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(Original Signature of Member)

110TH CONGRESS
1ST SESSION

H. R.

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

IN THE HOUSE OF REPRESENTATIVES

Mr. KILDEE (for himself, Mr. GEORGE MILLER of California, and Mr. CASTLE) introduced the following bill; which was referred to the Committee on _____

A BILL

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

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

3 **SECTION 1. SHORT TITLE.**

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

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

7 Section 636 of the Head Start Act (42 U.S.C. 9831)

8 is amended to read as follows:

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

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

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

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

15 **SEC. 3. DEFINITIONS.**

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

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

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

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

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

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

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

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

7 “(2) The term ‘deficiency’ means—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 may be sufficient to prevent such individual
2 from—

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

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

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

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

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

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

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

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

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

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

16 “(G) assist teachers with—

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

1 emotional development linked to school
2 readiness;

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

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

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

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

12 “(II) aligned with—

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

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

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

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

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

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

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

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

14 “(B) includes research that—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

6 “(a) ALLOTMENT OF FUNDS.—

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

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

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

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

1 sonal Head Start programs for fiscal year
2 2007;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

9 “(3) QUALITY IMPROVEMENT FUNDS.—

10 “(A) DETERMINATION OF FUNDS.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

15 “(C) ALLOCATION.—

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

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

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

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

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

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

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

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

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

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

25 “(5) COLLABORATION GRANTS.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 learning standards, as appropriate;
2 and

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

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

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

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

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

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

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

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

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

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

9 “(6) EARLY HEAD START.—

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

22 “(B) LIMITATIONS.—

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

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

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

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

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

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

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

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

22 “(f) SERVICE DELIVERY MODELS.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

5 “(A) annual budget data;

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

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

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

12 “(E) Program Information Report.

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

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

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

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

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

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

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

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

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

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

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

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

1 adequately meeting its governance and financial
2 management requirements.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

5 “(iii) State prekindergarten programs;

6 “(iv) child care programs; and

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

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

17 “(J) the plan of such applicant—

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

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

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

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

16 “(I) family literacy services; and

17 “(II) parenting skills training;

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

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

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

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

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

12 “(IV) regular in-home visitation;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

12 “(a) QUALITY STANDARDS.—

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

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

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

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

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

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

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

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

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

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

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

3 “(viii) creative arts; and

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

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

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

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

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

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

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

3 “(B) take into consideration—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

15 “(b) MEASURES.—

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

25 “(A) classroom instructional practices;

1 “(B) identification of special needs; and

2 “(C) program evaluation.

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

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

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

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

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

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

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

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

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

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

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

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

14 “(iii) identifying special needs; and

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

24 “(i) using federal funds appropriately;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

7 “(e) CORRECTIVE ACTION; TERMINATION.—

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

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

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

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

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

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

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

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

15 “(2) QUALITY IMPROVEMENT PLAN.—

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

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

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

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

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

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

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

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

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

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

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

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

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

13 “(g) SELF-ASSESSMENTS.—

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

1 “(2) REPORT AND IMPROVEMENT PLANS.—

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

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

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

22 “(h) ENROLLMENT REPORTING REQUIREMENT.—

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

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

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

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

12 “(3) In this subsection:

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

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

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

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

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

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

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

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

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

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

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

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

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

19 **CIES.**

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

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

23 **CIES.**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

15 “(ii) to enable the parents—

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

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

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

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

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

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

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

18 “(1) GOVERNING BODY.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

10 “(2) POLICY COUNCIL.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

13 “(D) Service delivery areas.

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

18 “(F) Program technical assistance.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

23 “(a) IN GENERAL.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

20 “(f) FACILITIES.—

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

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

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

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

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

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

6 “(D) information demonstrating that

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

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

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

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

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

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

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

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

12 (1) in subsection (a)—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

24 Section 645A is amended to read as follows:

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

3 “(a) IN GENERAL.—The Secretary shall make
4 grants, in accordance with this section for programs (to
5 be known as ‘Early Head Start programs’) that provide
6 family-centered services for low-income families with very
7 young children designed to promote the development of the
8 children, and to enable their parents to fulfill their roles
9 as parents and to move toward self-sufficiency.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

20 “(1) pregnant women; and

21 “(2) families with children under age 3;
22 who meet the income criteria specified for families in sec-
23 tion 645(a)(1).

