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REPORT
110–49

HEAD START FOR SCHOOL READINESS ACT

R E P O R T

OF THE

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

TO ACCOMPANY

S. 556

APRIL 10, 2007.—Ordered to be printed

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Mr. KENNEDY, from the Committee on Health, Education, Labor, and Pensions, submitted the following

R E P O R T

[To accompany S. 556]

The Committee on Health, Education, Labor, and Pensions, to which was referred the bill (S. 556) to reauthorize the Head Start Act, and for other purposes, having considered the same, reports favorably thereon with an amendment in the nature of a substitute and recommends that the bill (as amended) do pass.

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I. PURPOSE AND SUMMARY OF THE BILL

The Head Start for School Readiness Act of 2007 reauthorizes and makes improvements in the Head Start program in order to ensure that children in the program make measurable progress toward developing the skills they need to enter school ready to learn. To accomplish this, the bill focuses on five areas: (1) improved academic, developmental, and educational outcomes for children; (2) improved teacher competencies and high quality opportunities for professional development; (3) better coordination and collaboration with other programs in the State (including child care, State preschool programs, and the local public schools); (4) greater account-

ability for the management of Head Start programs; and (5) enhanced support for infants and toddlers through the Early Head Start program.

The bill authorizes $7.35 billion for fiscal year 2008, $7.65 billion for fiscal year 2009, $7.99 billion for fiscal year 2010, and such sums as may be necessary for subsequent years. Each year, 13 percent of Head Start funding is set-aside for the Secretary to allocate funds for Migrant and Seasonal Head Start programs, Indian Head Start programs, training and technical assistance for Head Start grantees, improvement in the PRISM reviews through increased inter-rater reliability training, and other purposes. For research and evaluation each year, $20 million is reserved. The set-aside for Early Head Start is increased from the current 10 percent to 20 percent in fiscal year 2012.

II. Background and Need for Legislation

Head Start was created in 1965 and today stands as one of the Nation's most well regarded domestic programs. Head Start's mission to promote school readiness among the Nation's low-income children reflects a comprehensive approach to supporting children and families. Because school readiness depends upon the interdependent relationship between cognitive, intellectual, physical, social and emotional, and other areas of early childhood development, Head Start programs provide a broad array of services determined to be necessary, based on an assessment of the children and families' needs.

Children in Head Start enter the program with a number of factors that put them at risk of school failure, such as extreme poverty, family economic and housing instability, and limited family education attainment. The overwhelming majority of Head Start children are from families earning less than 100 percent of the Federal poverty level, $20,650 for a family of four (2007 HHS Poverty Guidelines), and in most Head Start families, neither parent holds more than a high school degree or general equivalency degree (GED). Research shows that Head Start clearly makes a difference for children living in poverty, yet experience has shown that the program itself cannot eradicate the overwhelming effects of poverty on children and their families.

By its nature, Head Start requires community input in order to be responsive to community needs. Head Start programs have successfully reached out to community partners to help foster school readiness and successful transitions to elementary school, provide health care, increase access to social services for families, and provide full-day, full-year services to children. Local programs may adapt their services to serve Indian tribes or migrant and seasonal farm worker communities, target homeless children or children of drug-addicted parents, or help families transitioning off welfare. Built on the premise that effective intervention in the lives of children can be best accomplished through family and community involvement, Head Start attempts to involve communities and families in both the design and implementation of the program at the local level.

Today, Head Start provides educational and other comprehensive support services to almost 1 million low-income preschool children to help Head Start participants prepare for and succeed in school.

The Head Start program currently provides services to children from a diverse population of eligible families, including migrant and Native American children, through nearly 19,800 centers and more than 800 home-based programs in all 50 States, the District of Columbia, Puerto Rico, and the U.S. territories. The committee encourages continued emphasis on serving all children to meet the goals of Head Start programs.

Unlike other Federal social service programs that are funded through States, the Department of Health and Human Services awards Head Start grants directly to local agencies, called grantees, which deliver program services. Grantees, numbering 1,604 nationwide, may contract with other organizations, called delegate agencies, to run all or part of their programs. Grantees had contracts with 604 delegate agencies in fiscal year 2006. Grantees and delegate agencies include public and private school systems, community action agencies, faith-based organizations, private, nonprofit and for profit organizations, local governments, and Indian tribes.

Since the inception of the program, Head Start has continuously improved the quality of the services it provides. As the needs of children and families changed, so has Head Start. Head Start was first enacted into law in 1965 as a summer program with a budget of $352 million. In 1995, an appropriation of $3.3 billion allowed more than 2,000 locally-run Head Start programs to serve more than 730,000 children and their families. By fiscal year 2006, Head Start was funded at more than double that of 1995, when it received $6.8 billion in funding and supported programs in every State, serving more than 900,000 children and their families.

The committee also recognizes that the face of poverty has changed dramatically since Head Start was created 40 years ago. Single parent families headed by women accounted for about one-third of the poor in 1966; now they represent more than half of those living in poverty. Children have now replaced the elderly as the group most likely to be poor. Nationally, one in five children under the age of five in the United States live in poverty. Disadvantaged children who are part of a racial or ethnic minority group face even harsher realities; 37.9 percent of all African-American children and 31.4 percent of all Hispanic children come from families earning less that the Federal poverty threshold (U.S. Census, 2006).

Recognizing the negative correlations of poverty to later educational attainment, it is critical we prepare all children to enter school ready to learn in order to provide for their later success in school and life and to close the achievement gap. Studies document a wide gap between lower and higher-income children before they enter kindergarten which, if unattended, often persists into later years in schooling. Despite significant Federal investment, this gap persists. Research also shows that lower-income children are far less likely than their higher-income peers to participate in early childhood education programs before beginning elementary school. If we do not prepare all children to succeed and become lifelong learners, our global competitiveness in the 21st century economy may be compromised.

The research shows that, on average, Head Start helps to narrow the achievement gap between our Nation's poorest children and

their more affluent peers. The committee believes that the program can be strengthened to build upon that success and lead to improved outcomes for Head Start children. Long-term positive outcomes and cost-savings include: improved school performance, more positive behavior, reduced special education placement, lower in-grade retention and dropout rates, and increased lifelong earnings potential.

In 1993, Secretary of Health and Human Services Donna Shalala appointed an Advisory Committee on Head Start Quality and Expansion to examine closely the Head Start program and to make recommendations for the future. The recommendations of the Advisory Committee focused on three important areas: (1) the need to improve quality; (2) the need to expand services; and (3) the need to forge partnerships with other community providers, including closer coordination with elementary schools, States, and locally-sponsored programs, and including cooperating with the private sector and linking Head Start with other National initiatives. Reauthorizations of the Head Start Act in 1994 and 1998 enhanced teacher qualifications, increased attention to cognitive areas of early childhood development, created the Early Head Start program, and led to program standards and the Outcomes Framework that guide Head Start programs in their curricular planning, instruction, and delivery of services, as well as in the ongoing assessment of the progress and accomplishments of children.

The Head Start for School Readiness Act of 2007 builds on the original foundation of the Head Start program and on past reauthorizations, by increasing the focus on continued program quality and the achievement of important educational and other outcomes for children across the range of developmental domains critical to ensuring their school readiness.

III. Legislative History and Committee Action

On May 25, 2005, the Senate Committee on Health, Education, Labor, and Pensions met in executive session and favorably reported the bill unanimously with an amendment in the nature of a substitute. The reported bill was not considered by the full Senate during the 109th Congress.

On February 14, 2007, the Senate Committee on Health, Education, Labor, and Pensions met in executive session and favorably reported the bill, S. 556, The Head Start for School Readiness Act, unanimously with an amendment in the nature of a substitute. The committee's work on S. 556 was informed by hearings held during the 108th and 109th Congresses.

HEARINGS AND TESTIMONY—SUMMARY OF WITNESSES

Hearings in the 108th Congress

The Senate Committee on Health, Education, Labor, and Pensions held a hearing on July 23, 2003 at 10 a.m. entitled Reauthorizing Head Start: Preparing Children to Succeed in School and in Life. A panel of five witnesses testified on topics related to improving the school readiness of Head Start children, promoting State coordination and collaboration, strengthening the Head Start workforce and determining the effectiveness of Head Start. The witnesses included:

• Windy Hill, Associate Commissioner for the Head Start Bureau
• G. Reid Lyons, Ph.D. Chief of the Child Development and Behavior Branch of the National Institute of Child Health and Human Development
• Marnie Shaul, Ph.D, Director, Education, Workforce and Income Security Issues, U.S. Government Accountability Office
• Amy Wilkins, Executive Director, Trust for Early Education
• Janis Santos, Executive Director of the Holyoke-Chicope-Springfield Head Start Center, Springfield, MA.

Hearings in the 109th Congress

The Subcommittee on Education and Early Childhood Development held a hearing on April 5, 2005, at 9:30 a.m. entitled Head Start: Ensuring Dollars Benefit the Children. The hearing focused on the Government Accountability Office's (GAO) report entitled Head Start: Comprehensive Approach to Identifying and Addressing Risks Could Help Prevent Grantee Financial Management Weaknesses. The GAO study was requested in late 2003 by Senator Enzi, Senator Alexander, Senator Gregg, Congressman Boehner, and Congressman Castle following reports of alleged financial impropriety by Head Start executives in more than a dozen cities across the United States.

Between January 2003 and the first months of 2005, multiple accounts from numerous communities across the country alleged serious financial abuses and irregularities by local individuals and/or entities entrusted with the responsibility of managing Federal Head Start funds meant to serve poor and at-risk children. The incidents identified involved the use of tens of millions in Federal Head Start funds that were intended to serve more than 10,000 disadvantaged U.S. children. The GAO report on the program found that a significant percent of local Head Start operators surveyed in 2000 had some form of financial irregularity, a portion of which were serious deficiencies. Three years later, the GAO found that more than half of those operators still had recurring financial management problems, and recommended more timely follow up and enhanced training and technical assistance to develop the capacity of agencies to address such problems. The GAO urged the Department of Health and Human Services (HHS) to develop a better system to identify local centers with financial problems. HHS has the oversight responsibility for Head Start grantees. This is a challenge considering there are almost 1,700 grantees, with over 20,000 centers containing more than 48,000 classrooms. HHS's current system of accountability may not have the capacity for this oversight and the committee examined ways to improve program monitoring by HHS and what other oversight and accountability alternatives exist.

The following witnesses testified:

Dr. Wade Horn, Assistant Secretary for the Head Start Bureau Administration for Children, Youth and Families, U.S. Department of Health and Human Services, Washington, DC, discussed strengthening the education component of Head Start and improving coordination and integration of State and local childhood services in support of President Bush's proposal. Additionally, he testified about the importance of monitoring to measure the quality of

Head Start programs. He also described several efforts HHS had implemented to improve monitoring and accountability.

Dr. Marnie S. Shaul, Director of Educating and Protecting Children, United States Government Accountability Office, Washington, DC, testified in regard to the GAO's recent report on Head Start risk management which the committee had requested. She discussed the Administration on Children and Families' (ACF) processes to assess financial risks, specifically regarding how these processes could be improved to ensure accuracy and reliability. In addition, she discussed the effectiveness of approaches ACF uses to make sure Head Start grantees address any financial management weaknesses in a timely manner. The GAO had many recommendations including a suggestion that ACF take steps to recompete grants if a grantee fails to meet programmatic or financial management requirements.

Mayor A.C. Wharton, Mayor of Shelby County, Memphis, Tennessee, testified on Shelby County's ongoing efforts, as well as some of its planned efforts, to improve program oversight and stewardship. He testified about the need to improve accountability for the Head Start program and ensure that there was a clearly defined entity that was legally and financially responsible for the program. Several of the GAO's findings mirrored weaknesses Shelby County had identified and which it was actively working to resolve in its local Head Start programs.

Yvonne Gates, Clark County Commissioner, Las Vegas, Nevada discussed the promise of the Head Start Program and its goals to erase inequities among children and to give all children a level playing field for their future academic success. Therefore, she recommended that the committee expand local oversight of grantees. She testified about the importance of local governments and the need for them to be more actively engaged in the local review and evaluative process for these Federal programs. She also testified that because local government is closer to the people, it is better positioned to provide technical assistance to local agency partners. By coordinating with other local resources, the scope of these services could be expanded.

Jim Caccamo, Director Metropolitan Council on Early Learning, Kansas City, Missouri, testified about the financial and governance problems with the Kansas City Head Start grantee KCMC. The financial and governance problems at KCMC began to surface in April 2001. The Controller/Chief Financial Officer was engaged in a kickback scheme and in February of 2002 pled guilty to bribery and money laundering. He was sentenced to 51 months in prison and ordered to pay over $800,000. Mr. Caccamo suggested that the fiscal mismanagement, excessive salaries, and the employee kickback problems could have been avoided with tighter oversight on the part of the Executive Director and Board.

Olivia Golden, Senior Fellow at the Urban Institute, Washington, DC, testified primarily on effective strategies for building the strongest possible Federal oversight role to support high-quality, fiscally accountable, programmatically successful, and well-managed Head Start programs across the country. She described the GAO's recommendations as practical and thought they would be useful and that thoughtful implementation of these recommendations would help Head Start programs attain the highest level of

accountability. Additionally, Ms. Golden discussed the GAO report findings that contributed to this effort by identifying gaps in Federal oversight particularly in regard to Federal monitoring.

IV. Explanation of the Bill and Committee Views

ENHANCING THE SCHOOL READINESS OF HEAD START CHILDREN

School readiness has always been central to Head Start's mission and should continue to be a primary goal of Head Start programs. The committee's intent in the Head Start for School Readiness Act is to assist Head Start programs with further meeting the goal of promoting school readiness and closing the achievement gap among Head Start children.

According to the National Institute for Child Health and Development and other experts, school readiness consists of a broad set of competencies such as cognitive, social, emotional, physical, and language development, motivation and approaches to learning, as well as discipline-specific domains including the literacy, mathematics, science, social studies, and the arts. Researchers at the Frank Porter Graham Child Development Center, at the University of North Carolina at Chapel Hill, have defined school readiness as the condition of children when they enter school, and the capacity of schools to educate the children enrolled. According to its research, "the readiness puzzle can only be solved if the two pieces fit together" (Bailey, 1999).

The academic, cognitive, and social competencies that define school readiness begin developing long before children enter the elementary classroom. Knowledge about children's development and learning has increased greatly during the past two decades. Research in the neurobiological and behavioral sciences suggests the importance of a child's experience during the first years of life for healthy brain development, the importance of early intervention for at-risk infants and their parents, and the opportunity presented in early infancy for strengthening families. From birth through age five, children rapidly develop the capabilities on which subsequent development builds. According to child development expert T. Berry Brazelton, M.D, "A child's experiences in the first months and years of life determine whether he or she will enter school eager to learn or not."

The committee recognizes that the areas of a young child's development are strongly correlated with later school success and are foundational in nature. Standards for early learning should, as much as practicable, seek to address the cognitive, social, emotional, physical, language development, and motivation influencing a young child's development. To accomplish this goal of ensuring that children participating in the Head Start program develop the cognitive, social, and emotional competencies necessary to succeed, the Head Start for School Readiness Act significantly enhances Head Start's emphasis on positive outcomes for school readiness in all domains, especially in cognitive development, while retaining the commitment to providing comprehensive social services.

Studies indicate that children enrolled in Head Start make progress while in the program. Based on data from the 2000 Family and Child Experiences Survey (FACES), children enter Head Start with cognitive, social, and emotional skills well below the na-

tional norm of most children their same age. Key findings from FACES reveal that participation in Head Start narrows the gap between Head Start children and the general population of preschool-aged children in domains representing key components of school readiness. With only 9 months of participation in the program, FACES data demonstrate a reduction in the school-readiness gap between disadvantaged children and their peers with meaningful gains in their vocabulary, letter recognition, and writing skills. Children also improved in other cognitive, social, and emotional skills, demonstrating a reduction in problem behaviors, aggressive behaviors, hyperactive behaviors, and withdrawn behaviors. Physically, children showed high rates of immunizations, health screenings, interventions and supports for disabilities, and enrollment in health insurance plans. As Head Start continues to evolve, outcomes for children participating in the program continue to improve. Data from FACES show that, as compared to 1997, Head Start children show greater gains in book knowledge, letter recognition, and print conventions. According to such data, children previously participating in Head Start programs meet national norms by the end of their kindergarten year.

