corrective action necessary to comply with
17 applicable laws (including regulations);

18 “(G) To oversee the program planning of
19 the Head Start agency, including adoption of the
20 Head Start agency philosophy and mission
21 statement, adoption of policies for determining
22 community needs, setting long- and short-range
23 goals and objectives, establishment of criteria for
24 selecting families in Head Start programs or
25 Early Head Start programs, and to oversee and

1 *approve the agency’s applications to receive*
2 *funds made available under this subchapter; and*

3 “(H) *To establish, to adopt, and to periodically*
4 *update written standards of conduct that*
5 *establish standards and formal procedures for*
6 *disclosing, addressing, and resolving—*

7 “(i) *any conflict of interest, and any*
8 *appearance of a conflict of interest, by*
9 *board members, officers, employees, consultants,*
10 *and agents who provide services or*
11 *furnish goods to the Head Start agency; and*

12 “(ii) *complaints, including investigations,*
13 *when appropriate.*

14 “(5) *To seek the involvement of parents, area*
15 *residents, and local business in the design and implementation*
16 *of the program.*

17 “(6) *To provide technical and other support*
18 *needed to enable parents and area residents to secure*
19 *on their own behalf available assistance from public*
20 *and private sources.*

21 “(7) *To establish effective procedures to facilitate*
22 *the involvement of parents of participating children*
23 *in activities designed to help such parents become full*
24 *partners in the education of their children, and to afford*
25 *such parents the opportunity to participate in*

1 *the development and overall conduct of the program*
2 *at the local level, including a process through which*
3 *parents of children currently participating in a Head*
4 *Start program or an Early Head Start program se-*
5 *lect the parent representatives to serve on the council*
6 *under section 642(b)(4)(B)(ii).*

7 *“(8) To conduct outreach to schools in which*
8 *children participating in Head Start programs en-*
9 *roll, local educational agencies, the local business*
10 *community, community-based organizations, faith-*
11 *based organizations, museums, and libraries to gen-*
12 *erate support and leverage the resources of the entire*
13 *local community in order to improve school readiness.*

14 *“(9) To offer (directly or through referral to local*
15 *entities, such as entities carrying out Even Start pro-*
16 *grams under subpart 3 of part B of title I of the Ele-*
17 *mentary and Secondary Education Act of 1965 (20*
18 *U.S.C. 2741 et seq.)), to parents of participating chil-*
19 *dren, family literacy services and parenting skills*
20 *training.*

21 *“(10) To offer to parents of participating chil-*
22 *dren substance abuse counseling (either directly or*
23 *through referral to local entities), including informa-*
24 *tion on drug-exposed infants and fetal alcohol syn-*
25 *drome.*

1 “(11) *At the option of such agency, to offer (di-*
2 *rectly or through referral to local entities), to such*
3 *parents—*

4 “(A) *training in basic child development*
5 *(including cognitive development);*

6 “(B) *assistance in developing literacy and*
7 *communication skills;*

8 “(C) *opportunities to share experiences with*
9 *other parents (including parent-mentor relation-*
10 *ships);*

11 “(D) *mental and behavioral health services;*

12 “(E) *regular in-home visitation; or*

13 “(F) *any other activity designed to help*
14 *such parents become full partners in the edu-*
15 *cation of their children.*

16 “(12) *To provide, with respect to each partici-*
17 *pating family, a family needs assessment that in-*
18 *cludes consultation with such parents about the bene-*
19 *fits of parent involvement and about the activities de-*
20 *scribed in paragraphs (5) through (8) in which such*
21 *parents may choose to be involved (taking into con-*
22 *sideration their specific family needs, work schedules,*
23 *and other responsibilities).*

24 “(13) *To consider providing services to assist*
25 *younger siblings of children participating in its Head*

1 *Start program to obtain health services from other*
2 *sources.*

3 “(14) *To perform community outreach to encour-*
4 *age individuals previously unaffiliated with Head*
5 *Start programs to participate in its Head Start pro-*
6 *gram as volunteers.*

7 “(15)(A) *To inform custodial parents in single-*
8 *parent families that participate in programs, activi-*
9 *ties, or services carried out or provided under this*
10 *subchapter about the availability of child support*
11 *services for purposes of establishing paternity and ac-*
12 *quiring child support; and*

13 “(B) *refer eligible parents to the child support*
14 *offices of State and local governments.*

15 “(16) *provide parents of limited English pro-*
16 *ficent children outreach and services under this sub-*
17 *chapter, in an understandable and uniform format*
18 *and, to the extent practicable, in a language that such*
19 *parents can understand.”.*

20 (b) *COORDINATION AND COLLABORATION.*—*Section*
21 *642(c) of the Head Start Act (42 U.S.C. 9837(c)) is amend-*
22 *ed to read as follows:*

23 “(c) *The head of each Head Start agency shall coordi-*
24 *nate and collaborate with the State agency responsible for*
25 *administering the State program carried out under the*

1 *Child Care and Development Block Grant Act of 1990 (42*
2 *U.S.C. 9858 et seq.), and other early childhood education*
3 *and development programs, including programs under sub-*
4 *title B of title VII of the McKinney-Vento Homeless Assist-*
5 *ance Act (42 U.S.C. 11431–11435), Even Start programs*
6 *under subpart 3 of part B of title I of the Elementary and*
7 *Secondary Education Act of 1965 (20 U.S.C. 2741 et seq.),*
8 *and programs under Part C and section 619 of the Individ-*
9 *uals with Disabilities Education Act (20 U.S.C. 1431–1445,*
10 *1419), and the Child Abuse Prevention and Treatment Act*
11 *(42 U.S.C. 5106a), serving the children and families served*
12 *by the Head Start agency to carry out the provisions of*
13 *this subchapter.”.*

14 (c) *OTHER COORDINATION.*—Section 642(d) of the
15 *Head Start Act (42 U.S.C. 9837(d)) is amended—*

16 (1) *by redesignating paragraphs (2) through (4)*
17 *as paragraph (5) through (7), respectively;*

18 (2) *by inserting after paragraph (1) the fol-*
19 *lowing:*

20 “(2) *COORDINATION.*—

21 “(A) *LOCAL EDUCATIONAL AGENCY.*—*In*
22 *communities where both public prekindergarten*
23 *programs and Head Start programs operate, a*
24 *Head Start agency shall collaborate and coordi-*
25 *nate activities with the local educational agency*

1 or other public agency responsible for the oper-
2 ation of the prekindergarten program and pro-
3 viders of prekindergarten, including outreach ac-
4 tivities to identify eligible children.