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

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

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

7 “(2) Indian Head Start programs; and

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

21 “(c) RULE OF CONSTRUCTION.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

15 “(1) give priority consideration to—

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

23 “(B) assisting Head Start agencies in—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

24 “(k) The Secretary shall—

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

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

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

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

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

1 Head Start programs for other eligible children;
2 and

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

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

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

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

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

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

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

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

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

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

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

8 “(l) The Secretary shall—

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

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

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

1 eliminating barriers and increasing enrollment;
2 and

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

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

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

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

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

5 “(5) take appropriate caution, consistent with
6 section 444 of the General Education Provisions
7 Act, to ensure the protection of the confidentiality of
8 any personally identifiable data, information, and
9 records collected or maintained by the Secretary, by
10 Head Start agencies that carry out migrant and sea-
11 sonal Head Start programs, by the State director of
12 Head Start Collaboration, by the Migrant and Sea-
13 sonal Farmworker Collaboration project Director;
14 and

15 “(6) ensure that nothing in this subsection shall
16 be construed to authorize the development of a na-
17 tionwide database of personally identifiable informa-
18 tion on individuals involved in studies or other col-
19 lections of data under this subsection.

20 “(m) For purposes of this section, the term ‘eligible
21 entities’ means an institution of higher education or other
22 entity with expertise in delivering training in early child-
23 hood develop?ent, family support, and other assistance de-
24 signed to improve the delivery of Head Start services.

1 “(n) For the purposes of delivering a State-based
2 training and technical assistance system, as described in
3 section 640(a)(C)(ii), that will meet the needs of local
4 grantees and provide high quality, sustained, and intensive
5 training and technical assistance to Head Start programs
6 in order to help them meet or exceed the program per-
7 formance standards described in section 641A(a)(1), the
8 Secretary shall—

9 “(1) enter into contracts in each State with 1
10 or more entities who have a demonstrated expertise
11 in supporting the delivery of high quality early edu-
12 cation programs, except that bi-State contracts may
13 be entered in to if the demographics of proximal
14 States make such a system more appropriate.

15 “(2) ensure that the entities described in sub-
16 paragraph (1) determine the types of services to be
17 provided through consultation with—

18 “(A) local Head Start agencies;

19 “(B) the State Head Start collaboration
20 office; and

21 “(C) the State Head Start Association.

22 “(3) provide a report to the appropriate com-
23 mittees in Congress no later than 90 days after the
24 end of the fiscal year, summarizing the funding for

1 such contracts and the activities carried out there-
2 under; and

3 “(4) periodically evaluate the usefulness of the
4 delivery of services in each State and their effective-
5 ness in promoting program quality.

6 “(o) To support enhance early language and
7 preliteracy development of children in Head Start pro-
8 grams, and to provide the children with high-quality oral
9 language skills, and environments that are rich in lit-
10 erature, in which to acquire language and preliteracy
11 skills, each Head Start agency shall ensure that—

12 “(1) all of the agency’s Head Start teachers re-
13 ceive ongoing training in language and emergent lit-
14 eracy (referred to in this subsection as ‘literacy
15 training’), and including appropriate curricula and
16 assessment to improve instruction and learning;

17 “(2) such literacy training shall include training
18 in methods to promote vocabulary development and
19 phonological awareness (including phonemic aware-
20 ness) in a developmentally, culturally, and linguis-
21 tically appropriate manner and support children’s
22 development in their home language;

23 “(3) the literacy training shall include training
24 in how to work with parents to enhance positive lan-
25 guage and early literacy development at home;

1 “(4) the literacy training shall include specific
2 methods to best address the needs of children who
3 are limited English proficient; and

4 “(5) the literacy training shall include training
5 on how to best address the language and literacy
6 needs of children with disabilities, including training
7 on how to work with specialists in language develop-
8 ment.

9 “(p) The Secretary is encouraged to contract, on a
10 competitive basis, with an institution of higher education
11 (as defined in section 102 of the Higher Education Act
12 of 1965) to develop an on-line graduate-level professional
13 development program with the goal of improving the lead-
14 ership of those working in Head Start programs and im-
15 proving teacher quality and the capacity of effective Head
16 Start teachers.”.