Despite these gains, however, data show Head Start children still lag behind the national average in school readiness when they enter kindergarten. A 2003 publication by HHS, Strengthening Head Start: What the Research Shows, provides an analysis of outcomes for children and families served by the Head Start program. The HHS analysis concludes that both lower and higher-achieving Head Start children have low scores on school readiness evaluations overall and show some limited progress after completion of the Head Start program. In other words, Head Start children enter and leave the program with below-average skills and knowledge levels (HHS, 2003).

The first year preliminary findings for the Head Start Impact Study released in June of 2005 provide further evidence of the importance of Head Start for low-income children and families. The study found that 3-year-olds in Head Start received the most benefits from the program. Results found that within 6 to 8 months, both 3- and 4-year-olds showed small to moderate improvements in pre-reading, pre-writing, vocabulary, and literacy skills as compared to children not enrolled in Head Start programs. The committee is encouraged that within a year Head Start was able to cut in half the achievement gap that would have been expected if the children had not attended a Head Start program. The Impact Study follows children until they complete the first grade, and the committee is waiting for the final report in 2007 and hopes to see that the reduction in the achievement gap continues for the participants in the study.

Because data indicate that many Head Start children enter kindergarten without the knowledge and skills proven to be strong predictors of school success, the committee seeks to ensure that all children participating in Head Start receive the maximum benefit of its programs and services. The challenges that so many Head Start children face later in their academic careers begin well before they enter school. As such, the committee recognizes the importance of Head Start's comprehensive services in helping children

make gains toward achieving academic parity with their peers and enter school ready to learn.

Early literacy is one facet of children's learning and development that is critical to school readiness. The committee recognizes and applauds the work of Head Start programs to provide a more enriched literacy experience and instruction to children. Children who read well in the early grades are far more successful later in school, and scientifically-based research demonstrates the importance of a strong foundation for children before they are given formal reading instruction in kindergarten and first grade. Head Start's attention to the development of early language and literacy skills is essential to helping children advance their reading skills in the later grades.

Head Start programs should provide children from low-income families a high quality oral language and literature-rich environment, and establish appropriate literacy goals for children that are tied to instructional strategies adapted to their individual level of learning and development. The committee encourages Head Start to continue its pivotal role in promoting early literacy, consistent with scientifically-based research, such as is employed in the Early Reading First initiative. In addition to caring for the emotional and social needs of children under their care, Head Start programs must also encourage and promote high-quality professional development for teachers and staff based on scientifically-based research in reading.

Children who have limited pre-literacy skills (e.g., weak phonological and phonemic awareness) are more likely to struggle in attaining age-appropriate reading proficiencies. For example, if children can correctly and consistently identify letters of the alphabet before they enter kindergarten and understand that letters represent sounds that make up words, it is more likely that they will learn to read words in school faster than children who do not possess this knowledge. Research consistently confirms that children's knowledge of the alphabet is a strong predictor of their later progress in learning to read words accurately, quickly, and automatically. Professional development and instructional strategies for Head Start teachers should be designed to strengthen phonological awareness and instruction to help children understand that words are made up of letters which correspond to sounds.

The committee also recognizes the importance of other skills critical to the school readiness of young children. For example, promoting pre-mathematics and pre-science knowledge and skills is an important component of school readiness. These competencies may be promoted through early science and math experiences, including observing with senses, predicting, inferring, defining and controlling variables, working in teams, and communicating discoveries. Examples of science and math experiences may include planting different seeds, with various types of growing medium, light, and water; building towers with various block sizes; employing ramps and different balls; and watching ice melt in different environments.

The Head Start for School Readiness Act updates the Head Start program quality standards and performance measures to reflect the areas of competence fundamental to children's school readiness. Head Start grantees are required to demonstrate the capacity to

serve eligible children with scientifically-based programs that promote school readiness and meet quality standards. Stronger quality standards will help facilitate children's development of the following: language skills; pre-literacy knowledge, including an interest in and appreciation of books, reading and writing either alone or with others; pre-mathematics knowledge, such as recognition of numbers and counting; cognitive abilities related to academic achievement; and social development important for environments constructive for child development, early learning, and school success. The committee bill continues to require Head Start grantees to further develop the language skills of limited English proficient (LEP) children, such as making progress toward the acquisition of the English language, while also focusing on the other requirements for children in the program.

The statutory improvements of the committee bill are expected to promote the acquisition of skills and competencies Head Start children need to enter school ready to learn. The committee also requires that the results-based performance measures be reviewed and updated as needed, no less than every 4 years, based on advances in the science of early childhood development.

HEAD START ALIGNMENT WITH K–12 EDUCATION

An alignment of goals and expectations extending from the early years into later schooling can support better transitions from infant and toddler care through preschool programs to kindergarten and into the primary grades, as teachers work within a consistent framework across educational settings. Comprehensive standards, curricula, teaching practices, and assessments must be age, developmentally, and linguistically appropriate for young children. These standards, curricula, teaching practices, and assessments must be supported by comprehensive services for children and by the professional development for staff to support each child's positive development and educational growth. Care must be taken to ensure that curricula and other practices used in Head Start programs serve as a foundation for later learning in school.

Studies show that many children, especially children from low-income families, enter school without the necessary skills and abilities to succeed. States report that between 20 percent to nearly half of all children entering school are not prepared to succeed in school. Evidence further suggests that children who start behind tend to stay behind. For these reasons, the committee recognizes the importance of building on Head Start's mission of school readiness to ensure that the program provides the foundation children will need to reach high standards later in school. The committee urges greater coordination between programs serving infants, toddlers, and children (including Head Start) and local educational agencies to appropriately plan and align expectations and curricula and facilitate a smooth transition into school.

Because many children in Head Start enter the program with less exposure to print and to a wide-ranging vocabulary, Head Start's attention to all domains of child development and learning is necessary to ensure positive gains in cognitive development, including early literacy. Early development of language and literacy skills provide children with the foundation needed to later become proficient readers in the elementary school grades. The committee

intends to strengthen the ability of Head Start, local schools, and other preschool programs to provide a positive continuum of early literacy experiences and instruction.

Like other complex skills, reading and writing are outcomes that result from the continual interaction of development and learning, and therefore a range of individual variation is to be expected in the rate and pace at which children gain literacy skills. The committee recognizes that children in Head Start programs can make demonstrable gains in early learning when provided with a quality preschool experience that includes an effective curriculum, intensive teacher training, and on-site monitoring and support of teacher instruction and interaction with children. The committee acknowledges that effective curricula and training programs are available that promote the development of language and early literacy knowledge and skills among Head Start children, and encourages Head Start programs to make use of such materials and practices. The committee intends, to the extent possible, that programs make use of scientifically-based curricula and training programs that are developmentally and linguistically appropriate for children and that reflect all necessary domains of child development and learning.

The committee recognizes the benefits of Head Start's comprehensive services and mission to prepare the Nation's most disadvantaged children to enter and later succeed in school. Therefore, the Head Start for School Readiness Act promotes alignment of Head Start services and curricula with the Head Start Child Outcomes Framework and, as appropriate, State early learning standards. The act also promotes better linkages between Head Start agencies and other child and family agencies providing necessary health, mental health, and other support services to children.

In referencing the Head Start Child Outcomes Framework and Indicators (2000), the committee recognizes the quality and scope of Head Start services and acknowledges the researched-based standards and outcomes (developed by independent experts and practitioners) to help guide teachers and staff with curricula, assessments, and services in all domains of child development. Research reports of the National Research Council such as Preventing Reading Difficulties in Young Children, Eager to Learn: Educating Our Preschoolers, and From Neurons to Neighborhoods state that standards and outcomes for young children must address a wide range of domains—cognitive, social, emotional, physical, language development, approaches to learning, as well as content areas of arts, literacy, mathematics, science, and social studies. The committee intends that Head Start curricula, assessments, and services continue to be aligned to address all such domains, consistent with the Head Start Child Outcomes Framework.

The committee also makes changes in the Head Start for School Readiness Act to ensure appropriate and greater alignment of Head Start services to early learning standards for preschool age children in respective States in which Head Start programs operate. The committee recognizes the benefits of alignment to State early learning standards and acknowledges that many States have developed early learning standards for preschool age children. However, because some State early learning standards do not cover the full range of child development and learning, the committee intends to

promote alignment to such standards only in the most developmentally-appropriate context, to best address the needs of Head Start children.

In providing for the appropriate alignment under the act, it is the committee's view that any alignment of standards to Head Start should recognize the continuity between early learning standards and standards for elementary and secondary grades. Curricula and assessments for preschool age children should be consistent with developmental and age-appropriate standards and address all areas of children's development and learning.

The committee bill helps to ensure a seamless system of education for children of all ages by requiring States to consult with their Chief State School Officer, local educational agencies, and local Head Start agencies when developing or reviewing early childhood standards and general plans for the enhanced delivery of early care and education services at both the State and local level.

INCREASED NEED FOR COORDINATION AND COLLABORATION

Head Start has a long history of coordinating with other programs to provide comprehensive child development and support services to young children and families with incomes at far below the poverty level to receive the health, nutrition, and educational supports that they need to be successful and prepared to enter school ready to learn. The committee anticipates that over time Head Start and Early Head Start programs will increase coordination with schools, child care, and other preschool programs to help meet the needs of low-income children and their families.

In recent years, States have begun to expand their own early childhood development initiatives. The National Institute for Early Education Research (NIEER) reported in March 2007, using data from the 2005–2006 school year, that 16 States used their own funds to supplement Head Start. States sponsoring preschool programs have expanded greatly over the past 30 years. In 1970, only seven States funded preschool programs. According to NIEER 38 States and the District of Columbia had some form of State-sponsored pre-kindergarten program in the 2005–2006 school year. These States provided early education to 942,766 or 20 percent of the Nation's 3- and 4-year-olds in pre-kindergarten programs, and spent nearly $3.3 billion to finance these programs.

With so many different early childhood programs providing services to the same target population, some States have sought to improve coordination and collaboration among the programs in order to create a coherent system that is more responsive to the needs of low-income parents, and supports opportunities for children to participate in high-quality programs that involve communities in the planning and implementation of service delivery. The committee is concerned that a fragmented service delivery system and uncoordinated programs can hinder program improvement and prevent needy children and families from obtaining the full array of available services for which they qualify and could benefit.

The committee has enhanced and clarified the current role of the Head Start Collaboration Director and State Advisory Councils. The committee intends to strengthen the role of the Collaboration Director in each State to also promote alignment of Head Start services with State early learning standards and the Head Start

Child Outcomes Framework. Each Head Start State Collaboration Office will conduct a needs assessment of Head Start agencies in the State with respect to the collaboration and coordination of services for children, the professional development opportunities for Head Start staff, and the partnerships between Head Start and other organizations. With these changes, the committee also intends to reduce the duplication of services, prevent under-enrollment, and more address gaps in services for Head Start children and families.

The committee feels strongly that the Head Start Collaboration Director should be a position of significant authority, appointed by the Governor and preferably located within the Office of the Governor. This centralized authority will allow for a more comprehensive coordination of services statewide, which will assist in providing "wrap around" child care services, health care, and employment services that are critical to low-income working families.

In an effort to engage all community stakeholders, the committee bill specifies that a variety of new entities participate in State collaboration activities. Some of these entities include: State and local educational agencies, State Departments of Health and Human Services, representatives of the State Head Start association, representatives from the State network for child care resource and referral agencies, and community and faith-based organizations. The addition of these entities will allow all States to develop a more seamless system for the provision of services to needy children and families, as well as leverage the experience, expertise, and resources of a variety of organizations and individuals.

The committee encourages the Secretary, in awarding collaboration grants to States, to award funds for designation of a Migrant and Seasonal Farmworker Collaboration Project Director and an Indian Head Start Collaboration Project Director. Such positions should be assigned the same responsibilities assigned to the State Directors of Head Start Collaboration. While it is important that the State Directors of Head Start Collaboration engage with the migrant and Indian populations in their respective States, these special Project Directors will ensure that the specific issues faced by children and families served by Migrant and Seasonal Head Start and Indian Head Start programs are addressed. These positions will also serve as a conduit for knowledge and understanding of these special populations served by the Head Start and Early Head Start programs.

In the context of greater collaboration, the committee also recognizes the important role of partnerships between Head Start programs and school and public libraries in increasing the pre-literacy skills of Head Start participants. Many librarians have worked extensively in the area of improving family literacy and achieved success in integrating research-based literacy practices into their work with families with pre-kindergarten children. Some Head Start programs across the country have long had library partnerships, through which librarians provide literacy training to Head Start staff; utilize a lending library, mobile library van, or other efforts to provide books to children; foster greater parental involvement through reading programs; and offer outreach and programs for LEP populations. The committee is encouraged by these practices and urges their continuation and expansion.

STATE ADVISORY COUNCILS

The committee recognizes the importance of bolstering coordination and collaboration among Head Start and other early childhood education programs through the establishment of a new State Advisory Council in each State that receives a Head Start collaboration grant.

In many States, as well as at the local level, there has been movement to enhance coordination among the variety of early childhood education programs through formal and comprehensive State coordination arrangements. In some States, significant coordination already exists among Head Start, Early Start, child care, and State pre-kindergarten programs and public schools. In some cases, such coordination efforts have taken the form of Councils or Governors' Cabinets.

In keeping with a desire for greater collaboration among Head Start, early learning programs, and other related programs serving young children in the State, the committee has attempted to formalize coordination efforts in all States in a highly inclusive way across the sectors and settings of early childhood programs. In such efforts, the committee intends to bring together a diverse and wide array of agencies, organizations, and early childhood professionals, including, but not limited to, Head Start, family and center-based child care, and State pre-kindergarten programs. For States with similar pre-existing councils or entities, the committee urges inclusion of additional members—to the maximum extent practicable—in order to meet the list of members suggested by the Committee to serve on the State Advisory Council.

While the Head Start State Collaboration Director is charged with assisting and improving the efforts of Head Start agencies in the State, the committee intends for the State Advisory Councils to encourage greater State level coordination of efforts and understanding of shared goals for young children from birth until school entry. In particular, the Council is charged with developing a strategic report, based on a statewide assessment of early care and education programs for children from birth to school entry, which includes plans for identifying barriers and opportunities for collaboration between entities carrying out existing early care and education programs; creating a professional development system and career ladder for early childhood educators in the State; making recommendations for a statewide, unified data collection system; assisting institutions of higher education to develop model programs for early childhood educators; and undertaking efforts to develop and improve State early learning standards. The committee requires each State Advisory Council to provide opportunities for public input in both its needs assessment and its recommendations, as well as to meet with sufficient regularity to review and revise its plans and recommendations.

The committee also makes available $100 million for the purpose of awarding one-time incentive grants to States that choose to further develop and implement the recommendations and plans for which the State Advisory Council is responsible. Such grants shall be disbursed for a 3-year period and will be used to facilitate the development of a high-quality system of early care and education.

The committee recognizes the use of nationally established data fields for collecting data on the supply of child care. Utilizing the data collected would strengthen the coordination of early childhood education and maximize the existing capacity of early childhood education in the United States. Efforts to develop a unified State data collection system for early care and education should incorporate child care data systems, such as those of child care resource and referral agencies.

The committee intends to work further to strengthen the coordination and collaboration of early care and education programs and to enhance the quality of such programs for all needy children and families.

TRAINING AND TECHNICAL ASSISTANCE

The committee bill changes the training and technical assistance set-aside from at least 2 percent in current law to 2 percent. The committee directs that half of those funds be sent to local grantees so that programs have a reliable source of funding for training and technical assistance activities. The remaining 50 percent provides the Secretary with adequate flexibility to conduct appropriate Federal training and technical assistance activities to help individual programs meet the Head Start quality standards. The committee encourages the Secretary to maintain the long-standing set-aside for training and technical assistance activities related to providing services to children with disabilities.

The committee bill allows training and technical assistance funds to support a regional or State system of early childhood education training and technical assistance. The committee encourages the Secretary to include assistance in HHS' regional system for the Migrant Seasonal Head Start program and the American Indian/Alaska Native programs. The committee encourages the Secretary to provide the training and technical assistance for these two programs through national awards by contractors with knowledge of, and experience in, working with the populations served by these programs.

The committee bill also restricts the use of training and technical assistance funds for travel expenditures associated with attending conferences when similar training and technical assistance is available locally. It is the committee's view that occasional travel to conferences and events may be necessary but only as such conferences relate to the overall effectiveness and quality of Head Start programs and outcomes. Excessive travel to Head Start conferences and events, especially those outside the continental United States, is not an appropriate use of Federal training and technical assistance funds. Whenever possible, Head Start programs should utilize local or regionally-based training opportunities and should limit travel to occasions when an identified training need cannot be met through local or regional resources. Recognizing that some States encompass a significant geographic area, the committee does not intend for the prohibition on long-distance travel expenses to prevent travel within a State, regardless of the distances incurred within the State. The committee urges the Secretary to ensure that expenditures are consistent with the needs identified in a grantee's annual plan for training and technical assistance.