5 “(B) *ELEMENTARY SCHOOLS.*—*Head Start*
6 *staff shall, with the permission of the parents of*
7 *children enrolled in Head Start programs, regu-*
8 *larly communicate with the elementary schools*
9 *such children will be attending—*

10 “(i) *to share information about such*
11 *children;*

12 “(ii) *to receive advice and support*
13 *from the teachers in such elementary schools*
14 *participating in Early Reading First pro-*
15 *grams funded under subpart 1 of part B of*
16 *title I of the Elementary and Secondary*
17 *Education Act of 1965 regarding scientif-*
18 *ically based teaching strategies and options;*
19 *and*

20 “(iii) *to ensure a smooth transition to*
21 *elementary school for such children.*

22 “(C) *OTHER EARLY EDUCATION AND CHILD*
23 *DEVELOPMENT PROGRAMS.*—*The head of each*
24 *Head Start agency shall coordinate activities*
25 *and collaborate with the State agency responsible*

1 *for administering the State program carried out*
2 *under the Child Care and Development Block*
3 *Grant Act of 1990 (42 U.S.C. 9858 et seq.), and*
4 *other entities carrying out early childhood edu-*
5 *cation and development programs, programs*
6 *under subtitle B of title VII of the McKinney-*
7 *Vento Homeless Assistance Act (42 U.S.C.*
8 *11431–11435), Even Start programs under sub-*
9 *part 3 of part B of title I of the Elementary and*
10 *Secondary Education Act of 1965 (20 U.S.C.*
11 *6381 et seq.), and programs under section 619*
12 *and part C of the Individuals with Disabilities*
13 *Education Act (20 U.S.C 1419, 1431 et seq.),*
14 *serving the children and families served by the*
15 *Head Start agency.*

16 “(D) *OTHER PROGRAMS.*—*Each Head Start*
17 *agency shall collaborate, as appropriate, with*
18 *providers of social and community services*
19 *available to children and families participating*
20 *in Head Start programs, and may support such*
21 *partnerships with financial agreements, when*
22 *applicable, for the provision of such services.*

23 “(3) *COLLABORATION.*—*A Head Start agency*
24 *shall take steps to coordinate activities with the local*
25 *educational agency serving the community involved*

1 *and with schools in which children participating in*
2 *a Head Start program operated by such agency will*
3 *enroll following such program, including—*

4 “(A) *collaborating on the shared use of*
5 *transportation and facilities;*

6 “(B) *collaborating to enhance the efficiency*
7 *of services while increasing the program partici-*
8 *pation of underserved populations of eligible*
9 *children; and*

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

12 “(4) *PARENTAL INVOLVEMENT.—In order to pro-*
13 *mote the continued involvement of the parents (in-*
14 *cluding grandparents and kinship caregivers, as ap-*
15 *propriate) of children that participate in Head Start*
16 *programs in the education of their children upon*
17 *transition to school, the Head Start agency shall work*
18 *with the local educational agency—*

19 “(A) *to provide training to the parents—*

20 “(i) *to inform the parents about their*
21 *rights and responsibilities concerning the*
22 *education of their children; and*

23 “(ii) *to enable the parents—*

1 “(I) to understand and work with
2 schools in order to communicate with
3 teachers and other school personnel;

4 “(II) to support the schoolwork of
5 their children; and

6 “(III) to participate as appro-
7 priate in decisions relating to the edu-
8 cation of their children; and

9 “(B) to take other actions, as appropriate
10 and feasible, to support the active involvement of
11 the parents with schools, school personnel, and
12 school-related organizations.”;

13 (3) in paragraph (5), as so redesignated—

14 (A) by striking “A” and inserting “Each”;

15 (B) by striking “may” and inserting
16 “shall”;

17 (C) by striking “and” at the end of sub-
18 paragraph (A);

19 (D) by redesignating subparagraph (B) as
20 subparagraph (C); and

21 (E) by inserting after subparagraph (A) the
22 following:

23 “(B) collaborating to increase the program par-
24 ticipation of underserved populations of eligible chil-
25 dren; and”;

1 (4) *by adding at the end the following:*

2 “(8) *Head Start agencies shall implement a research-*
3 *based early childhood curricula that promotes young chil-*
4 *dren’s school readiness in the areas of language and cog-*
5 *nitive development, early reading and premathematics*
6 *skills, socio-emotional skills, physical development, and ap-*
7 *proaches to learning. Such curricula shall be—*

8 “(A) *based on scientifically based research and*
9 *have standardized training procedures and published*
10 *curriculum materials to support implementation; and*

11 “(B) *comprehensive, outcomes based, and linked*
12 *to ongoing assessment with instructional goals and*
13 *measurable objectives.*

14 “(9) *Head Start agencies shall use ongoing, research-*
15 *based assessment methods that are developmentally appro-*
16 *priate, culturally and linguistically responsive, and tied to*
17 *children’s daily activities in order to support the edu-*
18 *cational instruction of children in the program, including*
19 *language skills, prereading knowledge and premathematics*
20 *knowledge. Assessment instruments shall be those designed*
21 *and validated for making decisions about teaching and*
22 *learning and aligned with the program’s curricula and Sec-*
23 *tion 641A(a)(1).*

24 “(10) *For the purpose of meeting the performance*
25 *standards, Head Start agencies shall use high-quality re-*

1 *search-based developmental screening tools that have been*
2 *demonstrated to be standardized, reliable, valid, and accu-*
3 *rate for children from a range of racial, ethnic, linguistic,*
4 *and cultural backgrounds.”.*

5 *(d) ASSESSMENT.—Section 642 of the Head Start Act*
6 *(42 U.S.C. 9837) is amended by striking subsection (e) and*
7 *inserting the following:*