17 **SEC. 18. STAFF QUALIFICATIONS AND DEVELOPMENT.**

18 Section 648A of the of the Head Start Act (42 U.S.C.
19 9843a) is amended—

20 (1) by amending subsection (a) to read as fol-
21 lows:

22 “(a) CLASSROOM TEACHERS.—

23 “(1) PROFESSIONAL REQUIREMENTS.—The
24 Secretary shall ensure that each Head Start class-
25 room in a center-based program is assigned 1 teach-

1 er who has demonstrated competency to perform
2 functions that include—

3 “(A) planning and implementing learning
4 experiences that advance the intellectual and
5 physical development of children, including im-
6 proving the readiness of children for school by
7 developing their literacy, phonemic, and print
8 awareness, their understanding and use of lan-
9 guage, their understanding and use of increas-
10 ingly complex and varied vocabulary, their ap-
11 preciation of books, their understanding of early
12 math and early science, their problem solving
13 abilities, and their approaches to learning;

14 “(B) establishing and maintaining a safe,
15 healthy learning environment;

16 “(C) supporting the social and emotional
17 development of children; and

18 “(D) encouraging the involvement of the
19 families of the children in a Head Start pro-
20 gram and supporting the development of rela-
21 tionships between children and their families.

22 “(2) DEGREE REQUIREMENTS.—

23 “(A) IN GENERAL.—The Secretary shall
24 ensure that not later than September 30, 2013,

1 at least 50 percent of all Head Start teachers
2 nationwide in center-based programs have—

3 “(i) a baccalaureate, or advanced de-
4 gree in early childhood education;

5 “(ii) a baccalaureate or advanced de-
6 gree in a field related to early childhood
7 education, with experience in teaching pre-
8 school children; or

9 “(iii) except that teachers providing
10 services in migrant and seasonal Head
11 Start classrooms that serve children under
12 age 3 shall be required to meet the teacher
13 requirements described in section 645A(h).

14 “(B) PROGRESS.—Each Head Start agen-
15 cy shall provide to the Secretary a report indi-
16 cating the number and percentage of teachers
17 and teacher’s aides with child development as-
18 sociate credentials and associate, baccalaureate,
19 or advanced degrees. The Secretary shall com-
20 pile all program reports and make them avail-
21 able to the Committee on Education and Labor
22 of the House of Representatives and the Com-
23 mittee on Health, Education, Labor, and Pen-
24 sions of the Senate.

1 “(C) REQUIREMENT FOR NEW HEAD
2 START TEACHERS.—In accordance with rules
3 issued by the Secretary and made effective 2
4 years after the effective date of this subpara-
5 graph, all Head Start agencies shall require
6 that all Head Start teachers hired after such
7 rules take effect to provide Head Start services
8 in center-based programs—

9 “(i) have an associate, baccalaureate,
10 or advanced degree in early childhood edu-
11 cation or a related field; or

12 “(ii) be currently enrolled in a pro-
13 gram of study leading to an associate de-
14 gree in early childhood education or a re-
15 lated field, and agree to complete degree
16 requirements not later than 3 years after
17 the date of hire.

18 “(D) SERVICE REQUIREMENTS.—The Sec-
19 retary shall establish requirements to ensure
20 that individuals who receive financial assistance
21 under this subchapter in order to comply with
22 the requirements under section 648A(a)(2)
23 shall subsequently teach in a Head Start center
24 for a period of time equivalent to the period for

1 which they received assistance or repay the
2 amount of the funds.

3 “(E) LIMITATION.—The Secretary shall
4 require that any Federal funds provided directly
5 or indirectly to comply with subparagraph (A)
6 shall be used toward degrees awarded by an in-
7 stitution of higher education, as defined by sec-
8 tions 101 or 102 of the Higher Education Act
9 (20 U.S.C. 1001, 1002).”,
10 (2) by amending subsection (b) to read as fol-
11 lows:

12 “(c) FAMILY SERVICE WORKERS.—To improve the
13 quality and effectiveness of staff providing in-home and
14 other services (including needs assessment, development of
15 service plans, family advocacy, and coordination of service
16 delivery) to families of children participating in Head
17 Start programs, the Secretary, in coordination with con-
18 cerned public and private agencies and organizations ex-
19 amining the issues of standards and training for family
20 service workers, shall—