The committee believes that better information is needed on how funds for training and technical assistance are spent by both Head Start agencies and HHS. The committee urges HHS to require better data reporting on the use of training and technical assistance dollars so that Congress has access to more complete information when assessing the amount of funds needed for this purpose. Better data reporting also will help HHS and Congress identify the most effective uses of these funds so that Head Start instructors and administrators are gaining the knowledge needed to improve program management and the delivery of services to children and their families.

QUALITY IMPROVEMENT

The Head Start for School Readiness Act provides greater support for improving program quality by significantly increasing the percentage of new dollars that must be spent on quality improvement. After funds have been allocated to maintain grantees' current funded enrollment levels, the committee intends that 30 percent of remaining funds for fiscal year 2008, and 40 percent for each of fiscal year 2009 through 2012 be set aside for quality improvement.

Quality Head Start programs contribute significantly to children's development. There is growing recognition that participation in high-quality early childhood education and care programs are important indicators of success in school and in life. This is due in part to the fact that these programs affect children precisely at the point when children's development is rapid, dramatic, and multidimensional. Research has demonstrated that the experiences of young children greatly affect all aspects of their development, including cognitive development. The level of commitment to quality improvement demonstrated in the committee bill is critical if Head Start is to succeed in improving the school readiness of participating children.

These funds are an effort to ensure that Head Start programs are of the highest possible quality and to ensure that funds are available to assist Head Start programs to reach new goals for teacher quality. The bill begins to address this need by ensuring that of the funds reserved (beyond those funds necessary to adjust programs for inflation) not less than half of all quality funds must be used to increase teacher salaries and assist programs in recruiting and retaining quality staff.

Funds may also be spent on other functions that have been determined to improve program performance, such as providing ongoing professional development based on the latest early childhood research on curriculum and teaching methods, or improving outreach to families and external partners.

The committee bill also includes an opportunity for a small number of Head Start programs to receive incentives for innovative approaches that expand and improve services for Head Start children and families. Under these provisions, grantees may retain a limited percentage of the administrative portion of their grant on an ongoing basis, if the grantee is able to serve more children while also improving program quality and outcomes.

While program quality depends on the availability of quality materials, equipment, and community partners to provide comprehen-

sive services, the quality of Head Start programs is primarily dependent upon staff quality. Therefore, staff development continues to be a high priority of this committee. Quality improvement funds may be used to provide assistance for staff completing postsecondary coursework and for other staff development and training.

The committee recognizes that a well designed Head Start classroom with an effective pre-literacy program delivered by a competent teacher is vital for later reading proficiencies and school readiness. Head Start teachers must be equipped with an understanding of how oral language, pre-literacy, and early literacy develops in children and how parental and classroom instruction and involvement can optimize that development. Teachers need professional development throughout their careers to strengthen their knowledge and skills for promoting children's language, pre-literacy, and early writing, as well as other cognitive areas.

The committee feels that another important use of quality improvement funds is in training staff to address the challenges of children participating in Head Start programs. Quality improvement funds should be utilized to conduct outreach to these low-income populations including homeless families, migrant and seasonal farmworking families, and families with LEP children, and in developing partnerships with institutions of higher education to recruit and train individuals who may serve as mentors to Head Start children.

HEAD START RESEARCH, EVALUATION AND ASSESSMENTS OF YOUNG CHILDREN

There is an ongoing need for high-quality research about the effectiveness of Head Start. During the 1998 reauthorization, Congress took a giant step forward by commissioning a National study on the impact of Head Start services to provide valuable data comparing the outcomes of children in Head Start programs with similar children who do not participate in the program. In June 2005, HHS published the first year preliminary findings of the Head Start Impact Study. The committee looks forward to the final report of the Head Start Impact Study in 2007, which will help inform reform efforts so that all grantees can have a positive effect on children in the program.

In 1997, Head Start launched the Family and Child Experiences Survey (known as FACES) to provide valuable information on child outcomes and program performance quality over time. FACES is a study of a national random sample of Head Start programs, but is not designed to compare Head Start participants to other children in other preschool programs serving a similar population. HHS continues data collection efforts for the FACES study. In addition to current research, with input from the Head Start community, research needs should be continually assessed so that Congress can identify ways in which Head Start programs can be strengthened to best meet the needs of the children it serves.

The committee notes with some concern the insufficient research focusing on American Indian and Alaska Native Head Start programs, thus limiting the availability of scientifically-based research on these programs. The committee strongly recommends that the Secretary undertake a study or set of studies designed to focus on this population, with a focus on issues such as curriculum develop-

ment, availability and need for services, appropriate research methodologies and measures for these populations, and best practices for teaching and educating American Indian and Alaska Native Head Start program participants. Furthermore, the committee underscores the importance of providing tribes and tribal organizations (such as the National Indian Head Start Directors Association) the opportunity to contribute to and collaborate on this research, with tribes retaining as much local control over this process as is practicable.

The committee strongly supports the efforts of the National Academy of Sciences (NAS) to review the current body of early childhood research through the Developmental Outcomes and Assessments for Young Children. Because academic outcomes and assessments for young children are emerging areas of knowledge and practice, the act also includes a review of Head Start outcomes by the NAS, to facilitate greater information and recommendations on their further development, appropriateness, and application. Once the NAS completes its report and recommendations, HHS will use the results of such study to develop, inform, and revise Head Start outcomes and any appropriate assessments. As such, any guidance or mandates for new outcomes will be grounded in independent research and informed by experts and practitioners in the child development and early care and education fields.

This review is needed to provide recommendations on age and developmentally-appropriate academic standards and measurable benchmarks for achievement, the types of services (including classroom instruction) necessary to ensure school readiness, and appropriate methods to assess child progress in preparing for school. This study also is needed to ensure a well-informed approach to developing school readiness standards and will assist States in the process of developing and/or implementing such standards. The committee hopes that recommendations of this panel will be used by the Secretary to inform and guide the development and implementation of the recommended educational standards for Head Start program participants.

Recent research on child development and learning has shown that integrating a child's cognitive development with his or her social, emotional, and physical development promotes greater school readiness. Consistent with that research, Head Start programs are currently guided in their curriculum and program practice by the Head Start Child Outcomes Framework, which provides guidance toward an integrated approach of child development and learning, with a variety of indicators within each area of child development (e.g., social, emotional, physical, cognitive). The Framework also is helpful to programs in their efforts to analyze and use data on child outcomes in program self-assessment and continuous improvement.

Recent reports conducted by the NAS, such as Neurons to Neighborhoods and Eager to Learn: Educating Our Preschoolers, have demonstrated the need to consider carefully the variation in each child of his or her development and background in developing standards for Head Start programs, expected outcomes for Head Start children, and effective and appropriate pedagogy and assessment.

The committee believes that educational assessments are an essential component of program evaluation and improving student achievement. Through valid and reliable assessments much can be learned about program strengths and weaknesses, what a child has or has not learned, and which instructional techniques work best with different children.

Currently, Head Start programs use locally-designed assessments to monitor child development and growth and to improve instruction and services to maximize children's learning. The committee bill acknowledges the importance of assessments in Head Start and includes a requirement that agencies establish effective procedures and provide for the regular assessment of Head Start children, such as observational assessments, direct formal assessments, or parent and provider interviews, taking into consideration the age of the child. Because academic outcomes and assessments for young children are emerging areas of knowledge and practice, the committee recognizes the ongoing need to consult and rely on recommendations from independent experts in the development and application of such outcomes and assessments. The committee expects that Head Start agencies will have a process to assess each of the elements important to a child's school readiness and later performance in school, including cognitive abilities and motor and sensory development. The Head Start agency may choose the assessment so long as it is valid and reliable and meets recognized technical standards.

The committee is very aware of the need for better information about the readiness of Head Start students to enter school and to measure young children's learning and development. However, the committee has concerns about the current National Reporting System (NRS). The committee believes that the existing NRS is inappropriate for use in the Head Start program and accordingly requires the Secretary to halt the implementation and any further development of the NRS. The Secretary is required to incorporate the findings of the NAS review into any new assessment or assessment system developed for the Head Start program and may not reinstitute the NRS in its current form.

LITERACY IN HEAD START PROGRAMS

Efforts to improve family literacy are an important component of the Head Start program. Family literacy activities, including financial literacy services, enhance parental involvement in their child's education, which is significantly challenged if parents themselves cannot read. In keeping with the goal of improving school readiness and valuing the role of parents in their children's education, the committee bill renews its support for training and technical assistance in the area of family literacy services.

Since the 1998 reauthorization of Head Start nearly 50,000 children's books have been placed in Head Start classrooms. In addition, nearly 2,000 Head Start parent-mentors have received training to better prepare them to support their child's language and literacy development and to encourage other parents to do the same. The committee commends the work of the Head Start Bureau and the National Center for Family Literacy in its conduct of the Head Start Family Literacy Project. Not only have program grantees found the project's training and technical assistance useful, but

evaluations have proven the merit of this important work. The committee encourages the Secretary to ensure the continuity of these important services so that Head Start children will be better prepared for school and Head Start parents will be better able to fulfill their role as their child's first and best teacher.

The committee views a literacy rich environment for children as an important priority for Head Start programs. To further expand the availability of books in Head Start classrooms, the committee bill recommends that State Head Start Collaboration offices promote partnerships between Head Start agencies and other organizations to enhance the Head Start curriculum, including partnerships to promote more books in Head Start classrooms.

The committee encourages the Secretary to disseminate to Head Start centers information on best practices for infusing literacy and print activities into Head Start classrooms and getting books into children's hands. It is vitally important for young children's literacy development that a large number and variety of high-quality, print-rich books be maintained in each Head Start center and classroom and be easily accessible to all children. The committee urges the Secretary to provide best practices for Head Start professional development to emphasize the importance of pre-k in establishing a foundation for literacy and pre-reading skills; to encourage the creation of physical environments that engage children in print activities, entice children to play with, use and read books, and that provide children better classroom (e.g., book nooks and library corners) and out-of-classroom access to books (e.g., classroom lending library); to train teachers in effective read-along techniques and the selection of age appropriate books; and to encourage Head Start programs to make books and story reading a constant presence in everyday classroom activities.

The committee also recognizes the importance of enhancing linkages between Head Start programs and libraries. As such, the bill encourages Head Start programs to collaborate with local libraries, where available, that are interested in such collaboration, to develop innovative programs to excite children about the world of books. Such programs may involve taking children to the library for story hour; promoting use of library cards for families so that children can bring books home; developing a lending library or using a mobile library van; supplementing a center's collection with books on various themes of the week or providing fresh books in the classroom on a regular basis; and carrying out other activities through partnerships to promote literacy and excitement about the world of print.

UNDERSERVED AND AT-RISK POPULATIONS

While all children served by the Head Start program are economically in need, there are some subgroups of the eligible Head Start population who are particularly at risk and often underserved. According to a study conducted by the HHS in 2001, less than 19 percent of the eligible children of migrant and seasonal workers received Head Start services. Similarly, the Indian Head Start program served only 16 percent of eligible children. The committee bill attempts to increase the participation of these children by increasing the percentage set-aside for Indian Head Start and

for Migrant and Seasonal Head Start to 4 and 5 percent respectively.

In an effort to address the unique challenges faced by American Indian and Alaska Native children, the committee bill includes representatives of Tribal Head Start programs serving large numbers of American Native and Alaska Native children as participants in State level collaboration and coordination of services and requires annual consultation with the Secretary. The committee believes that increased input from tribal programs that serve large numbers of American Indian and Alaska Native children will allow for a better understanding of these children's unique needs.

Through the comprehensive services provided to young children and their families, Head Start and Early Head Start programs can play an important role in preventing the abuse and neglect of children and in protecting children and ameliorating the affects of maltreatment they may have already suffered.

Ensuring that children are ready to learn means ensuring that children are safe at home and receive the kind of nurturing and care that all children deserve.

Research shows that abused and neglected children are more likely to have poor prospects for success in school; that sexually abused and neglected children are at a higher risk for academic failure; that maltreatment appears to be an additional factor over and above poverty that affects the academic achievement of children; and that a higher frequency of academic difficulties and school behavior problems is reported among abused children.

The committee recognizes that abused and neglected children and children at risk of maltreatment are in need of preventive services and may benefit from Head Start and Early Head Start services. The committee bill builds upon provisions already existing in the Head Start statute that provide for (1) home based services to Head Start children and their families; (2) staff training in working with children who experience violence; (3) training to parents in parenting skills and basic child development; and (4) collaboration with other agencies and organizations involved in child and family services.

The committee also recognizes the need for Head Start programs to support children from immigrant, refugee, and asylee families. In addition, consideration is given in the bill to children from families in crisis, children in foster care and those referred to Head Start by child welfare services, and children who are exposed to chronic violence or substance abuse. The committee specifically directs that Head Start staff be adequately trained in addressing the challenges of these children.

HOMELESS CHILDREN IN HEAD START PROGRAMS

Over 40 percent of children living in homeless shelters are under the age of 5 and are at an age when early childhood education can have a significant, positive effect on their development and future academic achievement. Homeless children experience more developmental delays, health problems, and other challenges, which make enrollment and access to Head Start programs important for success in school.

The Department of Education's fiscal year 2000 Report to Congress on the Education of Homeless Children and Youth identified

limited program capacity and availability, transportation, and immunizations and residency requirements as representing significant barriers within the Head Start program for homeless children to access Head Start services. The committee bill addresses this issue by increasing efforts to conduct outreach to homeless families and by leveraging the experience of the homeless liaisons in public schools required under the McKinney-Vento Homeless Education Improvement Act. This coordination assists in identifying barriers to serving homeless children and facilitates a smooth transition when homeless children move from Head Start to elementary schools.

The Head Start for School Readiness Act encourages enrollment of homeless children by providing categorical eligibility for homeless children, as well as addressing the other barriers limiting the access and participation of homeless children. To overcome barriers such as high mobility, documentation requirements, transportation challenges, and lack of service coordination with other social service programs, the committee urges Head Start grantees to increase their outreach, recruitment, and enrollment of families in homeless situations; to provide appropriate services to meet their needs; and to collaborate with relevant community agencies.

The Head Start for School Readiness Act includes many provisions specifically designed to increase the participation of homeless families in Head Start programs. It is the committee's intent that when the Secretary issues regulations to implement these provisions of the Act that consideration is given to procedures that will eliminate and address barriers to homeless families' participation in Head Start programs. The committee recognizes the Head Start Bureau's historical encouragement of local Head Start grantees to target homeless families whenever possible to address the challenges homeless families experience when enrolling and maintaining enrollment in Head Start programs. Research has demonstrated the importance of early childhood education for homeless children, offering the stability and supports needed for a child to cope with his or her situation.

In general, when a grantee works on its community needs assessment, it should ensure that it accounts for homeless families. The mean income of homeless families is 46 percent of the poverty line; homeless families are often so poor and so mobile that they are not accounted for in standard Census measures. For this reason, extra efforts should be made to include homeless families in calculations of the concentration of low-income families in a geographic area. The Secretary may require that grantees in their community needs assessment take into account the percentage of homeless pre-school age children in the service area. Grantees should be particularly cognizant of all underserved populations in their community such as homeless children, children in foster care, and children with disabilities. The Secretary should ask grantees to report on efforts to remove barriers, facilitate enrollment, and prioritize children who are most in need of Head Start services in their community. Family transportation needs of underserved populations should also be addressed in Head Start planning efforts.

The goal of reducing under-enrollment should not discourage grantees from serving underserved populations, including homeless children. Therefore, regulations should clarify that provisions de-

signed to reduce under-enrollment are not meant to prohibit or discourage Head Start grantees from serving homeless children. If a homeless child moves out of a program's service area, to the extent feasible and at the request of the parent, the child can continue to participate in such program.

Documentation for homeless children continues to be a barrier. The committee recognizes the difficulty in securing documents (e.g., proof of age, proof of residency, birth certificates, and immunization and other medical records) for homeless children. The Head Start for School Readiness Act models provisions in the No Child Left Behind Act that allow homeless children to enroll in Head Start while those documents are being obtained. Homeless families, if necessary, should be allowed to produce alternative proof of residency and evidence of such documents. To facilitate effective transitions, grantees should request records from previous service providers and transfer the records of former program participants in a timely manner. The committee encourages States and localities to review laws, policies, and regulations that act as barriers to the enrollment of homeless children in Head Start programs, in particular with respect to relevant documentation and records. It is the committee's intent that when the Secretary develops regulations, the Secretary consider such State or local reviews, especially with respect to documentation policies.