8 *“(e) ASSESSMENT.—Each Head Start agency shall*
9 *adopt, in consultation with experts in child development*
10 *and with classroom teachers, an assessment to be used when*
11 *hiring or evaluating any classroom teacher in a center-*
12 *based Head Start program. Such assessment shall measure*
13 *whether such teacher has mastered the functions described*
14 *in section 648A(a)(1) and attained a level of literacy appro-*
15 *priate to implement Head Start curricula.*

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

21 **SEC. 10. LOCAL AND STATE INTEGRATION OF EARLY CHILD-**
22 **HOOD EDUCATION.**

23 *The Head Start Act (42 U.S.C. 9831 et. seq.) is*
24 *amended 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, State-funded preschool and other*
6 *early childhood programs. Head Start agencies shall oper-*
7 *ate in a manner consistent with the goal of creating and*
8 *expanding an efficient and effective system of early child-*
9 *hood and school readiness services in each State and com-*
10 *munity, while maintaining compliance with Standards*
11 *under section 641A(a).*

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

22 “(A) *Educational activities, curricula, and*
23 *instruction aligned to challenging State devel-*
24 *oped educational activities, curricula, and in-*
25 *struction aligned to challenging State developed*
26 *academic content standards.*

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

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

6 “(D) *Service delivery areas.*

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

11 “(F) *Program technical assistance.*

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

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

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

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

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

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

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

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

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

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

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

10 “(B) *If the Secretary determines the Head*
11 *Start agency is not making reasonable efforts to*
12 *enter into a memorandum of understanding pur-*
13 *suant to paragraph (1), the Head Start agency*
14 *shall be found deficient and shall be considered*
15 *by the Secretary in the same manner as other*
16 *deficiency findings.*

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

23 “(4) *REVISION OF MEMORANDA.—Each memo-*
24 *randum of understanding shall be revised and re-*

1 *newed annually by the parties to such memorandum,*
2 *in alignment with the beginning of the school year.*

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

11 “(b) *STATEWIDE INTEGRATION.*—*From the amounts*
12 *reserved under section 640(a)(2)(C)(ii), the Secretary shall*
13 *award an early learning collaboration grant to each State*
14 *for the purposes of supporting a State Early Learning*
15 *Council responsible for advancing the development of a co-*
16 *ordinated early childhood services delivery system in the*
17 *State. A State that receives a grant under this subpara-*
18 *graph shall—*

19 “(1) *establish a State Early Learning Council,*
20 *which shall include the State Director of Head Start*
21 *Collaboration, representatives from the State preschool*
22 *programs, representatives of local educational agen-*
23 *cies, the State official who oversees child care pro-*
24 *grams, the State official who oversees section 619 and*
25 *part C of the Individuals with Disabilities Education*

1 *Act (20 U.S.C. 1419, 1431 et seq.), the State official*
2 *who oversees the State educational agency, and rep-*
3 *resentatives from Head Start agencies located in the*
4 *State, including migrant and seasonal Head Start*
5 *programs and Indian Head Start programs. The*
6 *chief executive officer of the State may designate an*
7 *existing entity to serve as the Early Learning Council*
8 *if such entity includes representatives described in*
9 *this paragraph;*

10 *“(2) ensure that allotted funds distributed to a*
11 *State for a fiscal year to carry out this subsection*
12 *may be used by the State to pay not more than 30*
13 *percent of the cost of carrying out this subsection;*

14 *“(3) direct the Early Learning Council—*

15 *“(A) to increase coordination and collabora-*
16 *tion among State preschool, Head Start pro-*
17 *grams, child care programs, early childhood spe-*
18 *cial education, and other early childhood pro-*
19 *grams, including in the areas of outcomes and*
20 *standards, technical assistance, coordination of*
21 *services, cross-sector professional development*
22 *and training, community outreach, communica-*
23 *tion, and better serving the needs of working*
24 *families through provision of full-day and full-*
25 *year early education services;*

1 “(B) to work with State agencies responsible
2 for education, child care, and early intervention
3 to provide leadership and assistance to local
4 Head Start programs, school districts, and State
5 and locally funded preschool and child care pro-
6 grams to increase integration among early child-
7 hood programs through adoption of local memo-
8 randa of understanding described in subpara-
9 graph (A) and other means;

10 “(C) to work with State agencies responsible
11 for education, child care, and early intervention
12 to provide leadership and assistance to develop a
13 coherent sequence of standards for children age 3
14 through the early elementary grades to effect a
15 smooth transition to and success in the early ele-
16 mentary grades;

17 “(D) to conduct periodic statewide needs as-
18 sessments concerning early care and education
19 programs for children from birth to school entry;

20 “(E) to work to identify and address bar-
21 riers to and opportunities for integration be-
22 tween entities carrying out Federal and State
23 child development, child care, and early child-
24 hood education programs;

1 “(F) to develop recommendations regarding
2 means of establishing a unified data collection
3 system for early care and education programs
4 operating throughout the State;

5 “(G) to address coordination of early learn-
6 ing programs with health care (including mental
7 and behavioral health care), welfare, family lit-
8 eracy and services for homeless children;

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

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

22 “(4) Nothing in this subsection shall be construed
23 to provide the Early Learning Council with authority
24 to alter the provisions of this Act.