21 “(1) review and, as necessary, revise or develop
22 new qualification standards for Head Start staff
23 providing such services;

1 “(2) review, and as necessary, review or develop
2 maximum caseload requirements, as suggested by
3 best practices;

4 “(3) promote the development of model cur-
5 ricula (on subjects including parenting training and
6 family literacy) designed to ensure the attainment of
7 appropriate competencies by individuals working or
8 planning to work in the field of early childhood and
9 family services; and

10 “(4) promote the establishment of a credential
11 that indicates attainment of the competencies and
12 that is accepted nationwide”, and

13 (3) is amended by adding at the end the fol-
14 lowing:

15 “(f) PROFESSIONAL DEVELOPMENT PLANS.—Each
16 Head Start agency and program shall create, in consulta-
17 tion with an employee, a professional development plan for
18 all full-time Head Start employees who provide direct serv-
19 ices to children and shall ensure that such plans are regu-
20 larly evaluated for their impact on teacher and staff effec-
21 tiveness.”.

22 **SEC. 19. RESEARCH, DEMONSTRATIONS, AND EVALUATION.**

23 Section 649 of the of the Head Start Act (42 U.S.C.
24 9844) is amended—

1 (1) by amending subsection (a)(1)(B) to read
2 as follows:

3 “(B) use the Head Start programs to de-
4 velop, test, and disseminate new ideas and
5 based on existing scientifically based research,
6 for addressing the needs of low-income pre-
7 school children (including children with disabil-
8 ities, homeless children, children who have been
9 abused or neglected, and children in foster care)
10 and their families and communities (including
11 demonstrations of innovative non-center-based
12 program models such as home-based and mobile
13 programs), and otherwise to further the pur-
14 poses of this subchapter;”

15 (2) in subsection (d)—

16 (A) in paragraph (7) by adding “and” at
17 the end,

18 (B) in paragraph (8) by striking “; and”
19 at the end and inserting a period,

20 (C) by striking paragraphs (9) and (10),
21 and

22 (D) by striking the last sentence,

23 (3) in subsection (g)—

24 (A) in paragraph(1)(A)—

25 (i) by striking clause (i), and

1 (ii) by redesignating clauses (ii) and
2 (iii) as clauses (i) and (ii), respectively,
3 (B) by amending paragraph (7)(C) to read
4 as follows:

5 “(C) TRANSMITTAL OF REPORT TO CON-
6 GRESS.—Not later than September 30, 2009,
7 the Secretary shall transmit the final report to
8 the Committee on Education and Labor of the
9 House of Representatives and the Committee
10 on Health, Education, Labor, and Pensions of
11 the Senate.”, and

12 (4) by amending subsection (h) to read as fol-
13 lows:

14 “(h) LIMITED ENGLISH PROFICIENT CHILDREN.—

15 “(1) STUDY.—Not later than 1 year after the
16 date of enactment of the Improving Head Start Act
17 of 2007, the Secretary shall conduct a study on the
18 status of limited English proficient children and
19 their families in participating Head Start programs
20 and Early Head Start programs.

21 “(2) REPORT.—The Secretary shall prepare
22 and submit to Congress, not later than September
23 2008, a report containing the results of such study,
24 including information on—

1 “(A)(i) the demographics of limited
2 English proficient children less than 5 years of
3 age and the geographical distribution of such
4 children; and

5 “(ii) the number of such children receiving
6 Head Start services and the number of such
7 children receiving Early Head Start services,
8 and the geographical distribution of such chil-
9 dren receiving such services;

10 “(B) the nature of the Head Start services
11 and of the Early Head Start services provided
12 to limited English proficient children and their
13 families, including the types, content, duration,
14 intensity, and costs of family services, language
15 assistance, and educational services;

16 “(C) procedures in Head Start programs
17 for assessing language needs and for making
18 the transition of limited English proficient chil-
19 dren to kindergarten, including the extent to
20 which Head Start programs meet the require-
21 ments of section 642A for limited English pro-
22 ficient children;

23 “(D) the qualifications and training pro-
24 vided to Head Start teachers and Early Head