It is important to the committee that better and more consistent data relating to homeless children and families are obtained. Therefore, the committee urges the Secretary to include a specific analysis of the status of homeless children and children in foster care in the report on the status of children participating in Head Start programs.

LIMITED ENGLISH PROFICIENT CHILDREN AND FAMILIES

Approximately 28 percent of the children served by Head Start speak a language other than English at home and come to Head Start centers with limited English skills. These children speak over 140 languages. After English, the most common languages spoken by Head Start children are Spanish, Chinese, Hmong, and Vietnamese. Given demographic projections for the immigrant community, the number of children who will come to the Head Start program speaking a language other than English will only increase in the foreseeable future.

During this reauthorization of Head Start, the committee prioritized improving the delivery of services for LEP children and their families. The bill establishes a requirement that grantees set policies to identify and serve LEP children through linguistically appropriate approaches so that such children and their families have a meaningful opportunity to participate in Head Start programs, including the provision of information to parents in an accessible manner. The committee urges the Secretary and the Head Start Bureau to continue and enhance activities to ensure that LEP children are served by high-quality Head Start programs, including activities to assist Head Start grantees to adopt teaching strategies that provide language-rich learning environments, literacy development, and materials appropriate for LEP children.

The committee recognizes the development of native language immersion and cultural programs as an important strategy for

meeting the needs of children served by Indian Head Start programs, guided by the discretion of the individual Tribal grantees.

CHILDREN WITH DISABILITIES

Head Start grantees are required to enroll and provide comprehensive educational, medical, and social services to children with disabilities, as defined under Part C and Section 619 of the Individuals with Disabilities Education Act (IDEA), and their families. Since 1974, Congress has required that no less than 10 percent of the children a grantee serves are children with disabilities. Currently, children with disabilities comprise about 13 percent of the total Head Start population; 10.6 percent of enrolled Head Start children receive services under IDEA.

Today, nearly 132,000 children with disabilities, including over 114,000 children eligible for services under IDEA, participate in Head Start and Early Head Start programs, including children with speech and language impairments, autism, orthopedic impairments, mental retardation, developmental delays, and learning disabilities. Within Head Start, children with disabilities receive individualized services in an inclusive, integrated environment that prepares them to enter elementary school.

The committee recognizes the important role that Head Start plays in seeking out and identifying and serving low-income children with disabilities. Therefore, it encourages grantees to maintain current strategies delineated in Federal performance standards for comprehensively addressing the needs of children with disabilities. Grantees must continue outreach to identify and enroll children with disabilities; refer children to local educational agencies for evaluation and determination of eligibility for IDEA services; collaborate with local educational agencies to provide comprehensive educational, medical, and social services to children with disabilities; coordinate programs and systems (such as IDEA and Medicaid/EPSDT programs) to ensure that a wide range of needs are met; and provide funding for training and technical assistance specifically related to those who care for children with disabilities.

It is important to the committee that better and more consistent data relating to children with disabilities are obtained. Therefore, the committee urges the Secretary to include a specific analysis of the status of children with disabilities in the report on the status of children participating in Head Start programs.

TEACHER QUALITY AND STAFF QUALIFICATIONS

The committee believes that well-educated and skilled teachers are a key element to early childhood program quality and better outcomes for children. Research consistently demonstrates a link between the achievement of children and the knowledge, skills, and competencies of classroom teachers. Teachers in Head Start programs must be adequately trained and educated, particularly in effectively providing pre-literacy, language, and pre-mathematics instruction, as well as social, emotional, and physical development and approaches to learning.

Nationally, over 70 percent of Head Start program teachers have at least an Associate's degree (AA); of the teachers with degrees, over 50 percent have Bachelor's (BA) or advanced degrees. To pro-

mote the highest quality instruction and learning environment as possible, the committee has taken a number of steps to strengthen the educational goals for Head Start teachers.

Over the next 5 years (by September 30, 2012), it is a goal for all Head Start teachers in center-based programs to have at least an AA degree relating to early childhood development or an AA degree in a related educational area with coursework related to early childhood development and demonstrated teaching competencies as determined by the Head Start director.

Over the next 3 years (by September 30, 2010), it is a goal for all Head Start curriculum specialists and education coordinators in center-based programs have a BA degree relating to early childhood development or a BA or advanced degree and coursework equivalent to a minor relating to early childhood development.

Over the next 3 years (by September 30, 2010), it is a goal for all Head Start assistant teachers in center-based programs to have a Child Development Associate (CDA) credential or be enrolled in a CDA program to be completed within 2 years.

Over the next 6 years (by September 30, 2013), the goal is for at least 50 percent of all Head Start teachers in each State to have a BA degree relating to early childhood education or a BA degree with specialized training for pre-kindergarten and demonstrated teacher competencies. Currently, 38 percent of Head Start teachers have at least a BA degree, and teachers and programs across the Nation are striving to achieve this goal.

Each Head Start agency must report to the Secretary annually on its progress toward meeting the goals of increasing the educational attainment of Head Start staff. The Secretary shall document the increasing percentages of Head Start staff making progress toward these goals and compile and submit a summary of the reports to Congress.

The committee strongly believes that continuing professional development is also an important element to improving the Head Start teaching workforce. Each Head Start teacher shall have at least 15 clock hours of professional development per year. Such professional development shall be high-quality, sustained, intensive, and classroom-focused in order to have a positive and lasting effect on classroom instruction.

The committee believes that encouraging current Head Start staff to return to school is an important goal. If Head Start funds are used to provide financial assistance to pursue a degree in higher education, the Head Start employee must remain employed with Head Start for at least 3 years after receiving the degree or repay the total or prorated amount.

The committee recognizes the importance of recruiting and retaining high quality teachers to the Head Start program and that successful recruitment and retention mechanisms include a myriad of incentives approaches. The committee views differential and merit based programs and scholarships as examples of such incentive programs.

The committee understands that there are State and Federal student financial aid programs available to Head Start personnel to pursue higher education degrees. It is the committee's intent that, to the extent possible, these sources of financial aid should be

accessed to assist Head Start personnel to meet the teacher quality and staff qualification requirements under this act.

The committee's primary objective is to improve outcomes for children in Head Start programs by strengthening the quality of the programs serving these children. According to NIEER, "teachers who have earned a BA are better equipped to provide high quality preschool education than are teachers with a 2 year degree (AA), Child Development Associate (CDA) certificate, or High School diploma (even when these teachers have had training in child development)."

The committee understands that the goals set out in the legislation for the number of individuals with BA degrees may be challenging for certain grantees, States, and regions. The challenges in securing and maintaining teaching staff with advanced degrees is particularly acute for Migrant and Seasonal Head Start programs, Indian Head Start programs, programs that require bilingual teaching staff, and rural grantees. The committee acknowledges that many of the challenges faced by these programs are systemic by virtue of how and where they operate and urges the Secretary to assist grantees in meeting these challenges.

The committee also notes the challenge facing Indian Head Start programs which are often located in remote and isolated areas without access to post-secondary institutions. It is the committee's hope, however, that these challenges can be addressed by additional access to distance education. The committee bill includes a provision to provide additional funding to Tribal Colleges and Universities. The committee intends for this funding to help the staff of Indian Head Start programs attend Tribal Colleges and Universities where such institutions exist to meet the teacher requirements of this legislation in a way that respects the traditional values of Native American tribes.

Finally, the committee views the teacher development goals as important for all Head Start programs. However, in implementing the requirements of this section, the Secretary shall not impose penalties or sanctions on individual Head Start programs or staff in the Head Start monitoring process as a result of failing to meet the levels of teachers holding such credentials prescribed under this section.

EARLY HEAD START

The science of early childhood education and development demonstrates that during the first 3 years of life, the brain undergoes its most dramatic development and children acquire the ability to think, speak, learn, and reason. According to many brain researchers, the development between the prenatal period and the first years of life is more extensive than previously thought and susceptible to long lasting early environmental influences (Moughty, 2003). The groundbreaking report Starting Points: Meeting the Needs of Our Youngest Children states that "Babies raised by caring, attentive adults in safe, predictable environments are better learners than those raised with less attention in less secure settings." (Carnegie Corporation of New York, 1994).

The critical development which occurs during the first 3 years of a child's life is well documented: all infants and toddlers need positive learning experiences to foster their intellectual, social, and

emotional development and to lay the foundation for later school success. Infants and toddlers living in high-risk environments need additional supports to promote their healthy growth and development. Disparities in children's cognitive and social abilities become evident well before they enter Head Start or pre-kindergarten programs at age 4.

The Early Head Start program minimizes these disparities and ensures that children enter school ready to learn. The National Evaluation of Early Head Start—a rigorous, large scale, random-assignment evaluation—concluded that the Early Head Start program is making a positive difference in areas associated with children's success in school, family self-sufficiency, and parental support of child development.

The committee believes that, given the importance of the early years for healthy brain development and the demonstrated effectiveness of the Early Head Start program, increasing the number of infants and toddlers served by Early Head Start is important for reducing the gap disadvantaged children face when they enter preschool. Accordingly, the committee has added amendments to expand the Early Head Start program which currently serves 3 percent of eligible children, increasing the current 10 percent set-aside of total Head Start appropriations to at least 20 percent by 2012. The committee provides for such increase, so long as these increases will not reduce services for preschool age children in the Head Start programs.

The committee has also included provisions to allow programs to convert funds used for preschool age children to serve infants and toddlers under certain conditions and when a community needs assessment indicates that such a conversion is warranted. The committee is concerned that services provided as a result of this conversion be of the same high quality as those provided through existing Early Head Start programs, and therefore directs the Secretary to condition the approval of such conversions on ensuring that the eligibility criteria and standards required under section 645A of the Head Start Act are met.

Services for parents to support their role as parents are a critical component of the Early Head Start program. According to the NAS, considerable evidence supports the notion that programs that combine child-focused educational activities with explicit attention to parent-child interaction patterns and relationship building have the greatest impact for at-risk children. The National Evaluation of Early Head Start concluded that Early Head Start parents were more involved and provided more support for their child's language development and learning than control group parents. This clearly shows that the two-generation focus is critical to the achievement and success of Early Head Start.

The committee expects that Early Head Start programs will continue to offer required services to parents to support their role as parents and will continue to be responsible for the provision of services to parents that meet the Head Start Performance Standards. These services may continue to be provided either directly by the Early Head Start programs or through formal partnerships with community agencies. Early Head Start programs will continue to encourage parent participation in these services.

Because so many infants and toddlers are in the care of relatives, friends, or neighbors, the committee intends that Early Head Start programs provide home-based services to family child care homes and kith and kin caregivers caring for infants and toddlers who also participate in Early Head Start services. These home-based services will enhance the ability of kith and kin caregivers to provide continuity in supporting children's physical, social, emotional, and intellectual development. The committee intends that Early Head Start should be able to implement successful models for kith and kin care emerging from HHS' Enhanced Home Visiting Project. The committee also feels that while training and services may be provided directly to other caregivers when parents are unable to attend, services under this section should also continue to be provided to children's immediate families.

Given the changes in the committee bill to expand and enhance the Early Head Start program, the committee supports the maintenance of an Early Head Start director position within the Federal Office of Head Start, to provide leadership to all Early Head Start programs on essential issues of prenatal development, infant and toddler development, and Early Head Start programming.

The committee also intends for Early Head Start programs and staff to continue to receive the ongoing training opportunities and technical assistance necessary from organizations with specialized expertise relating to infants, toddlers, and families. To sustain the positive outcomes and gains generated by Early Head Start, the committee believes that it is critical for Early Head Start programs to access a continuum of relevant training. Such organizations offer the demonstrated capacity needed to provide direction and support to the Head Start national and regional training and technical assistance system to better serve Early Head Start grantees.

Further, it is critical that training for Early Head Start programs focus on the unique social and emotional development of infants and toddlers. Research demonstrates that attending to the social and emotional development of very young children is just as important as attending to components of linguistic and cognitive competence and is essential to children's overall functioning, their ability to form and maintain relationships, their ability to learn, and their future success in school and life.

DESIGNATION AND COMPETITION OF HEAD START AGENCIES

It is the committee's intent with this bill to improve the accountability, quality, and outcomes of Head Start programs for children and their families. This goal is accomplished in two ways: (1) by ensuring that the funding for those grantees with significant or recurring deficiencies is suspended or terminated; and (2) by assisting grantees in improving their performance through training and technical assistance.

All grantees, even those with priority designation, are required to submit an application for funding every 5 years. For initial designation as a Head Start grantee, an entity must demonstrate the power, authority, and capability to administer a Head Start program and shall establish program goals for improving the school readiness of Head Start children. Current grantees that are eligible to apply are those that have met or are making progress toward meeting program goals, the Head Start performance standards, and

the Head Start Child Outcomes Framework. However, only those high-performing grantees that are currently receiving funding, have met or exceeded program and financial requirements, have no unresolved deficiencies, and can demonstrate active collaboration with other State or local providers of services to children, are eligible to receive priority designation. The committee believes expanding the universe of organizations eligible to compete and operate Head Start programs may result in improved program performance and stronger Head Start programs overall. The committee recognizes that all grantees, even high-performing grantees, and ultimately the children will benefit from ongoing, continuous improvement of the program.

The committee understands the significance of a priority designation for grantees in the open competition process. Therefore, language in the bill clearly defines what constitutes a deficiency and an area of unresolved noncompliance. A deficiency is defined as a systemic or substantial material failure of an agency in an area of performance that the Secretary determines involves a threat to the health, safety, or civil rights of children or staff; a denial to parents to exercise their full roles and responsibilities related to program operations; a failure to comply with standards related to early childhood development and health services, family and community partnerships, or program design and management; the misuse of Head Start funds; loss of legal status or financial viability, loss of permits, debarment from receiving Federal grants or contracts, or the improper use of Federal funds; or the failure to meet any other Federal or State requirement that the agency has shown an unwillingness or inability to correct after notice from the Secretary.

An agency can also be deemed deficient by a systemic failure of the board of directors, if it fails to fully exercise its legal and fiduciary responsibilities; a substantial failure of an agency to meet the administrative requirements; or having an area of unresolved noncompliance. In addition, an agency may be deemed deficient for a failure to demonstrate that it has attempted to meet the coordination and collaboration requirements with other entities providing early childhood programs and services. By using the term "systemic" or "substantial in nature", a deficiency is reserved for serious failure to conform to Head Start performance standards.

The committee was very concerned with some of the findings of the GAO's February 28, 2005, report entitled Head Start: Comprehensive Approach to Identifying and Addressing Risks Could Help Prevent Grantee Financial Management Weaknesses. This report determined that 53 percent of grantees identified with noncompliance were again cited for noncompliance in their next reviews.

The committee recognizes that a noncompliance is not the same level of severity as a deficiency. However, it is unsatisfactory to the committee that programs failed to correct a noncompliance finding in a timely manner. The committee defined the term "unresolved area of noncompliance" as a failure of a program to correct a noncompliance within 120 days or within additional time as authorized by the Secretary. A program failing to resolve an area of noncompliance within 120 days will be deemed deficient.

The committee recognizes that some noncompliance findings are procedural in nature and as such cannot be "undone." In these

cases, the committee expects that resolution of the noncompliance finding will involve the implementation of policies and procedures that will ensure future compliance with the Head Start statute and regulations.

All grantees with a current deficiency will be subject to an open competition without priority designation. Any eligible grantee that has had a deficiency is encouraged to compete for designation. If a Head Start agency resolves deficiencies and areas of noncompliance within the timeframe of the quality improvement plan, such agencies shall be redesignated. The committee also expects that the current practice of self-certification regarding the resolution of findings of noncompliance will be continued.

The committee anticipates high-performing grantees will be awarded a subsequent grant for 5 years and remain Head Start grantees because consistency is very important for the Head Start program, especially for the children served by these grants. The committee also recognizes that many Head Start grantees are doing a very good job administering their grants. In the case of Indian Head Start programs, the committee intends that any grant awarded for these purposes will go to an Indian Head Start grantee. In the event that an eligible Indian Head Start grantee is not available, children shall continue to receive services until an Indian Head Start grantee becomes available and designated.