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

6 **SEC. 11. HEAD START ALIGNMENT WITH K-12 EDUCATION.**

7 Section 642A of the Head Start Act (42 U.S.C. 9837a)
8 is amended—

9 (1) by amending the heading to read as follows:

10 **“SEC. 642A. HEAD START ALIGNMENT WITH K-12 EDU-**
11 **CATION.”;**

12 (2) in paragraph (2)—

13 (A) by inserting “ongoing” after “estab-
14 lishing”; and

15 (B) by inserting “McKinney-Vento liaisons
16 as established under section 722 (g)(1)(J)(ii) of
17 the McKinney-Vento Homeless Assistance Act (42
18 U.S.C. 11432(g)(1)(J)(ii)),” after “social work-
19 ers,”;

20 (3) by redesignating paragraphs (3) through (7)
21 as paragraphs (5) through (9), respectively; and

22 (4) by inserting the following after paragraph
23 (2):

24 “(3) developing continuity of developmentally
25 appropriate curricula between Head Start and local

1 *educational agencies to ensure an effective transition*
2 *and appropriate shared expectations for children’s*
3 *learning and development as they make such transi-*
4 *tion to school;*

5 *“(4) organizing and participating in joint train-*
6 *ing, including transition-related training for school*
7 *staff and Head Start staff;”;*

8 *(5) by amending paragraph (7), as so redesign-*
9 *ated, to read as follows:*

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

17 *(6) in paragraph (8), as so redesignated—*

18 *(A) by inserting “and continuity in paren-*
19 *tal involvement activities” after “developmental*
20 *continuity”; and*

21 *(B) by striking “and” at the end;*

22 *(7) by amending paragraph (9), as so redesign-*
23 *ated, to read as follows:*

24 *“(9) linking the services provided in such Head*
25 *Start program with the education services, including*

1 *services relating to language, literacy, and numeracy,*
2 *provided by such local educational agency;”;* and

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

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

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

13 *“(12) coordinating activities and collaborating*
14 *to ensure that curricula used in the Head Start pro-*
15 *gram is aligned with—*

16 *“(A) State early learning standards with*
17 *regard to cognitive, social, emotional, and phys-*
18 *ical competencies that children entering kinder-*
19 *garten are expected to demonstrate; and*

20 *“(B) the Head Start Child Outcomes*
21 *Framework developed by the Secretary.”.*

22 **SEC. 12. ADMINISTRATIVE REQUIREMENTS AND STAND-**
23 **ARDS.**

24 *Section 644 of the Head Start Act (42 U.S.C.*
25 *9839(f)(2)) is amended—*

1 (1) *in subsection (a)—*

2 (A) *by inserting “(1) STANDARDS.—” after*

3 “*(a)*”; *and*

4 (B) *by inserting after the 3d sentence the*
5 *following:*

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

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

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

16 “(C) *The total number of children and families*
17 *served and percent of average monthly enrollment, in-*
18 *cluding the percent of eligible children served.*

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

21 “(E) *The percentage of enrolled children that re-*
22 *ceived medical and dental exams.*

23 “(F) *Information about parent involvement ac-*
24 *tivities.*

1 “(G) *The agency’s efforts to prepare children for*
2 *kindergarten.*”

3 “(H) *Any other information that describes the*
4 *activities of the agency.*”

5 “(3) *PROCEDURAL CONDUCT.—*”; and

6 (2) *in subsection (f)(2)*

7 (A) *by redesignating subparagraphs (A)*
8 *through (E) as subparagraphs (B) through (F),*
9 *respectively; and*

10 (B) *by inserting before subparagraph (B),*
11 *as so redesignated, the following:*

12 “(A) *a description of the consultation conducted*
13 *by the Head Start agency with the providers in the*
14 *community demonstrating capacity and capability to*
15 *provide services under this subchapter, and of the po-*
16 *tential for collaboration with such providers and the*
17 *cost effectiveness of such collaboration as opposed to*
18 *the cost effectiveness of the purchase of a facility;”.*

19 **SEC. 13. ELIGIBILITY.**

20 *Section 645(a) of the Head Start Act (42 U.S.C. 9840)*
21 *is amended—*

22 (1) *in paragraph (1)—*

23 (A) *in subparagraph (B)(i)—*

1 (i) by striking “to a reasonable extent”
2 and inserting “not to exceed 10 percent of
3 the total enrollment”;

4 (ii) by striking “benefit from such pro-
5 grams” and inserting “benefit from such
6 programs, including children referred by
7 child welfare services,”; and

8 (iii) by inserting “(a homeless child
9 shall be deemed to meet the low-income cri-
10 teria)” before the semicolon; and

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

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

21 **SEC. 14. EARLY HEAD START PROGRAMS.**

22 (a) *IN GENERAL.*—Section 645A(b) of the Head Start
23 Act (42 U.S.C. 9840a(b)) is amended—

24 (1) by amending paragraphs (4) and (5) to read
25 as follows:

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 appropriate);

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

14 (2) by amending paragraph (8) to read as fol-
15 lows:

16 “(8) ensure formal linkages with the agencies
17 and entities described in section 644(b) of the Indi-
18 viduals with Disabilities Education Act (20 U.S.C.
19 1444(b)) and providers of early intervention services
20 for infants and toddlers with disabilities under the
21 Individuals with Disabilities Education Act (20
22 U.S.C. 1400 et seq.) and the agency responsible for
23 administering section 106 of the Child Abuse Preven-
24 tion and Treatment Act (42 U.S.C. 5106a);”;

1 (3) by redesignating paragraph (9) as para-
2 graph (11); and

3 (4) by inserting after paragraph (8) the fol-
4 lowing:

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

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

15 (b) *MIGRANT AND SEASONAL PROGRAMS; COMMUNITY-*
16 *AND FAITH-BASED ORGANIZATIONS.*—Section 645A(d) of
17 the Head Start Act (42 U.S.C. 9840a(d)) is amended—

18 (1) by amending paragraph (1) to read as fol-
19 lows:

20 “(1) entities operating Head Start programs
21 under this subpart, including migrant and seasonal
22 Head Start programs; and”; and

23 (2) in paragraph (2) by inserting “, including
24 community- and faith-based organizations” after “en-
25 tities” the 2d place it appears.