1 Start teachers who serve limited English pro-
2 ficient children and their families;

3 “(E) the rate of progress made by limited
4 English proficient children and their families in
5 Head Start programs and in Early Head Start
6 programs, including—

7 “(i) the rate of progress made by lim-
8 ited English proficient children toward
9 meeting the additional educational stand-
10 ards described in section 641A(a)(1)(B)(ii)
11 while enrolled in Head Start programs;

12 “(ii) the correlation between such
13 progress and the type and quality of in-
14 struction and educational programs pro-
15 vided to limited English proficient children;
16 and

17 “(iii) the correlation between such
18 progress and the health and family services
19 provided by Head Start programs to lim-
20 ited English proficient children and their
21 families; and

22 “(F) the extent to which Head Start pro-
23 grams make use of funds under section
24 640(a)(3) to improve the quality of Head Start

1 services provided to limited English proficient
2 children and their families.”.

3 **SEC. 20. REPORTS.**

4 Section 650 of the of the Head Start Act (42 U.S.C.
5 9846) is amended—

6 (1) in subsection (a)—

7 (A) by striking “ Committee on Education
8 and the Workforce of the House of Representa-
9 tives and the Committee on Labor and Human
10 Resources of the Senate” each place it appears
11 and inserting “Committee on Education and
12 Labor of the House of Representatives and the
13 Committee on Health, Education, Labor, and
14 Pensions of the Senate”, and

15 (B) by striking “and non-English language
16 background children” and inserting “children,
17 homeless children, children in foster care, and
18 limited English proficient children”,

19 (C) in paragraph (8) by inserting “home-
20 lessness, whether the child is in foster care or
21 was referred by a child welfare agency,” after
22 “, background”, and

23 (2) by adding at the end the following:

24 “(c) SET-ASIDE ACTIVITIES.—Not later than 60 days
25 after the end of each fiscal year, the Secretary shall sub-

1 mit to the Committee on Education and Labor of the
2 House of Representatives and the Committee on Health,
3 Education, Labor, and Pensions of the Senate, a report
4 detailing the different amounts of expenditures under sec-
5 tion 640(a)(2) and the activities carried out thereunder.

6 “(d) FISCAL PROTOCOL.—The Secretary shall con-
7 duct an annual review to assess whether the design and
8 implementation of the triennial reviews described in sec-
9 tion 641A(c) include compliance procedures that provide
10 reasonable assurance that Head Start agencies are com-
11 plying with applicable fiscal laws and regulations. The
12 Secretary shall report the findings and conclusions of the
13 annual review to the House Committee on Education and
14 Labor, and the Senate Committee on Health, Education,
15 Labor and Pensions within 30 days of completing the re-
16 view.”.

17 **SEC. 21. WAGES AND COMPENSATION.**

18 Section 653 of the of the Head Start Act (42 U.S.C.
19 9848) is amended to read as follows:

20 **“SEC. 653. WAGES AND COMPENSATION.**

21 “(a) COMPARABILITY OF WAGES.—The Secretary
22 shall take such action as may be necessary to assure that
23 persons employed in carrying out programs financed
24 under this subchapter shall not receive compensation at
25 a rate which is (1) in excess of the average rate of com-

1 pensation paid in the area where the program is carried
2 out to a substantial number of the persons providing sub-
3 stantially comparable services, or in excess of the average
4 rate of compensation paid to a substantial number of the
5 persons providing substantially comparable services in the
6 area of the person's immediately preceding employment,
7 whichever is higher; or (2) less than the minimum wage
8 rate prescribed in section 6(a)(1) of the Fair Labor Stand-
9 ards Act of 1938. The Secretary shall encourage Head
10 Start agencies to provide compensation according to salary
11 scales that are based on training and experience.

12 “(b) FEDERAL RATE LIMITATION.—Notwithstanding
13 any other provision of law, no Federal funds shall be used
14 to pay all or any part of the compensation of an individual
15 employed by a Head Start agency in carrying out pro-
16 grams under this subchapter, either as direct or indirect
17 costs of any proration thereof, at a rate in excess of the
18 rate then payable for level II of the Executive Schedule
19 under section 5316 of title 5, United State Code.”.