HEAD START PERFORMANCE STANDARDS, EDUCATIONAL STANDARDS AND MEASURES

As a National laboratory for early childhood development, the Head Start program has always been concerned with the quality of its programs and its effects on children and families. Head Start performance standards are critical to maintaining the highest quality of services in Head Start centers. Such standards include mandatory regulations for Head Start grantees and prescribe the characteristics of a quality Head Start program. Beyond defining the process for providing services to children in the program, the Head Start Program Performance Standards guarantee comprehensive services such as immunizations, health services, nutrition, education, and the involvement of parent programs. The committee recognizes that the gains in development and school readiness outcomes made by Head Start children are closely associated with Head Start performance standards.

The committee bill makes several additions to Head Start educational performance standards to ensure that such standards reflect the following essential areas of child development: language skills related to listening, understanding, speaking, and communicating; pre-literacy knowledge and skills; pre-mathematics knowledge and skills; scientific abilities; social and emotional development; physical development; and general cognitive abilities related to development and achievement. The committee views each of these areas as critical to the later academic success of Head Start children in school and directs the Secretary to adopt these additional educational standards for Head Start programs, consistent with findings of the forthcoming report by the NAS Panel on Developmental Outcomes and Assessments for Young Children.

In 1995, Head Start joined efforts throughout the Federal Government to develop performance measures to promote account-

ability through the assessment of program quality and outcomes. These performance measures have assisted efforts by Head Start agencies to shift focus from process to outcomes and results-oriented evaluation in accordance with the Government Performance and Results Act of 1993 (P.L. 103–620), the recommendations of the 1993 Advisory Committee on Head Start Quality and Expansion, and the mandate of Section 641A(b) of the 1994 Reauthorization of the Head Start Act.

The performance measures developed in response to enhanced educational focus are providing methods and procedures for assessing, annually and over long periods, the quality and effectiveness of programs operated by Head Start agencies. The committee bill directs the Secretary to ensure that these measures assess characteristics that are strongly predictive of children's readiness for and later performance in school and intends for such measures to be updated periodically based on advances in the science of early childhood development. The committee views these measures as essential to promoting the success and assisting in the continual improvement of Head Start programs.

TRANSITION

Successful transition from preschool into the K–12 education system is one of Head Start's primary objectives. The committee has long recognized that transition activities are a partnership in which the Head Start agency and local educational agencies must cooperate; therefore, compatible transition requirements are outlined both in the Head Start statute and in the Elementary and Secondary Education Act.

Previously, the committee provided a set-aside to fund 31 demonstration projects designed to identify and replicate best practices for extending a Head Start-like model of comprehensive services into kindergarten and the first three grades of elementary school, thereby facilitating the transition of Head Start children into their local school systems. Based on the success of this initiative, two information memos were disseminated to all Head Start grantees that shared project results from successful demonstration projects. In addition, three training guides have been developed and numerous training opportunities made available to assist grantees in incorporating best practices identified by this effort.

These demonstration projects were discontinued in fiscal year 1996 consistent with the terms of their original awards. However, the committee feels strongly that effective transition activities should be an integral part of every Head Start program.

The committee commends the Administration's efforts to foster an environment in which transition activities are integrated into program operations in a manner similar to each of the other vital services provided to families. It is the committee's intent that those efforts continue and that grantees be provided continued training and technical assistance to make that goal a reality.

ACCOUNTABILITY

The committee recognizes that, according to the latest monitoring report issued by HHS, the majority of current Head Start grantees are providing quality services. However, there are some grantees that are not fulfilling their obligation to ensure that our Nation's

neediest children enter school with the skills and knowledge they need to succeed. Over the past 10 years HHS has terminated 170 Head Start grantees.

The committee believes that HHS should continue to improve the current Head Start monitoring system to ensure that programs are consistently delivering the level of high-quality services necessary for children to advance in all areas of development. Evidence that program quality varies greatly is a concern of Congress and of high-performing grantees that are negatively affected by the poor quality of lower-performing grantees. It is the committee's view that the scheduled triennial review process, coupled with an automatic renewal of grants on an annual basis, does not provide adequate assurances to the Congress and the public about the quality of Head Start program operations. Therefore, the committee bill requires that grantees develop annual program goals and demonstrate that they have met or are making progress toward meeting these goals as a condition of receiving priority in designation of their Head Start grant. All grantees are required to reapply every 5 years consistent with the terms for financial assistance under the Head Start for School Readiness Act.

GOVERNANCE

The committee believes that Head Start agencies need strong governance structures to ensure fiscal and legal compliance as well as strong program operations and oversight. Under current Head Start regulations, the Governing Body has fiscal and legal liability for Head Start programs. The committee believes that by establishing the roles and responsibilities of the Governing Body in the Head Start statute, the structure of grantees will be strengthened and clarified. Policy Councils do not currently have fiscal and legal liability, and the committee agrees that they are not the appropriate entity for such responsibilities. The Head Start for School Readiness Act takes a number of steps to ensure that Head Start agency has a Governing Body that is actively engaged and can provide more effective oversight, which the committee believes is an important role given their fiscal and legal responsibility and liability for the program.

The bill makes additional requirements regarding the composition of the Governing Body. The Governing Body must reflect the community being served and include at least one person with experience in fiscal management, at least one person with experience in early childhood development, and a licensed attorney with experience in matters that come before the Governing Body. The Governing Body must also include at least one individual with knowledge of the Head Start program and its performance standards. In the event that individuals with such experience are not serving on the Governing Body, the Governing Body is encouraged to obtain assistance in these areas from consultants. The committee also intends that public agencies operating Head Start programs be permitted to make use of existing employees who have such expertise.

The committee also requires that no member of the Governing Body have a conflict of interest with the Head Start agency or delegate agencies and that no member of the Governing Body receive compensation for his or her participation as a member.

The committee also encourages parents and others in the community in which Head Start operates to actively serve on the Governing Body.

The committee believes that the Governing Body is responsible for developing internal controls to safeguard Federal funds and to comply with all applicable laws and regulations. The Governing Body's role is to establish policies and procedures to detect or prevent program noncompliance. Together with the Policy Council, the Governing Body must develop procedures to facilitate meaningful consultation and collaboration between the two entities.

By strengthening the role of the Governing Body in Head Start programs, the committee by no means is abolishing the Policy Councils and intends for Policy Councils to continue in their role and capacity of support for quality Head Start programs. Parents have long played a key and central role in the operations of Head Start programs. The committee is clear in its intent by requiring the Governing Body to consult and collaborate with the Policy Council in the areas set forth in the act, as well as for the Policy Council to have its own appropriate roles and responsibilities. The committee expects the Governing Body to consult and collaborate with the Policy Council and has prescribed impasse procedures for when the Governing Body and the Policy Council disagree, in order to resolve such disputes.

As with the Governing Body, the committee believes it is important to strengthen and clarify the role of the Policy Council for Head Start agencies. The committee is clear that the majority of the members of the Policy Council shall be parents of children who are currently enrolled in Head Start and who are elected by parents of currently enrolled children. The remainder of the Policy Council shall consist of members of the community which the Head Start agency or delegate agencies serve, which could include parents of children who were previously served by the Head Start agency. The committee is clear that individuals serving on the Policy Council shall not have a conflict of interest or be compensated to serve on the council.

The committee intends that the Policy Council will be responsible for program planning, including program design and recruitment and budget planning. The Policy Council will also be responsible for program operation and programs that support parent involvement.

To facilitate oversight and Head Start agency accountability, the Governing Body shall receive regular and accurate information from the Head Start agency about program planning, policies and operations, including Program Information Reports (PIR) and audit reports.

The committee intends for training and technical assistance to be provided to the members of the Governing Body and Policy Council, if appropriate, to ensure that they understand their oversight responsibilities and can effectively oversee the programs.

The committee also requires each delegate agency to establish a policy committee. Each policy committee will be comprised of members from the community the agency serves, including parents of children who are currently enrolled at the agency. The purpose of each policy committee is to serve in an advisory capacity to the del-

egate agency for the purposes of program planning and operation and parent involvement.

OVERSIGHT AND MONITORING

The committee believes that oversight by the Secretary of HHS is an important factor in ensuring that Head Start grantees meet the guidelines established for their program. Appropriate oversight ensures that program effectiveness can be assessed and measured, that only qualified programs continue to receive Federal funding, and that inefficient or abusive use of Federal funds is halted.

The committee intends for Head Start programs to continue to address all domains of child development while addressing specific educational outcomes necessary for children to enter school ready to learn. The committee bill adds educational standards, based on the recommendations of the NAS to ensure that Head Start curricula meet appropriate criteria and children show progress toward meeting educational outcomes related to all of the domains of child development. The additional educational standards relate to language skills, pre-literacy knowledge and skills, pre-mathematics knowledge and skills, scientific abilities, and general cognitive abilities. Furthermore, the committee bill emphasizes the social and emotional development and physical development of Head Start children as they relate to early learning and school success. In the case of LEP children, the committee also adds standards related to progress toward acquiring the English language.

The committee clarifies the standards related to facilities for Head Start programs in relation to compliance with State and local licensing and other requirements and accessibility by State and local authorities for monitoring such compliance.

The committee believes that in developing standards the Secretary must consult with experts regarding promising practices in early childhood education and development in relation to all aspects of Head Start services. In addition, the Secretary shall consider demographic changes and unique challenges facing Head Start agencies such as changes in family structure or language background, children with disabilities, children in foster care, homeless children, and children in rural areas who may be served by the seasonal programs when developing standards for Head Start agencies.

Many Head Start grantees or agencies oversee delegate agencies for which they are ultimately responsible. The committee bill requires that each Head Start agency establish procedures for evaluating delegate agencies, informing them of any deficiencies, remedies to ensure corrective action including defunding delegate agencies, and a process for delegates to appeal defunding decisions. An agency may initiate monitoring visits or pursue other actions until deficiencies are corrected, but may not terminate a delegate agency's contract without showing cause.

At least once every 3 years, each Head Start and Early Head Start agency receives a comprehensive on-site review by HHS. These monitoring reviews play a vital role in assuring that Head Start agencies are providing high-quality services. The committee intends that reviews reflect an assessment of strengths and weaknesses of the program, as well as how well the program has addressed family and community needs.

The PRISM monitoring of Head Start grantees undertaken by HHS is critical to realizing the goals of adequate oversight of the program. The committee believes that the PRISM reviews need to be conducted, to the greatest extent possible, in a consistent and reliable manner. It is the committee's intent that the conduct of such reviews of Head Start grantees provide for greater consistency across all variables such as time, reviewers, and geographical location.

The committee recognizes that the monitoring process has consequences associated with it. In order to ensure the integrity of the monitoring process by HHS, the committee has added provisions regarding inter-rater reliability, which means the extent to which two or more independent reviewers consistently obtain the same result when using the same assessment.

The committee believes employees of HHS should, to the extent practicable, continue to be included on teams sent out to monitor and evaluate Head Start programs. Additional members of the review team shall also include individuals knowledgeable about Head Start and other early childhood programs. The committee bill establishes provisions for training of supervisors and members of review teams to ensure the quality and consistency of the review process.

Due to strong concerns about the health and safety of children in Head Start programs, the committee requires unannounced site inspections of Head Start Centers for health and safety reasons and prompt follow-up reviews for agencies with findings of deficiencies. The committee clearly articulates the definition of a deficiency and describes the serious violations of health and safety, legal and fiscal standards, or program failures that are considered a deficiency. The monitoring process allows for programs to correct areas of noncompliance with program standards and if uncorrected to become a deficiency.

The committee bill allows programs time to correct deficiencies and stipulates that only programs with unresolved deficiencies will be subject to recompetition. The Secretary shall provide technical assistance to programs found to have a deficiency. The reports on the findings and the plans for correcting deficiencies shall be made available to the public.

The committee believes that the self-assessment is an essential tool for program improvement. Therefore, each Head Start agency is required to conduct a comprehensive self-assessment annually in consultation with the policy council (and, if applicable, the policy committee), and community members in order to assess progress in meeting program goals and objectives and complying with Head Start program performance standards. The findings, including program strengths and weaknesses, shall be reported to the governing structures of the program and the HHS regional office. Each agency shall also develop an improvement plan to strengthen any areas of weakness identified in the assessment and establish procedures for the ongoing monitoring of their programs. Training and technical assistance funds may be used to assist agencies in conducting self-assessments.

UNDER-ENROLLMENT

As a general requirement of the Head Start Act, agencies are expected to fully meet their funded enrollment and to maintain a waiting list. However, it has come to the committee's attention that some Head Start grantees have experienced problems achieving and maintaining their full funded enrollment while others experience shortfalls in their capacity to provide or maintain services to eligible children. The committee recognizes the existing efforts by the Secretary to address this issue in regulation, yet believes a statutory approach to addressing under-enrollment is warranted given the significance of the issue.

The committee bill has been carefully drafted to provide for shared accountability in addressing issues of enrollment of Head Start children. The bill requires each Head Start program to report on a monthly basis to the Secretary a figure which reflects the program's actual enrollment, including a description of an enrollment shortfall if such actual enrollment is less than the funded enrollment prescribed by the grant held by the Head Start agency. The bill also requires the Secretary on a semi-annual basis to determine which Head Start agencies are under-enrolled, and directs the agency, in collaboration with the Secretary, to provide for a plan and timetable in which to address issues of under-enrollment in agencies operating with less than 95 percent of enrollment.

In reviewing enrollment data, the committee bill directs the Secretary to take into consideration the quality and extent of outreach, recruitment, and community needs assessments, changing demographics, mobility of populations, and the identification of new underserved low-income populations; facilities related issues that may affect enrollment; the ability to provide full-day programs, where needed, through Head Start funds or through collaboration with other funds or programs; the availability and use by families of other preschool and child care options, including parental care, in the local area; and agency management procedures that may affect efficient enrollment. Agencies identified by the Secretary shall be provided timely and on-going technical assistance to reduce under-enrollment, but are considered to be out of compliance immediately.

Upon receipt of technical assistance, the Head Start agency will implement its plan to address under-enrollment. If after 9 months, a Head Start agency is still operating with an actual enrollment that is less than 95 percent of the agency's funded enrollment, the Secretary may designate such agency as chronically under-enrolled and recapture, withhold, or reduce the base grant by a percentage equal to the percentage difference between funded and actual enrollment for the most recent year in which the agency is determined to be under-enrolled. In such cases, the Secretary shall use funds recovered from the grantee to distribute to other Head Start agencies within the State prepared to increase enrollment in their respective programs.

If the Secretary, after implementation of the plan, finds that the causes of under-enrollment are beyond the agency's control; the shortfall can reasonably be expected to be temporary; or the number of slots allotted to the agency is small enough that under-enrollment does not constitute a significant shortfall, the Secretary may waive or reduce the percentage reductions in the base grant.

FINANCIAL AUDITS

In addition to conducting on-site inspections, regional HHS staff also monitor grantees' compliance with regulations by annually reviewing their financial audit reports. Auditors may select and review samples of financial transactions to determine whether a grantee has followed established procedures and program regulations. If a grantee administers more than one Federal grant, as is often the case with large nonprofit agencies, school districts, and municipalities, relatively small grants may not be reviewed in much detail.

In addition to a lack of detail, financial audit reports may not provide timely information for monitoring current grantee operations. Grantees have 9 months to submit financial audit reports for any given year. It may take several additional months before officials in the HHS Office of Inspector General review the audit report, summarize the findings, and submit the findings to the appropriate regional officials. Grantees that are classified as "high risk" do not face termination of their funding unless they are also classified as deficient, which usually involves an on-site inspection. As a result, HHS may wait up to 3 years until the next regularly scheduled triennial inspection before it classifies a high-risk grantee as deficient and requires it to develop a quality improvement plan and face possible termination from the program.

The committee is very concerned about this process and has therefore added to the bill a requirement that the Secretary conduct an annual review of grantee financial status. The committee believes grantees must be accountable for their financial management and requires each center to maintain and submit a complete accounting of its administrative expenses, including salaries and compensation, to the Secretary.

COMBAT PAY INELIGIBILITY

The committee feels strongly that as our soldiers are overseas fighting to defend our freedom, it is our responsibility to look out for their children and families. When soldiers receive combat pay because they are working in dangerous situations, this extra income should not adversely affect their family's eligibility for programs such as Head Start. During the 108th Congress, the Subcommittee on Children and Families held a series of joint hearings with the Armed Services Subcommittee on Personnel on issues affecting military families. The committee included language to address the problem of soldiers not being able to access certain benefits, such as Head Start, due to income ineligibility when such parents receive combat pay. This language is intended to ensure that families in the military receiving combat pay and who would otherwise be eligible for Head Start would not be deemed ineligible because of that income supplement.