1 (c) *TRAINING AND TECHNICAL ASSISTANCE AC-*
2 *COUNT.—Section 645A(g)(2)(B) of the Head Start Act (42*
3 *U.S.C. 9640a(g)(2)(B)) is amended—*

4 (1) *in clause (iii) by striking “and” at the end;*

5 (2) *in clause (iv) by striking the period at the*
6 *end and inserting “; and”; and*

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

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

12 (d) *CENTER-BASED STAFF.—Section 645A of the*
13 *Head Start Act (42 U.S.C. 9840a) is amended by adding*
14 *at the end the following:*

15 *“(h) CENTER-BASED STAFF.—The Secretary shall en-*
16 *sure that, not later than September 30, 2008, all teachers*
17 *providing direct services to children and families partici-*
18 *pating in Early Head Start programs located in Early*
19 *Head Start centers have a minimum of a child development*
20 *associate credential or an associate degree, and have been*
21 *trained (or have equivalent course work) in early childhood*
22 *development.”.*

1 **SEC. 15. PARENTAL CONSENT REQUIREMENT FOR NON-**
2 **EMERGENCY INTRUSIVE PHYSICAL EXAMINA-**
3 **TIONS.**

4 *The Head Start Act (42 U.S.C. 9831 et seq.) is amend-*
5 *ed by inserting after section 645A the following:*

6 **“SEC. 645B. PARENTAL CONSENT REQUIREMENT FOR NON-**
7 **EMERGENCY INTRUSIVE PHYSICAL EXAMINA-**
8 **TIONS.**

9 *“(a) DEFINITION.—The term ‘nonemergency intrusive*
10 *physical examination’ means, with respect to a child, a*
11 *physical examination that—*

12 *“(1) is not immediately necessary to protect the*
13 *health or safety of such child, or the health or safety*
14 *of another individual; and*

15 *“(2) includes incision or is otherwise invasive, or*
16 *includes exposure of private body parts.*

17 *“(b) REQUIREMENT.—Before administering any*
18 *health care service (including any nonemergency intrusive*
19 *physical examination) to a child (or referring such child*
20 *to obtain such service) in connection with participation in*
21 *a program under this subchapter, a Head Start agency and*
22 *an entity that receives assistance under section 645A shall*
23 *obtain the written consent of a parent of such child.*

24 *“(c) RULE OF CONSTRUCTION.—Nothing in this sec-*
25 *tion shall be construed to prohibit a Head Start agency or*
26 *an entity that receives assistance under section 645A from*

1 *using established methods, for handling cases of suspected*
2 *or known child abuse and neglect, that are in compliance*
3 *with applicable Federal, State, or tribal law.”.*

4 **SEC. 16. RIGHT TO APPEAL.**

5 *Section 646(a)(3) of the Head Start Act (42 U.S.C.*
6 *9841(a)(3)) is amended to read as follows:*

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

20 **SEC. 17. AUDITS.**

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

23 *“(c)(1) Not later than 180 days after the end of each*
24 *fiscal year, each Head Start agency, and each entity that*
25 *receives assistance under section 645A, shall submit to the*

1 *Secretary an independent financial audit of the Head Start*
2 *program carried out with financial assistance provided*
3 *under this subchapter. Such audit shall be carried out by*
4 *a certified public accountant selected through a competitive*
5 *process from among qualified certified accountants by the*
6 *local oversight board established in accordance with section*
7 *642(b)(4) by such agency, except that no accountant may*
8 *perform audits of such program for a period exceeding 5*
9 *consecutive fiscal years.*

10 “(2) *Not later than 60 days after receiving such audit,*
11 *the Secretary shall provide to such agency or such entity,*
12 *and to the chief executive officer of the State in which such*
13 *program is operated, a notice identifying the actions such*
14 *agency or such entity is required to take to correct all defi-*
15 *ciencies identified in such audit.*

16 “(d) *Each recipient of financial assistance under this*
17 *subchapter shall—*

18 “(1) *maintain, and annually submit to the Sec-*
19 *retary, a complete accounting of its administrative*
20 *expenses (including a detailed statement identifying*
21 *the amount of financial assistance provided under*
22 *this subchapter used to pay expenses for salaries and*
23 *compensation and the amount (if any) of other funds*
24 *used to pay such expenses); and*

1 “(2) provide such additional documentation as
2 the Secretary may require.”.

3 **SEC. 18. TECHNICAL ASSISTANCE AND TRAINING.**

4 (a) *ALLOCATION OF RESOURCES.*—Section 648(c) of
5 the Head Start Act (42 U.S.C. 9843(c)) is amended—

6 (1) in paragraph (2) by inserting “and for ac-
7 tivities described in section 1221(b)(3) of the Elemen-
8 tary and Secondary Education Act of 1965” after
9 “disabilities” ; and

10 (2) in paragraph (5) by inserting “, including
11 the needs of homeless children and their families”
12 after “assessment”;

13 (3) in paragraph (10) by striking “and” at the
14 end;

15 (4) in paragraph (11) by striking the period at
16 the end and inserting a semicolon; and

17 (5) by adding the following at the end:

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

21 “(13) assist Head Start agencies and Head Start
22 programs in improving outreach to, and the quality
23 of services available to, limited English proficient
24 children and their families, particularly in commu-
25 nities that have experienced a large percentage in-

1 crease in the population of limited English proficient
2 individuals, as measured by the Bureau of the Cen-
3 sus.”.

4 (b) *TRAINING IN USE OF MEDIA*.—Section 648(d) of
5 the Head Start Act (42 U.S.C. 9843(d)) is amended by in-
6 serting “, including community- and faith-based organiza-
7 tions” after “entities” the first place such term appears.

8 (c) *CHILD DEVELOPMENT AND NATIONAL ASSESSMENT*
9 PROGRAM.—Section 648(e) of the Head Start Act (42
10 U.S.C. 9843(e)) is amended to read as follows:

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

1 (d) *ADDRESSING UNIQUE NEEDS.*—Section 648 of the
2 *Head Start Act (42 U.S.C. 9843)* is amended by adding
3 *at the end the following:*

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

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

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

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

17 “(3) *Family and community partnerships.*

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

20 “(h) *Funds under this subchapter used for training*
21 *shall be used for needs identified annually by a grant appli-*
22 *cant or delegate agency in their program improvement*
23 *plan, except that funds shall not be used for long-distance*
24 *travel expenses for training activities available locally or*

1 *regionally or for training activities substantially similar*
2 *to locally or regionally available training activities.*

3 “(i)(1) *The Secretary shall work in collaboration with*
4 *the Head Start agencies that carry out migrant and sea-*
5 *sonal Head Start programs, State Directors of Head Start*
6 *Collaboration, the migrant and seasonal Head Start*
7 *collaboration director, and other appropriate entities—*

8 “(A) *to accurately determine the number of chil-*
9 *dren nationwide who are eligible to participate in*
10 *migrant and seasonal Head Start programs each*
11 *year;*

12 “(B) *to document how many of these children*
13 *are receiving Head Start services each year; and*

14 “(C) *to the extent practicable, to ensure that ac-*
15 *cess to migrant and seasonal Head Start programs*
16 *for eligible children is comparable to access to other*
17 *Head Start programs for other eligible children;*

18 “(2) *In carrying out paragraph (1)(A), the Secretary*
19 *shall consult with the Secretary of Education about the De-*
20 *partment of Education’s systems for collecting and report-*
21 *ing data about, and maintaining records on, students from*
22 *migrant and seasonal farmworker families.*

23 “(3) *Not later than 9 months after the effective date*
24 *of this subsection, the Secretary shall publish in the Federal*
25 *Register a notice of how the Secretary plans to carry out*

1 paragraph (1) and shall provide a period for public com-
2 ment. To the extent practicable, the Secretary shall consider
3 comments received before submitting a report to the Con-
4 gress.

5 “(4) Not later than 1 year after the effective date of
6 this subsection, the Secretary shall submit a report to the
7 Committee on Education and the Workforce of the House
8 of Representatives and the Committee on Health, Edu-
9 cation, Labor, and Pensions of the Senate, detailing how
10 the Department of Health and Human Services plans to
11 carry out paragraph (1).

12 “(5) The Secretary shall submit annually a report to
13 the Congress detailing the number of children of migrant
14 and seasonal farmworkers, who are eligible to participate
15 in Head Start programs and the number of such children
16 who are enrolled in Head Start programs.

17 “(6) The Secretary shall take appropriate action, con-
18 sistent with section 444 of the General Education Provi-
19 sions Act, to ensure the protection of the confidentiality of
20 any personally identifiable data, information, and records
21 collected or maintained by the Secretary, by Head Start
22 agencies that carry out migrant and seasonal Head Start
23 programs, by State Directors of Head Start Collaboration,
24 by the Migrant and Seasonal Farmworker Collaboration

1 *Project Director, and by other appropriate entities pursu-*
2 *ant to this subsection.*

3 “(7) *Nothing in this subsection shall be construed to*
4 *authorize the development of a nationwide database of per-*
5 *sonally identifiable information on individuals involved in*
6 *studies or other collections of data under this subsection.*

7 “(j) *For purposes of this section, the term ‘eligible enti-*
8 *ties’ means an institution of higher education or other enti-*
9 *ty with expertise in delivering training in early childhood*
10 *development, family support, and other assistance designed*
11 *to improve the delivery of Head Start services.”.*

12 **SEC. 19. STAFF QUALIFICATIONS AND DEVELOPMENT.**

13 (a) *CLASSROOM TEACHERS.*—Section 648A(a)(2) of
14 *the Head Start Act (42 U.S.C. 9843a(a)(2)) is amended*
15 *to read as follows:*

16 “(2) *DEGREE REQUIREMENTS.*—

17 “(A) *IN GENERAL.*—*The Secretary shall en-*
18 *sure that not later than September 30, 2011, at*
19 *least 50 percent of all Head Start teachers na-*
20 *tionwide in center-based programs have—*

21 “(i) *a baccalaureate or advanced de-*
22 *gree in early childhood education; or*

23 “(ii) *a baccalaureate or advanced de-*
24 *gree in a field related to early childhood*

1 *education, with experience in teaching pre-*
2 *school children.*

3 “(B) *PROGRESS.*—*Each Head Start agency*
4 *shall provide to the Secretary a report indicating*
5 *the number and percentage of classroom instruc-*
6 *tors with child development associate credentials*
7 *and associate, baccalaureate, or advanced de-*
8 *grees. The Secretary shall compile all program*
9 *reports and make them available to the Com-*
10 *mittee on Education and the Workforce of the*
11 *United States House of Representatives and the*
12 *Committee on Health, Education, Labor, and*
13 *Pensions of the United States Senate.*

14 “(C) *REQUIREMENT FOR NEW HEAD START*
15 *TEACHERS.*—*Within 3 years after the effective*
16 *date of this subparagraph, the Secretary shall re-*
17 *quire that all Head Start teachers nationwide in*
18 *center-based programs hired following the effec-*
19 *tive date of this subparagraph—*

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 degree*
25 *in early childhood education and agree to*

1 *complete degree requirements within 3 years*
2 *from the date of hire.*

3 “(D) *SERVICE REQUIREMENTS.*—*The Sec-*
4 *retary shall establish requirements to ensure that*
5 *individuals who receive financial assistance*
6 *under this subchapter in order to comply with*
7 *the requirements under section 648A(a)(2) shall*
8 *subsequently teach in a Head Start center for a*
9 *period of time equivalent to the period for which*
10 *they received assistance or repay the amount of*
11 *the funds.*

12 “(E) *LIMITATION.*—*The Secretary shall re-*
13 *quire that any Federal funds provided directly*
14 *or indirectly to comply with subparagraph (A)*
15 *shall be used toward degrees awarded by an in-*
16 *stitution of higher education, as defined by sec-*
17 *tions 101 or 102 of the Higher Education Act*
18 *(20 U.S.C. 1001–1002).”.*

19 “(b) *CLASSROOM TEACHERS.*—*Section 648A of the*
20 *Head Start Act (42 U.S.C. 9843a) is amended by adding*
21 *at the end the following:*

22 “(f) *PROFESSIONAL DEVELOPMENT PLANS.*—*Each*
23 *Head Start agency and program shall create, in consulta-*
24 *tion with an employee, a professional development plan for*

1 *all full-time employees who provide direct services to chil-*
2 *dren.”.*

3 **SEC. 20. RESEARCH, DEMONSTRATIONS, AND EVALUATION.**

4 (a) *NEW IDEAS AND APPROACHES.*—Section
5 649(a)(1)(B) of the Head Start Act (42 U.S.C.
6 9844(a)(1)(B)) is amended to read as follows:

7 “(B) use the Head Start programs to de-
8 velop, test, and disseminate new ideas and ap-
9 proaches based on existing scientifically based re-
10 search, for addressing the needs of low-income
11 preschool children (including children with dis-
12 abilities and children determined to be abused or
13 neglected) and their families and communities
14 (including demonstrations of innovative non-cen-
15 ter based program models such as home-based
16 and mobile programs), and otherwise to further
17 the purposes of this subchapter.”.