DELEGATE AGENCIES

This legislation includes language that would strengthen the ability of Head Start grantees to defund delegate agencies that have serious deficiencies. Head Start grantees, in addition to the oversight already conducted by the Secretary, are asked to clearly define procedures for defunding a seriously deficient program as

well as that program's appeals process. It is the intent of the committee that such procedures be fair to all parties but not unduly cumbersome or time-consuming.

Grantees are expected to clearly define their procedures for evaluating delegate agencies to minimize the circumstances that would necessitate defunding and ensure that all of their delegate agencies are held accountable for performance and successfully address any deficiencies in a timely manner.

Any delegate agency found seriously deficient must be notified of the possibility of termination. During the notice period, monthly monitoring visits and technical assistance may be provided by the Head Start grantee. The grantee could also elect to release funds on a reimbursement basis instead of in advance, particularly in the event of questionable fiscal practices by the delegate agency. After a reasonable notice period, if deficiencies are not corrected, termination will take effect. The grantee is then responsible for ensuring the continuity of Head Start services for the children and families affected.

CENTERS OF EXCELLENCE

The committee bill includes the Centers of Excellence in Early Childhood as a separately authorized program to recognize outstanding performance and promote the successes of effective Head Start programs so that other Head Start programs, and others, can learn from their peers.

The committee supports the underlying goal of giving grants to Head Start programs that are exemplary and leveraging excellent programs to model best practices so that other programs can achieve excellence. The legislation authorizes the Governors to nominate and the Secretary of HHS to create a nationwide network of 200 Centers of Excellence in Early Childhood built around exemplary Head Start programs.

All Head Start centers need to excel in school readiness, accountability, and coordination of services; improving the performance of all centers in these areas is the focus of this legislation. States have primary responsibility for setting standards for and funding public education. A child who arrives at school too far behind the starting line may never catch up. In addition, the State is in the best position to help coordinate the variety of public and private programs that have been created since Head Start was established. In order to increase coordination between Head Start and the public school system and other State-run social service programs, such as Medicaid and the Child Care and Development Block Grant (CCDBG) program, centers that have the potential to drive effective collaboration within their State would be nominated by their Governor.

The Secretary of HHS would select 146 Centers of Excellence from among nominations submitted by the Governors. The Secretary would name an additional 54 centers, so that there is at least one Center of Excellence in each State, the District of Columbia, and Puerto Rico. It is also the committee's intent that one or more Indian Head Start and Migrant and Seasonal Head Start programs will be recognized as Centers of Excellence. The bill permits exemplary Indian Head Start programs and migrant and seasonal

Head Start programs to be nominated by their respective regional office (region 11 and region 12) instead of by a State Governor.

In addition, it is the committee's intent that Governors are encouraged to look to Head Start centers offering Early Head Start programs. The significance of years 0–3 in child development is now widely understood, and it is important for Centers of Excellence to be able to encourage best practices in serving the very young.

When making bonus grants, the Secretary shall give a priority to programs that demonstrate that they are of exceptional quality and would serve as exemplary models for programs in their geographic region. The Secretary may also consider the population served by the applicant, especially if they are serving an underserved population. Programs that have a record of doing an exceptional job of serving underserved populations should be given this priority as well.

Head Start programs identified as Centers of Excellence would receive a Federal bonus grant of at least $200,000 and up to $500,000 in each of 5 years (in addition to its base funding). It is the committee's intent that bonus grant funding for the Centers would vary depending on the number of children served at a Center of Excellence. It is the hope of the committee that as we continue to work through the legislative process and when new money is available some of this money will be designated for the Centers of Excellence.

The Centers of Excellence bonus grants will be used for centers to:

1. work in their community to model the best of what Head Start can do for at-risk children and families, including getting those children ready for school and ready for academic success;
2. coordinate all early childhood services in their community;
3. offer training and support to all professionals working with at-risk children;
4. track these families and ensure seamless continuity of services from birth to age 8, with an emphasis on working in partnership with public schools to ensure that Head Start children succeed in school;
5. become models of excellence by all performance measures and be willing to be held accountable for good outcomes for our most disadvantaged children; and
6. have the flexibility to serve additional Head Start or Early Head Start children or provide more full-day services to better meet the needs of working parents.

The committee intends that a Center of Excellence that uses its bonus grant for activities related to infants and toddlers must demonstrate existing expertise in providing services to this age group. The developmental needs of infants and toddlers are unique and require teachers that have knowledge of infant and toddler development.

The committee has included Early Head Start, Migrant and Seasonal Head Start, and Indian Head Start programs as participants in the Centers of Excellence Program. The committee feels that all Head Start programs could benefit greatly by the exemplary practices modeled in Early Head Start programs for infants and tod-

dlers, as well as practices tailored to the needs of children in Indian, Migrant, and Seasonal Head Start programs.

FUNDING

The committee bill authorizes the Head Start program at $7.350 billion for fiscal year 2008, $7.650 billion for fiscal year 2009, $7.995 billion for fiscal year 2010, and such sums as may be necessary for fiscal year 2011 and 2012. The committee's incremental increases in the authorization level of the Head Start program affirms a commitment to improving and enhancing program quality while also reasonably expanding the program to reach additional eligible children and families living in poverty.

The committee bill provides any remaining funds after maintaining required reservations in Section 640 and adjusting current Head Start programs for inflation shall be used for quality improvement funds. In fiscal year 2006, 30 percent of such funds shall be used for quality improvement activities and 40 percent shall be used for each fiscal year 2007 through 2010 for these purposes. The committee intends the remaining percentages be used for program expansion grants.

In allocating expansion funds, the committee recognizes the apparent discrepancy in the allocation of Head Start dollars among the States and takes affirmative steps to address this policy. The change in the committee bill responds to the inclusion of a 1978 hold harmless provision that—since recent shifts in demographics and poverty—has resulted in a disparity in the allocation of resources to high-growth States, despite past increases in Head Start appropriations.

In order to begin to remedy this situation, the Committee has included the requirement that 65 percent of new program expansion funds for Head Start would be allocated to those States serving less than 60 percent of Head Start eligible children, ages 3 or 4, living below the poverty line. In establishing this policy, the committee intends for the Secretary to prioritize funding to the 30 States adversely affected by the 1978 hold harmless provision. The remaining 35 percent of expansion funds shall be allocated among all States, based upon their relative share of Head Start eligible children less than 5 years of age living below the poverty line. The committee acknowledges these policy changes as only an initial step toward addressing the funding discrepancies between States in the Head Start program.

PARTICIPATION IN HEAD START PROGRAMS

The committee recognizes that children from some low-income families earning a little above the Federal poverty level would benefit from Head Start services are not able to participate in the program because they are not income eligible. Furthermore, the high cost of living in many States indicates that even those slightly above the federal poverty level still require assistance. The committee felt it was important to retain the 100 percent Federal Poverty level in determining the formula allocation to States under the Head Start Program. However, the committee has raised the eligibility level from 100 percent to 130 percent of the Federal poverty level consistent with eligibility for the free school lunch, school breakfast, and special milk programs. The committee intends for

such policy to help families, whose incomes may increase as they move from welfare to work or attain better employment, to continue to access the Head Start program and to provide additional opportunities for participation of low-income working families in Head Start programs. The 130 percent eligibility level would not count toward the 10 percent of over-income children served by programs under current law. The committee does not intend that the 130 percent be taken into account when determining eligible children for the purpose of the formula or allotment of funds. The committee intends for programs to first serve families at 100 percent of the Federal poverty level and to give programs to serve families with incomes of up to 130 percent, if they have sought to serve all families with incomes below that level.

The committee also recognizes the particular needs of homeless children and deems homeless children categorically eligible for Head Start services. The needs of military families are also recognized and the bill clarifies that special pay for housing for any member of the uniformed services shall not be considered income for purposes of eligibility.

The committee believes that Head Start agencies should have flexibility to respond to changing community needs. For this reason, Head Start agencies are permitted to apply to the Secretary to convert part-day sessions to full-day sessions and to use grant funds to serve additional infants and toddlers, consistent with rules and standards for Early Head Start. The communitywide needs assessment which programs currently conduct shall be used to determine eligibility for such conversions.

MIGRANT AND SEASONAL HEAD START PROGRAMS AND INDIAN HEAD START PROGRAMS

The committee has included several provisions to improve access to Head Start services by children of migrant and seasonal farm workers, as well as by Indian children.

According to a study conducted by HHS in 2001, the Migrant and Seasonal Head Start programs have consistently received less than 4 percent of the Head Start annual appropriation, enabling them to serve only 19 percent of eligible migrant and seasonal children, compared to 50 percent of the eligible population served by the regular Head Start program. The current Migrant and Seasonal Head Start Program at present serves nearly 37,000 migrant children and nearly 2,500 seasonal children annually, operating in 40 States.

Indian Head Start programs serve over 23,000 children each year; however, that number represents only 16 percent of eligible children. Only 188 of the federally recognized tribes have Head Start programs. The committee recognizes the need to expand services to additional eligible children. In addition, the committee bill requires the Secretary to engage in meaningful consultation and data collection related to the Indian Head Start programs. The committee bill directs the Secretary to consult with Indian tribes, American Indian and Alaska Native experts in early childhood development, and related organizations in reviewing and promulgating program standards and measures.

The Committee has taken steps to address this issue by directing the Secretary to allocate not less than 5 percent of the funds re-

served under Section 640a(2) to Migrant and Seasonal Head Start programs. The committee has also directed the Secretary to allocate not less than 4 percent of the reserved funds to Indian Head Start programs. The committee intends that the Secretary shall not use funds appropriated under this subchapter to create additional slots or services in non-Indian or non-migrant and seasonal programs until the 4 and 5 percent allocations are achieved. The committee ensures that additional funding for these programs does not reduce the number of children served in existing Head Start programs. The committee further intends that funding increases allow current programs to expand the number of children served, as well as establish new programs in areas that lack services to these populations of children.

HHS has not collected data on the demand and availability of Head Start services for migrant and seasonal families since the aforementioned 2001 study. Therefore, the committee bill directs the Secretary to work with the Migrant and Seasonal Head Start community to develop a system that on an ongoing basis can adequately account for the number of seasonal and migrant children who are eligible for Head Start and determine how many of these eligible children are receiving services. The bill also directs the Secretary to work with the Migrant and Seasonal Head Start community and other public and private stakeholders to identify the barriers that prevent eligible children from accessing services. In addition, the Secretary is called upon to develop a system through which Migrant and Seasonal Head Start programs can effectively work with children and their families to track health records and educational documents as a child moves from State to State.

TRANSPORTATION

The committee requires the Secretary to improve the safety and security of Head Start children that use Head Start transportation to get to the program. When a Head Start agency develops a contract with a provider of transportation services, the Committee requires that the contract include requirements for background checks for individuals employed by the company. Head Start children are young and vulnerable and we must ensure their safety.

The committee has been made aware of difficulty in at least one State in complying with safety requirements for the transportation of Head Start students that were initially promulgated by Secretary Donna Shalala on January 18, 2001. The committee provides an additional two years for Head Start grantees to come into compliance with safety requirements for transportation of Head Start students if their currently owned and operated vehicles do not meet the necessary and appropriate requirements for a rear emergency door. While the committee recognizes the validity and necessity of those requirements, it is apparent that a few grantees have not been able to meet those standards and need more time to do so. The committee does not provide any additional authority for new, leased, rented, or manufactured vehicles that fail to meet the rear emergency door requirements to be used to transport Head Start children. The Committee intends this to be the final waiver authorized by Congress on this issue and will not support any efforts to extend this waiver again.

The committee also orders the Secretary to modify Head Start regulations, as appropriate and necessary, to reflect the findings of the Federal Transit Administration (FTA) and its currently pending study on Federal seat spacing requirements and child restraint systems. If the FTA finds that its current standards can be modified and that small, vulnerable children can be allowed to be transported in different alternative vehicles with appropriate child restraint systems, the Secretary shall modify their regulations on this issue. However, if the FTA finds that its current standards are appropriate and necessary for the safety and welfare of small children, the Secretary shall not modify the regulations, and all Head Start grantees will immediately comply with the regulations regarding the transportation of Head Start children.

V. Cost Estimate

S. 556—Head Start for School Readiness Act

Summary: S. 556 would reauthorize the Head Start program through 2012 and authorize two new, related grant programs. Head Start was authorized through 2003 by the Coats Human Services Reauthorization Act of 1998 (Public Law 105–285) and has since been extended through annual appropriation acts.

CBO estimates that the bill would authorize additional appropriations of $6.1 billion in 2008 and $38.6 billion over the 2008–2012 period, assuming that annual authorizations are adjusted for inflation when specific annual appropriation levels are not provided. (Without such inflation adjustments, the authorizations would total about $38.1 billion over the 2008–2012 period.) CBO estimates that appropriation of the authorized levels would result in additional outlays of $34.5 billion over the 2008–2012 period, assuming annual adjustments for inflation (and about $34.2 billion without adjustments for inflation). Enacting S. 556 would not affect direct spending or receipts.

S. 556 contains no intergovernmental or private-sector mandates as defined by the Unfunded Mandates Reform Act (UMRA). Any costs to state, local, or tribal governments would result from complying with conditions for receiving federal assistance.

Estimated cost to the Federal Government: The estimated budgetary impact of S. 556 is shown in the following table. The costs of this legislation fall within budget function 500 (education, training, employment, and social services).

	By fiscal year, in millions of dollars—					
	2007	2008	2009	2010	2011	2012
SPENDING SUBJECT TO APPROPRIATION						
Head Start Spending Under Current Law:						
Budget Authority [1]	6,889	1,389	0	0	0	0
Estimated Outlays	6,846	3,751	761	97	14	0
Proposed Changes:						
Head Start:						
Estimated Authorization Level	0	5,961	7,650	7,995	8,147	8,307
Estimated Outlays	0	3,398	6,745	7,736	8,054	8,230
Bonus Grants to Centers of Excellence in Early Childhood:						
Authorization Level	0	90	90	90	90	90
Estimated Outlays	0	5	51	87	89	90
Administrative Costs of Centers of Excellence in Early Childhood:						
Authorization Level	0	1	1	1	1	1

	By fiscal year, in millions of dollars—					
	2007	2008	2009	2010	2011	2012
Estimated Outlays	0	*	*	*	*	1
Research Activities for Centers for Excellence in Early Childhood:						
Authorization Level	0	2	2	2	2	2
Estimated Outlays	0	*	1	2	2	2
Tribal Colleges and Universities Head Start Partnership:						
Estimated Authorization Level	0	10	10	10	11	11
Estimated Outlays	0	1	8	10	10	10
Total Proposed Changes:						
Estimated Authorization Level	0	6,064	7,753	8,098	8,250	8,410
Estimated Outlays	0	3,403	6,806	7,836	8,156	8,333
Total Spending Under S. 556:						
Estimated Authorization Level	6,889	7,453	7,753	8,098	8,250	8,410
Estimated Outlays	6,846	7,155	7,567	7,932	8,170	8,333

[1] The 2007 level is the amount appropriated for the Head Start program, including an advance of $1.389 billion for the 2006–2007 academic year. The 2008 level is the amount appropriated in an advance appropriation for the 2007–2008 academic year.

Notes.—Components may not sum to totals because of rounding. * = less than $500,000.

Basis of estimate: S. 556 would reauthorize the Head Start program through 2012. The program is currently authorized through September 30, 2007, by the Revised Continuing Appropriations Resolution, 2007 (Public Law 110–5). For this estimate, CBO assumes that the bill will be enacted before the start of fiscal year 2008, that the estimated amounts shown in the table will be appropriated for each year, and that outlays will generally follow historical spending patterns.

Head Start

S. 556 would revise and reauthorize the Head Start program through 2012. The Head Start program provides comprehensive child development services to low-income children. Services include education, health, nutrition, and social services with the goal of increasing the school readiness of young children in low-income families.

The bill would authorize the appropriation of $7.350 billion in 2008 (which includes the $1.389 billion already appropriated for that year), $7.650 billion in 2009, $7.995 billion in 2010, and such sums as may be necessary in 2011 and 2012. CBO estimates that the total authorizations of additional appropriations for the 2008–2012 period would be $38.1 billion, assuming adjustments for inflation in 2011 and 2012, with resulting outlays of $34.2 billion over those five years.

Funding for this program for a given fiscal year is provided by both a regular appropriation for that fiscal year and an advance appropriation provided earlier. Although the program has been funded by two separate appropriations since 2001, funding does not need to be authorized separately because all of the funds for a fiscal year could be provided in one appropriation.

Centers of Excellence in Early Childhood

S. 556 would authorize appropriations of $92.5 million a year for a new Centers of Excellence in Early Childhood grant program. The Secretary of Health and Human Services (HHS) could designate as many as 200 exemplary Head Start agencies as such Centers of Excellence in Early Childhood. Those centers would receive bonus grants to carry out various activities, including enrolling ad-

ditional children and providing training to teachers. The Secretary also would be authorized to make a grant to an independent organization to conduct research on the ability of those centers to improve school readiness of the children receiving Head Start services and to measure the success of the centers. The bill would authorize $90 million a year for bonus grants, $0.5 million annually for HHS administrative costs, and $2 million a year for research. CBO estimates that providing these amounts would result in outlays of $331 million over the next five years. The outlay estimate reflects the assumption that spending for these new centers would occur over a two-year period rather than the four-year span for current Head Start centers.

Tribal Colleges and Universities Head Start Partnership

S. 556 would create a new Tribal Colleges and Universities Head Start Partnership program and authorize the appropriation of $10 million in 2008 and such sums as may be necessary from 2009 through 2012. The bill would authorize the Secretary of HHS to award grants for not less than five years to tribal colleges and universities to create education programs on tribal culture and language, to increase the number of Indian Head Start staff members and parents with advanced degrees in early childhood education and related fields, and for other purposes. CBO estimates that providing the authorized amounts would result in outlays of $39 million over the 2008–2012 period. The projected rate of spending is the average of the rates for two similar programs, Child Welfare Training and University Centers for Excellence in Developmental Disabilities.

Intergovernmental and private-sector impact: S. 556 contains no intergovernmental or private-sector mandates as defined by UMRA. Grant funds authorized by the bill would benefit state, local, and tribal governments that participate in the Head Start and Early Head Start programs. Any costs they incur from complying with increased management and oversight responsibilities or from implementing standards for educational performance would result from complying with conditions for receiving federal assistance.

Estimate prepared by: Federal Costs: Jonathan Morancy. Impact on State, Local, and Tribal Governments: Lisa Ramirez-Branum. Impact on the Private Sector: Paige Shevlin.

Estimate approved by: Robert A. Sunshine, Assistant Director for Budget Analysis.

VI. Application of Law to the Legislative Branch

Section 102(b)(3) of Public Law 104–1, the Congressional Accountability Act (CAA) requires a description of the application of this bill to the legislative branch. This bill does not amend any act that applies to the legislative branch.

VII. Regulatory Impact Statement

The committee has determined that there will be minimal increases in the regulatory burden imposed by this bill.

VIII. SECTION-BY-SECTION ANALYSIS

Sec. 1. Short title

This Act may be cited as the "Head Start for School Readiness Act."

Sec. 2. Statement of purpose

This section modifies Section 636 by revising the statement of purpose to read

It is the purpose of this subchapter to promote the school readiness of low-income children by enhancing their cognitive and social development—

(1) with a learning environment that supports cognitive development (including the growth of language, pre-literacy, and premathematics skills) and the growth of social, emotional and physical skills.

(2) through the provision to low-income children and their families of health, educational, nutritional, social and other services that are determined, based on family needs assessments, to be necessary.

Sec. 3. Definitions

Amends Section 637 by adding community-based organizations to the definition of potential delegate agencies, and adds financial literacy as a component of family literacy services. Section 637 is amended to remove the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau from the definition of "State." Section 637 also defines "homeless child" "limited English proficient" children, "institution of higher education." The term "deficiency" and "unresolved areas of non-compliance" are defined and later referred to in section 641A(d). The term "interrater reliability" is defined in relation to the Head Start monitoring process.

Sec. 4. Financial assistance for Head Start programs

Amends Section 638 to authorize grants to Head Start agencies for a 5-year period.

Sec. 5. Authorization of appropriations

Reauthorizes the Head Start Act at $7.35 million for fiscal year 2008, $7.65 million for fiscal year 2009, $7.995 million for fiscal year 2010, and such sums as may be necessary for fiscal year 2011 and fiscal year 2012. From the amount appropriated, the Secretary can make available up to $20 million for fiscal year 2008 to carry out research, demonstration, and evaluation activities including longitudinal studies under Section 649, and such sums for fiscal years 2009–12,

Sec. 6. Allotment of funds

This section amends Section 640 by requiring the Secretary to reserve a sum each fiscal year for Indian Head Start and migrant and seasonal Head Start programs that is the total of not less than 4 percent of the amount appropriated for Indian programs under Section 639 for that fiscal year and not less than 5 percent of that appropriated amount for migrant and seasonal programs, except that if reserving such percentages would reduce the number of children served by Head Start programs relative to the number of children served upon the date of enactment of this act. After ensuring that each grant recipient for Indian and migrant and seasonal

Head Start programs have received 4 percent and 5 percent respectively, the Secretary shall distribute 65 percent of the remaining funds to priority grant recipients in the States serving the smallest percentages of eligible children and distribute the remaining 35 percent on a competitive basis.

Section 640(a) is amended to provide not less than 2 percent of the amount appropriated under section 639 for training and technical assistance activities, of which 50 percent shall be made available for Head Start agencies to use directly for various activities, and of which 50 percent shall be made available to the Secretary to provide directly, or support a system of, early childhood education training and technical assistance. Not less than $3 million of these funds shall be made available to carry out activities described in section 648(d)(4).

Subparagraph 640(a)(3)(A) stipulates Head Start quality improvement funds, and is amended to provide an amount equal to 30 percent of such excess amounts in fiscal year 2008, and 40 percent of such excess amounts in fiscal year 2009 through fiscal year 2012. Subparagraph 640(a)(3)(B) is amended to provide greater detail regarding the goals for which such quality improvement funds shall be used.

Subparagraph 640(a)(5) is amended to require the Secretary to award a collaboration grant to each State and each national administrative office serving Indian Head Start programs and Migrant and Seasonal Head Start programs to facilitate collaboration between Head Start agencies and entities that carry out activities designed to benefit low-income families and children. Grants shall be used to encourage Head Start agencies to collaborate with other entities, coordinate with other State agencies, promote alignment of Head Start with State early learning standards, and promote better linkages between Head Start and other child and family agencies. The State Director of Head Start Collaboration shall conduct an assessment that addresses the needs of Head Start agencies in the State, and shall develop a strategic plan to address such needs.

As a condition of receiving a grant under Subparagraph 640(a)(5), each State shall designate or establish a State Advisory Council on early childhood care and education, comprised of a diverse membership, which shall: conduct a statewide needs assessment concerning early childhood care and education; identify barriers to and opportunities for collaboration; develop recommendations regarding data collection in early childhood programs; develop a professional development plan for the early childhood workforce; assess the availability of pre-kindergarten services for children; and assist institutions in developing model early childhood education programs. The Secretary shall reserve $100 million for fiscal year 2008 to award competitive, one-time start-up grants to states to further develop and implement plans for a high-quality system of early childhood care and education. These funds shall remain available for obligation through fiscal year 2012.

Subparagraph 640(a)(6) is amended to reserve amounts not less than 12 percent for fiscal year 2008, 14 percent for fiscal year 2009, 16 percent for fiscal year 2010, 18 percent for fiscal year 2011, and 20 percent for fiscal year 2012 for the Early Head Start program.

Section 640(l) is amended to address the needs and provide access to Head Start services for Indian children and children of mi-

grant and seasonal farmworkers. Section 640(m) instructs the Secretary to issue regulations to facilitate the enrollment and participation of homeless children in Head Start programs.

Section 640(f) is amended to require the Secretary to establish procedures for the conversion of part-day programs to full-day programs as well as serving additional infants and toddlers pursuant to Section 645(a)5.

Subparagraph 640(i)(1) requires background checks for individuals transporting Head Start enrollees. Subparagraph 640(i)(2) provides for limited exceptions to the Vehicle Safety Requirements.

Sec. 7. Designation of Head Start agencies

Section 641(a) provides the Secretary authority to designate any local public or private non-profit or for-profit organization within a community, including community-based organizations, as a Head Start agency. To be so designated, such agency must establish goals to meet Head Start's performance standards and improve the school readiness of children participating in Head Start programs. Such agency must also establish a governing body with legal and fiscal responsibility for administering and overseeing programs, and a policy council with decision-making responsibility for program planning and elements of program operation. Section 641(a) is further amended to specify the composition and responsibilities of the governing body and policy council, including policies for information sharing between these two entities and shared responsibility for establishment of processes to resolve internal disputes. The composition of both entities must include members of the community to be served, including parents.

Section 641(c) is amended to redesignate any Head Start agency or delegate agency receiving assistance under this subchapter, that is high-performing as determined by meeting or exceeding program requirements and standards, having no unresolved deficiencies, demonstrating active collaboration with the state or local communities in the provision of services, and successfully completing the appropriate re-application forms. If no entity is eligible for redesignation according to these criteria, the Secretary shall designate a Head Start agency from qualified applicants in an open competition. Section 641(e) states the terms of effectiveness which the Secretary shall consider in selecting from qualified applicants in such a competition.

Sec. 8. Quality standards; monitoring of Head Start agencies and programs

Amends Section 641A by adding educational standards, based on the recommendations of the National Academy of Sciences, relating to language skills, pre-literacy knowledge and skills, premathematics knowledge and skills, scientific abilities, general cognitive abilities, social and emotional development, physical development, and in the case of limited English proficient children, progress toward acquiring the English language.

Section 641A is further amended to include new procedures for the evaluation and corrective action of delegate agencies, including procedures for defunding, termination, and appeal. Each Head Start agency shall evaluate its delegate agencies and inform such agencies of deficiencies identified, and may initiate monitoring vis-

its or pursue other actions against such agency until deficiencies are corrected.

Section 641A also provides for unannounced site inspections of Head Start Centers for health and safety reasons, as appropriate, and directs the Secretary to conduct prompt follow-up reviews to agencies with findings of deficiencies. Reviews of Head Start agencies shall be conducted by review teams that include individuals who are knowledgeable about Head Start and other early childhood programs, and shall reflect a review and assessment of program effectiveness, which includes strengths and weaknesses of programs. Reviews will seek information from communities and States about innovative or effective collaborative efforts, assess compliance with income eligibility requirements and gauge whether programs have adequately addressed the population and community needs, and include data from the period child assessments conducted in programs. The Secretary shall ensure the quality and consistency of Head Start review across the nation, by conducting periodic interrater reliability checks.

Section 641A is amended to require each Head Start agency to conduct a comprehensive self-assessment of their effectiveness and progress in meeting program goals and objectives, and to develop an improvement plan to strengthen any areas needing improvement as identified in the self-assessment.

Section 641A establishes new rules for the reduction of grants and redistribution of funds in cases of under-enrollment, and requires each agency to report actual enrollment monthly. In cases in which agencies are less than 95 percent enrolled, the Secretary shall develop a plan and timetable with the agency for correcting under-enrollment considering quality, extent of outreach, community needs assessment, changing demographics, identification of new underserved low-income populations, any facilities-related issues affecting enrollment, and shall provide timely and ongoing technical assistance to such agency for the purpose of correcting the under-enrollment. After 18 months, the Secretary may designate such agency as chronically under-enrolled and recapture, withhold or reduce the base grant by a percentage equal to the percentage difference between funded and actual enrollment. The Secretary redistribute such amounts to other Head Start agencies within the State.

Sec. 9. Centers of Excellence in Early Childhood

Establishes a new section 641B, creating a new competitive grant program for the Secretary to recognize up to 200 exemplary Head Start agencies as Centers of Excellence in Early Childhood, under a separate authorization of appropriations. Subject to available funds, exemplary centers will receive grants to model and disseminate best practices for achieving early academic success and for promoting seamless service delivery for eligible children and their families. Grants may also be used to provide services to additional eligible children, better meet the needs of working families, further coordinate early childhood and social services for at-risk children, provide training and cross-training for Head Start teachers and staff, provide effective transitions between Head Start and elementary school, develop partnerships with institutions of higher education, and carry out other activities. There are authorized to be

appropriated $90 million to award bonus grants under this section, including an additional $4.5 million for related administrative costs and research activities.

Sec. 10. Powers and functions of Head Start agencies

Section 642 is amended to specify conditions for designation as a Head Start agency, which include authority under a charter or applicable law to receive and administer funds and contributions from private or local public sources to be used in support of a Head Start program. Agencies must also be empowered to transfer funds and delegate powers of its governing board and its overall program responsibilities. Delegate agencies must establish a policy committee comprised of members of the community to be served, including parents.

Section 642(b) stipulates additional requirements for designation as a Head Start agency. Head Start agencies are also required to provide a family needs assessment, provide for the regular participation of parents, perform community outreach to encourage volunteers for the Head Start program, inform single parents who participate in programs and activities about the availability of child support services for purposes of establishing paternity and acquiring child support, refer eligible parents to the child support offices of State and local governments, and provide parents of limited English proficient children outreach and information in an understandable format.

Head Start agencies will work with local educational agencies and elementary schools to discuss strategies and options and to ensure a smooth elementary school transition for Head Start children. Head Start agencies will also collaborate with local educational agencies on shared use of transportation and facilities and to reduce duplication of services while increasing participation of underserved populations of eligible children.

To promote parental involvement, this section requires Head Start agencies to conduct training to inform parents of rights and responsibilities regarding their children's education and support active involvement of parents with schools.

Section 642(e) requires Head Start agencies to enroll 100 percent of its funded enrollment and maintain an active waiting list.

Section 642(f) requires each Head Start agency to develop an annual technical assistance and training plan.

Sec. 11. Head Start transition

Section 642A is amended to require Head Start agencies to coordinate with local educational agencies and schools in which Head Start children will enroll to: develop records transferring procedures; establish communication channels between Head Start staff and school counterparts to facilitate program coordination; develop curricula continuity for transition and shared expectations purposes; conduct parent—teacher meetings; run transition training of school staff and Head Start staff; develop family outreach and support programs considering LEP families; enhance educational and developmental continuity and continuity of parental involvement; help parents understand the importance of parental involvement in a child's academic success; develop system to increase participation of underserved eligible children in program, and; coordination and

collaboration of development of Head Start curricula's alignment with State early learning standards, as appropriate.

Sec. 12. Submission of plans to Governors

Section 643 is amended to require approval from a State Governor of a proposed Head Start plan for a contract, agreement, grant or other assistance before an agency may carry out a Head Start program in the State. Governor approval is not required for Indian, Migrant, or Seasonal Head Start programs.

Sec. 13. Costs of developing and administering a program

Section 644(b) is amended to permit up to 10 Head Start agencies to expend an amount in excess of allowable direct costs associated with developing and administering a program, provided that the agency submits an assurance that they will serve a greater percentage of children in the community involved than was previously served without diminishing services provided to currently enrolled children, and any such excess amount does not exceed 5 percent of the total costs of the program. Such applicant must also accomplish 3 of 5 improved outcomes related to Head Start programs.

Sec. 14. Participation in Head Start programs

Section 645 is amended to prescribe eligibility to children from low-income families for Head Start services if their family's income is below 130 percent of the poverty line, and to deem homeless children eligible for Head Start services. Head Start agencies are required to serve children at 100 percent of the poverty level first.

This section is also amended to clarify that special pay or housing for any member of the uniformed services shall not be considered to be income for the purposes of determining eligibility for Head Start services.

Section 645 is amended to permit Head Start agencies to apply to the Secretary to convert part-day sessions into full-day sessions, or to use grant funds to serve additional infants and toddlers consistent with the Early Head Start rules, regulations, and standards, subject to the communitywide needs assessment.

Sec. 15. Early Head Start programs

Section 645A is amended by requiring Head Start agencies to provide additional services to parents to support their role as parents, including home-based services and family support services. This Section also requires that Early Head Start agencies develop a transitioning process for children and parents from Early Head Start to Head Start or other local early childhood education programs as well as establish communication channels between Early Head Start and Head Start staffs to coordinate programs.

This section also defines "eligible Head Start providers" as tribal governments, migrant and seasonal Head Start programs, as well as community-based organizations that meet program standards.

Section 645A is amended to include new staff qualifications, including requirements that Center-based teachers providing direct services to Early Head Start children and families have a minimum of a CDA or an AA and training in early childhood development by September 30, 2012. It also directs the Secretary to develop training and qualification standards for home visitor staff.

Sec. 16. Appeals, notice, hearing and records and audits

Section 646(a) is amended to include timelines and procedures for termination, reduction or suspension of financial assistance, including clarified terms for filing an appeal and for a full and fair hearing of such appeal.

Section 647(a) is amended by changing "each recipient" to "each Head Start agency." It requires each center receiving financial assistance to maintain and submit a complete accounting of their administrative expenses including salaries and compensation annually to the Secretary.