18 (b) *STUDY.*—Section 649(d) of the Head Start Act (42
19 U.S.C. 9844(d) is amended—

20 (1) in paragraph (7) by adding “and” at the
21 end;

22 (2) in paragraph (8) by striking the semicolon
23 and inserting a period;

24 (3) by striking paragraph (9); and

25 (4) by striking the last sentence.

1 (c) *EXPERT PANEL.*—Section 649(g) of the Head Start
2 Act (42 U.S.C. 9844(g)) is amended—

3 (1) in paragraph (1)(A)—

4 (A) by striking clause (i); and

5 (B) by redesignating clauses (ii) and (iii)
6 as clauses (i) and (ii), respectively; and

7 (2) in paragraph (7)(C)(i) is amended to read as
8 follows:

9 “(i) Not later than September 30,
10 2007, the Secretary shall transmit to the
11 committees specified in clause (ii) the final
12 report.”.

13 (d) *NAS STUDY.*—Section 649(h) of the Head Start
14 Act (42 U.S.C. 9844(h)) is amended to read as follows:

15 “(h) *NAS STUDY.*—

16 “(1) *IN GENERAL.*—The Secretary shall use
17 funds allocated in section 640(a)(2)(C)(iii) to con-
18 tract with the National Academy of Sciences for the
19 Board on Children, Youth, and Families of the Na-
20 tional Research Council to establish an independent
21 panel of experts to review and synthesize research,
22 theory and applications in the social, behavioral and
23 biological sciences and to make recommendations on
24 early childhood pedagogy with regard to each of the
25 following:

1 “(A) *Age and developmentally appropriate*
2 *Head Start academic requirements and out-*
3 *comes, including the domains in 641A(a)(B).*

4 “(B) *Differences in the type, length, mix*
5 *and intensity of services necessary to ensure that*
6 *children from challenging family and social*
7 *backgrounds including: low-income children,*
8 *children of color, children with special needs,*
9 *and children with limited English proficiency*
10 *enter kindergarten ready to succeed.*

11 “(C) *Appropriate assessments of young chil-*
12 *dren (including systematic observation assess-*
13 *ment in a child’s natural environment, and par-*
14 *ent and provider interviews) for purposes of im-*
15 *proving instruction, services, and program qual-*
16 *ity, and accommodations for children with dis-*
17 *abilities and appropriate assessments for chil-*
18 *dren with special needs (including needs related*
19 *to the acquisition of the English language).*

20 “(D) *An evaluation of the current and ap-*
21 *propriate uses of the National Reporting System*
22 *developed by the Secretary.*

23 “(2) *COMPOSITION.—The panel shall consist of*
24 *multiple experts in each of the following areas:*

1 “(A) *Child development and education, in-*
2 *cluding cognitive, social, emotional, physical, ap-*
3 *proaches to learning, and other domains of child*
4 *development and learning.*

5 “(B) *Professional development, including*
6 *teacher preparation, to individuals who teach*
7 *young children in programs.*

8 “(C) *Assessment of young children, includ-*
9 *ing screening, diagnostic and classroom-based in-*
10 *structional assessment; children with special*
11 *needs, including children with disabilities and*
12 *limited English proficient children.*

13 “(3) *TIMING.—The National Academy of*
14 *Sciences and the Board shall establish the panel not*
15 *later than 90 days after the date of the enactment of*
16 *the School Readiness Act of 2005. The panel shall*
17 *complete its recommendations within 18 months of its*
18 *convening.*

19 “(4) *APPLICATION OF PANEL RECOMMENDA-*
20 *TIONS.—The recommendations of the panel shall be*
21 *used as guidelines by the Secretary to develop, inform*
22 *and revise, where appropriate, the Head Start edu-*
23 *cation performance measures and standards and the*
24 *assessments utilized in the Head Start program.”.*

1 (e) *STUDY OF STATUS OF LIMITED ENGLISH PRO-*
2 *FICIENT CHILDREN.*—Section 649 of the Head Start Act
3 (42 U.S.C. 9844) is amended by adding at the end the fol-
4 *lowing:*

5 “(i) *LIMITED ENGLISH PROFICIENT CHILDREN.*—

6 “(1) *STUDY.*— Not later than 1 year after the
7 date of enactment of the School Readiness Act of
8 2005, the Secretary shall conduct a study on the sta-
9 tus of limited English proficient children and their
10 families in Head Start programs and Early Head
11 Start programs.

12 “(2) *REPORT.*—The Secretary shall prepare and
13 submit to Congress, not later than September 2008, a
14 report containing the results of such study, including
15 information on—

16 “(A)(i) the demographics of limited English
17 proficient children less than 5 years of age and
18 the geographical distribution of such children;
19 and

20 “(ii) the number of such children receiving
21 Head Start services and the number of such chil-
22 dren receiving Early Head Start services, and
23 the geographical distribution of such children re-
24 ceiving such services;

1 “(B) the nature of the Head Start services
2 and of the Early Head Start services provided to
3 limited English proficient children and their
4 families, including the types, content, duration,
5 intensity, and costs of family services, language
6 assistance, and educational services;

7 “(C) procedures in Head Start programs
8 for assessing language needs and for making the
9 transition of limited English proficient children
10 to kindergarten, including the extent to which
11 Head Start programs meet the requirements of
12 section 642A for limited English proficient chil-
13 dren;

14 “(D) the qualifications and training pro-
15 vided to Head Start teachers and Early Head
16 Start teachers who serve limited English pro-
17 ficient children and their families;

18 “(E) the rate of progress made by limited
19 English proficient children and their families in
20 Head Start programs and in Early Head Start
21 programs, including—

22 “(i) the rate of progress made by lim-
23 ited English proficient children toward
24 meeting the additional educational stand-

1 *ards described in section 641A(a)(1)(B)(ii)*
2 *while enrolled in Head Start programs;*

3 *“(ii) the correlation between such*
4 *progress and the type and quality of in-*
5 *struction and educational programs pro-*
6 *vided to limited English proficient children;*
7 *and*

8 *“(iii) the correlation between such*
9 *progress and the health and family services*
10 *provided by Head Start programs to lim-*
11 *ited English proficient children and their*
12 *families; and*

13 *“(F) the extent to which Head Start pro-*
14 *grams make use of funds under section 640(a)(3)*
15 *to improve the quality of Head Start services*
16 *provided to limited English proficient children*
17 *and their families.”.*

18 **SEC. 21. REPORTS.**

19 *(a) REPORT.—Section 650(a) of the Head Start Act*
20 *(42 U.S.C. 9845(a)) is amended—*

21 *(1) by amending the first sentence to read as fol-*
22 *lows:*

23 *“At least once during every 2-year period, the Secretary*
24 *shall prepare and submit, to the Committee on Education*
25 *and the Workforce of the House of Representatives and the*

1 *Committee on Health, Education, Labor and Pensions of*
2 *the Senate, a report concerning the status of children (in-*
3 *cluding disabled, homeless, and limited English proficient*
4 *children) in Head Start programs, including the number*
5 *of children and the services being provided to such chil-*
6 *dren.”; and*

7 (2) *in paragraph (8) by inserting “, homeless-*
8 *ness” after “background”.*

9 (b) *NATIONAL REPORTING SYSTEM.—Section 650 of*
10 *the Head Start Act (42 U.S.C. 9845) is amended by adding*
11 *at the end the following:*

12 “(c) *NATIONAL REPORTING SYSTEM.—The Secretary*
13 *shall submit annually to the Committee on Education and*
14 *the Workforce of the House of Representatives and the Com-*
15 *mittee on Health, Education, Labor, and Pensions of the*
16 *Senate, a report on the status of the National Reporting*
17 *System developed by the Secretary. Such report shall in-*
18 *clude—*

19 “(1) *information on all contracts, grants, and*
20 *expenses relating to the development and implementa-*
21 *tion of the National Reporting System;*

22 “(2) *information described in section*
23 *641A(b)(3)(B); and*

24 “(3) *a description of the recommendations made*
25 *by the Technical Working Group, including issues of*

1 *the technical adequacy, purpose, and administration*
2 *of the System, and an explanation of how the Sec-*
3 *retary plans to address these recommendations.”.*

4 **SEC. 22. LIMITATION ON RATE OF FEDERAL FUNDING FOR**
5 **COMPENSATION.**

6 *Section 653 of the Head Start Act (42 U.S.C. 9848)*
7 *is amended—*

8 (1) *by striking the heading;*

9 (2) *by striking “SEC. 653. The” and inserting*
10 *the following:*

11 **“SEC. 653. WAGES AND COMPENSATION.**

12 *“(a) COMPARABILITY OF WAGES.—The”; and*

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

14 **“(b) FEDERAL RATE LIMITATION.—Notwithstanding**
15 *any other provision of law, no Federal funds shall be used*
16 *to pay all or any part of the compensation of an individual*
17 *employed by a Head Start agency in carrying out pro-*
18 *grams under this subchapter, either as direct or indirect*
19 *costs or any proration thereof, at a rate in excess of the*
20 *rate then payable for level II of the Executive Schedule*
21 *under section 5316 of title 5, United States Code.”.*

22 **SEC. 23. LIMITATION ON USE OF FUNDS.**

23 *The Head Start Act (42 U.S.C. 9831 et seq.) is amend-*
24 *ed by inserting after section 656 the following:*

1 **“SEC. 656A. LIMITATION ON CERTAIN USES OF FUNDS.**

2 *“No funds made available to carry out this subchapter*
3 *may be used—*

4 *“(1) for publicity or propaganda purposes not*
5 *heretofore authorized by the Congress; or*

6 *“(2) unless authorized by law in effect on the ef-*
7 *fective date of this section, to produce any pre-*
8 *packaged news story intended for broadcast or dis-*
9 *tribution unless such story includes a clear notifica-*
10 *tion contained within the text or audio of such story*
11 *stating that the prepackaged news story was prepared*
12 *or funded by the Department of Health and Human*
13 *Services.”.*

14 **SEC. 24. CONFORMING AMENDMENT.**

15 *Section 641A(a)(2)(A) of the Head Start Act (42*
16 *U.S.C. 9836a(a)(2)(A)) is amended by striking “non-*
17 *English language background” and inserting “limited*
18 *English proficient”.*

19 **SEC. 25. EFFECTIVE DATE; APPLICATION OF AMENDMENTS.**

20 *(a) GENERAL EFFECTIVE DATE.—Except as provided*
21 *in subsections (b) and (c), this Act and the amendments*
22 *made by this Act shall take effect on the date of the enact-*
23 *ment of this Act.*

24 *(b) APPLICATION OF AMENDMENTS.—The amendments*
25 *made by this Act shall not apply with respect to any fiscal*

1 *year that begins before the date of the enactment of this*
2 *Act.*

3 *(c) PRIORITY IN THE DESIGNATION OF HEAD START*
4 *AGENCIES.—*

5 *(1) EFFECTIVE DATE.—Section 641(c), as*
6 *amended by section 7(b) of this Act, shall take effect*
7 *exactly twelve months from the date of the enactment*
8 *of this Act, except for section 641(c)(5), which shall*
9 *take effect on the date of the enactment of this Act.*

10 *(2) IMPLEMENTATION RULE.—For purposes of*
11 *carrying out section 641(c) of the Head Start Act, as*
12 *amended by section 7(b) of this Act, the Secretary*
13 *may only consider the performance of a Head Start*
14 *program in meeting the requirements described in sec-*
15 *tion 641(c) of the Head Start Act, as amended by sec-*
16 *tion 7(b) of this Act, from the date of enactment of*
17 *this Act, except any performance that constitutes a*
18 *deficiency since the then most recent designation.*

Union Calendar No. 78

109TH CONGRESS
1ST Session

H. R. 2123

[Report No. 109-1361]

A BILL

To reauthorize the Head Start Act to improve the school readiness of disadvantaged children, and for other purposes.

JUNE 16, 2005

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