Sec. 17. Technical assistance and training

Section 648 is amended to make available funds to support a State system of training and technical assistance related to early childhood care and education for Head Start agencies. It requires the Secretary to ensure that such training and technical assistance is provided by agencies with demonstrated expertise in improving the delivery of Head Start services, and encourages the states to supplement funds provided under this act for such purposes.

This section further clarifies instructions for the Secretary in allocating resources for technical assistance and training, and adds new priorities to such activities, including local literacy training.

Sec. 18. Staff qualifications and development

Section 648A is amended to establish new staff qualification goals for Head Start programs, to ensure that all teachers nationwide in center-based programs have at least an associate degree in early childhood education (or equivalent coursework) by 2012, and to ensure that all Head Start curriculum specialists and education have a baccalaureate or advanced degree in early childhood education (or equivalent coursework) by 2010. This section also includes a goal to ensure that all Head Start teaching assistants have at least a child development associate credential by 2010, and that half of all Head Start teachers in each State have a baccalaureate degree in early childhood education (or equivalent coursework) by 2013. All Head Start teachers shall also attend not less than 15 hours of professional development per year.

The Secretary shall document progress toward these goals, including increasing percentages of Head Start staff making progress toward these goals, and compile and submit a summary of such reports to Congress.

This section also includes service requirements for individuals who receive financial assistance under this act to pursue an advanced degree, as well as requires each Head Start agency to create and maintain a professional development plan for employees providing direct services to children.

Sec. 19. Tribal colleges or university Head Start partnership program

Section 648B includes a new authorized discretionary grant program of the Secretary to award 5-year grants to Tribal colleges and universities to promote school readiness in Indian children by implementing tribal culture and language programs and increasing the number of degrees in early childhood education and related fields among Indian Head Start agency staff members, parents of

Head Start children, and members of the tribal community involved in Indian Head Start.

Grants under this section may be used for technology literacy programs for those served by and associated with Indian Head Start. The Secretary will ensure that the Indian Head Start Bureau is sufficiently staffed to administer the programs in this section and to provide enough technical assistance to the colleges and universities receiving grants. To receive grants, tribal colleges and universities must submit applications to the Secretary for consideration. This section authorizes $10 million to carry out this program for fiscal year 2008, and such sums as may be necessary for each fiscal year 2009–12.

Sec. 20. Research, demonstrations, and evaluation

Section 649 is amended to direct the Secretary to identify successful strategies that promote good oral health and quality dental services for children participating in Head Start and Early Head Start programs. The Secretary shall also consider children who are abused or neglected when developing, testing and disseminating new ideas for addressing the needs of low-income children in Head Start programs.

Section 649 is further amended to require a review and update of assessments, standards, and measures used in Head Start programs by the Panel on Developmental Outcomes and Assessments for Young Children of the National Academy of Sciences. In developing or refining any assessment in Head Start, the Secretary shall ensure consistency with nationally recognizes professional and technical standards, validity and reliability for all purposes for which assessments are used, development and linguistic appropriateness of such assessments, and use of such assessments to improve the quality of Head Start programs.

Section 649 suspends implementation and terminates further development and use of the National Reporting System by the Secretary, and prohibits the use of any assessment to rank, compare, or otherwise evaluate individual children or teachers in Head Start programs, or to provide rewards or sanctions for children or teachers.

This section is further amended to direct the Secretary to study the status of limited English proficient children and families in Head Start and Early Head Start programs.

Sec. 20. Reports

Section 650(a) is amended so that the Secretary will also consider homeless children and children in foster care in reports concerning the status of children.

Sec. 22. Comparability of wages

Section 653 is amended to direct that no Federal funds shall be used to compensate an individual employed by Head Start in an amount that exceeds the salary of the Secretary.

Sec. 23. Limitation with respect to certain unlawful activities

Section 655 is amended to forbid participation in civil disturbance, rioting, or unlawful demonstration by individuals in Head Start agencies.

Sec. 24. Political activities

Section 656 is amended to prohibit the participation of any Head Start employee, while working on behalf of a Head Start program, to engage in any political activity associated with a candidate or contending faction in an election, as well as any activity to provide transportation to voting polls.

Sec. 25. Parental consent requirement for health services

A new Section 657A is added to require written parental consent before administration or referral of any health care services or procedures, including non-emergency intrusive physical examination of a child in connection with participation in a program. The section also provides for definition of the term "nonemergency intrusive physical examination".

This section does not prohibit agencies from using established methods for handling suspected or known cases of child abuse and neglect that comply with Federal, State or tribal law.

IX. Changes in Existing Law

In compliance with rule XXVI paragraph 12 of the Standing Rules of the Senate, the following provides a print of the statute or the part or section thereof to be amended or replaced (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

HEAD START ACT

* * * * * * *

[SEC. 636. STATEMENT OF PURPOSE.

It is the purpose of this subchapter to promote school readiness by enhancing the social and cognitive development of low-income children through the provision, to low-income children and their families, of health, educational, nutritional, social, and other services that are determined, based on family needs assessments, to be necessary.**]**

SEC. 636. STATEMENT OF PURPOSE.

It is the purpose of this subchapter to promote the school readiness of low-income children by enhancing their cognitive and social development—

(1) with a learning environment that supports cognitive development (including the growth of language, pre-literacy, and premathematics skills) and the growth of social, emotional, and physical skills; and

(2) through the provision to low-income children and their families of health, educational, nutritional, social, and other services that are determined, based on family needs assessments, to be necessary.

* * * * * * *

DEFINITIONS

SEC. 637. For purposes of this subchapter:

(1) * * *

* * * * * * *

(2) The term "delegate agency" means a public, private nonprofit *(including a community-based organization, as defined in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801))*, or for-profit organization or agency to which a grantee has delegated all or part of the responsibility of the grantee for operating a Head Start program.

(3) * * *

(A) * * *

* * * * * * *

(C) Parent literacy, *including financial literacy,* training that leads to economic self-sufficiency.

(D) * * *

(4) * * *

* * * * * * *

(17) The term "State" means a State, the Commonwealth of Puerto Rico, the District of Columbia, Guam, American Samoa, the Virgin Islands of the United States, and the Commonwealth of the Northern *Mariana Islands.* ⟦Mariana Islands, but for fiscal years ending before October 1, 2001 (and fiscal year 2002, if the legislation described in section 640(a)(2)(B)(ii) has not been enacted before September 30, 2001), also means the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau.⟧

(18) The term "deficiency" means—

(A) a systemic or substantial material failure of an agency in an area of performance that the Secretary determines involves—

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

(ii) a denial to parents of the exercise of their full roles and responsibilities related to program operations;

(iii) a failure to comply with standards related to early childhood development and health services, family and community partnerships, or program design and management;

(iv) the misuse of funds under this subchapter;

(v) loss of legal status or financial viability, loss of permits, debarment from receiving Federal grants or contracts, or the improper use of Federal funds; or

(vi) failure to meet any other Federal or State requirement that the agency has shown an unwillingness or inability to correct, after notice from the Secretary, within the period specified;

(B) systemic failure of the board of directors of an agency to fully exercise its legal and fiduciary responsibilities;

(C) substantial failure of an agency to meet the administrative requirements of section 644(b);

(D) failure of an agency to demonstrate that the agency attempted to meet the coordination and collaboration re-

quirements with entities described in section 640(a)(5)(D)(ii)(I); or

(E) having an unresolved area of noncompliance.

(19) The term "homeless child" means a child described in section 725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a(2)).

(20) The term "institution of higher education" has the meaning given the term in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)).

(21) The term "interrater reliability" means the extent to which 2 or more independent raters or observers consistently obtain the same result when using the same assessment tool.

(22) The term "limited English proficient", used with respect to a child, means a child—

(A) who is enrolled or preparing to enroll in a Head Start program, Early Head Start program, or other early care and education program;

(B)(i) who was not born in the United States or whose native language is a language other than English;

(ii)(I) who is a Native American, Alaska Native, or a native resident of an outlying area (as defined in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801)); and

(II) who comes from an environment where a language other than English has had a significant impact on the child's level of English language proficiency; or

(iii) who is migratory, whose native language is a language other than English, and who comes from an environment where a language other than English is dominant; and

(C) whose difficulties in speaking or understanding the English language may be sufficient to deny such child—

(i) the ability to successfully achieve in a classroom in which the language of instruction is English; or

(ii) the opportunity to participate fully in society.

(23) The term "unresolved area of noncompliance" means failure to correct a noncompliance item within 120 days, or within such additional time (if any) authorized by the Secretary, after receiving from the Secretary notice of such noncompliance item, pursuant to section 641A(d).

* * * * * * *

FINANCIAL ASSISTANCE FOR HEAD START PROGRAMS

SEC. 638. The Secretary may, upon application by an agency which is eligible for designation as a Head Start agency pursuant to section 641, provide financial assistance to such agency *for a period of 5 years* for the planning, conduct, administration, and evaluation of a Head Start program focused primarily upon the children from low-income families who have not reached the age of compulsory school attendance which (1) will provide such comprehensive health, education, parental involvement, nutritional, social, and other services as will enable the children to attain their full potential and attain school readiness; and (2) will provide for

direct participation of the parents of such children in the development, conduct, and overall program direction at the local level.

* * * * * * *

[AUTHORIZATION OF APPROPRIATIONS

[SEC. 639. (a) There are authorized to be appropriated for carrying out the provisions of this subchapter such sums as may be necessary for fiscal years 1999 through 2003.

[(b) From the amount appropriated under subsection (a), the Secretary shall make available—

[(1) for each of fiscal years 1999 through 2003 to carry out activities authorized under section 642A, not more than $35,000,000 but not less than the amount that was made available for such activities for fiscal year 1998;

[(2) not more than $5,000,000 for each of fiscal years 1999 through 2003 to carry out impact studies under section 649(g); and

[(3) not more than $12,000,000 for fiscal year 1999, and such sums as may be necessary for each of fiscal years 2000 through 2003, to carry out other research, demonstration, and evaluation activities, including longitudinal studies, under section 649.]

SEC. 639. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There are authorized to be appropriated for carrying out the provisions of this subchapter $7,350,000,000 for fiscal year 2008, $7,650,000,000 for fiscal year 2009, $7,995,000,000 for fiscal year 2010, and such sums as may be necessary for each of fiscal years 2011 and 2012.

(b) SPECIFIC PROGRAMS.—From the amount appropriated under subsection (a), the Secretary shall make available to carry out research, demonstration, and evaluation activities, including longitudinal studies under section 649, not more than $20,000,000 for fiscal year 2008, and such sums as may be necessary for each of fiscal years 2009 through 2012, of which not more than $7,000,000 for each of fiscal years 2008 through 2012 shall be available to carry out impact studies under section 649(g).

* * * * * * *

ALLOTMENT OF FUNDS; LIMITATIONS ON ASSISTANCE

SEC. 640. (a)(1) * * *

(2) * * *

[(A) Indian Head Start programs, services for children with disabilities, and migrant and seasonal Head Start programs, except that there shall be made available for each fiscal year for use by Indian Head Start programs and by migrant and seasonal Head Start programs, on a nationwide basis, not less than the amount that was obligated for use by Indian Head Start programs and by migrant and seasonal Head Start programs for fiscal year 1998;]

(A) Indian Head Start programs, services for children with disabilities, and migrant and seasonal Head Start programs, except that the Secretary shall reserve for each fiscal year for use by Indian Head Start and migrant and seasonal Head

Start programs (referred to in this paragraph as "covered programs"), on a nationwide basis, a sum that is the total of a percentage specified by the Secretary that is not less than 4 percent of the amount appropriated under section 639 for that fiscal year (for Indian Head Start programs) and a percentage specified by the Secretary that is not less than 5 percent of that appropriated amount (for migrant and seasonal Head Start programs) (referred to in this paragraph as the "specified percentages"), except that—

(i) if reserving the specified percentages would reduce the number of children served by Head Start programs, relative to the number of children served on the date of enactment of the Head Start for School Readiness Act, taking into consideration an appropriate adjustment for inflation, the Secretary shall reserve percentages that approach, as closely as practicable, the specified percentages and that do not cause such a reduction; and

(ii) notwithstanding any other provision of this subparagraph, the Secretary shall reserve for each fiscal year for use by Indian Head Start programs and by migrant and seasonal Head Start programs, on a nationwide basis, not less than the amount that was obligated for use by Indian Head Start programs and by migrant and seasonal Head Start programs for the previous fiscal year;

(B) * * *

(i) * * *

* * * * * * *

[(C) training and technical assistance activities which are sufficient to meet the needs associated with program expansion and to foster program and management improvement activities as described in section 648 of this subchapter, in an amount for each fiscal year which is not less than 2 percent of the amount appropriated for such fiscal year, of which not less than $3,000,000 of the amount appropriated for such fiscal year shall be made available to carry out activities described in section 648(c)(4);**]**

(C) training and technical assistance activities that are sufficient to meet the needs associated with program expansion and to foster program and management improvement activities as described in any of paragraphs (1) through (17) of section 648(d), in an amount for each fiscal year that is not less than 2 percent of the amount appropriated under section 639 for such fiscal year, of which—

(i) 50 percent shall be made available to Head Start agencies to use directly, or by establishing local or regional agreements with community experts, institutions of higher education, or private consultants, for any of the following training and technical assistance activities, including—

(I) activities that ensure that Head Start programs meet or exceed the program performance standards described in section 641A(a)(1);

(II) activities that ensure that Head Start programs have adequate numbers of trained, qualified staff who have skills in working with children and families, in-

cluding children and families who are limited English proficient and children with disabilities;

(III) activities to pay expenses, including direct training for expert consultants working with any staff, to improve the management and implementation of Head Start services and systems;

(IV) activities that help ensure that Head Start programs have qualified staff who can promote language skills and literacy growth of children and who can provide children with a variety of skills that have been identified as predictive of later reading achievement, school success, and the skills, knowledge, abilities, development, and progress described in section 641A(a)(1)(B)(ii);

(V) activities to improve staff qualifications and to assist with the implementation of career development programs and to encourage the staff to continually improve their skills and expertise, including developing partnerships with programs that recruit, train, place, and support college students in Head Start centers to deliver an innovative early learning program to preschool children;

(VI) activities that help local programs ensure that the arrangement, condition, and implementation of the learning environments in Head Start programs are conducive to providing effective program services to children and families;

(VII) activities to provide training necessary to improve the qualifications of Head Start staff and to support staff training, child counseling, health services, and other services necessary to address the needs of children enrolled in Head Start programs, including children from families in crises, children who experience chronic violence or homelessness, children who experience substance abuse in their families, and children under 3 years of age, where applicable;

(VIII) activities to provide classes or in-service-type programs to improve or enhance parenting skills, job skills, adult and family literacy, including financial literacy, or training to become a classroom aide or bus driver in a Head Start program;

(IX) additional activities determined appropriate for the improvement of Head Start agencies' programs, as determined by the agencies' technical assistance and training plans; or

(X) any other activities regarding the use of funds as determined by the Secretary;

(ii) 50 percent shall be made available to the Secretary—

(I) to provide directly training and technical assistance on early childhood education and care or to support, through grants or other arrangements, a State system of training and technical assistance (which may include such a system for a consortium of States within a region); and

(II) to assist local programs (including Indian Head Start programs and migrant and seasonal Head Start programs) in meeting the standards described in section 641A(a)(1); and

(iii) not less than $3,000,000 of the amount in clause (ii) appropriated for such fiscal year shall be made available to carry out activities described in section 648(d)(4);

(D) discretionary payments made by the Secretary (including payments for all costs (other than compensation of Federal employees) of reviews of Head Start agencies and programs under section 641A(c), and of activities carried out under paragraph (1), (2), or (3) of section 641A(d) related to correcting deficiencies and conducting proceedings to terminate the designation of Head Start ⟦agencies;⟧ *(agencies);* and

* * * * * * *

No funds reserved under this paragraph or paragraph (3) may be combined with funds appropriated under any other Act if the purpose of combining funds is to make a single discretionary grant or a single discretionary payment, unless such funds appropriated under this subchapter are separately identified in such grant or payment and are used for the purposes of this subchapter. No Freely Associated State may receive financial assistance under this subchapter after fiscal year 2002. *In no case shall the Secretary use funds appropriated under this subchapter to expand or create additional slots or services in non-Indian and non-migrant and seasonal Head Start programs until the amounts based on the specified percentages for Indian Head Start programs and migrant and seasonal Head Start programs pursuant to subparagraph (A) are reached. The Secretary shall require each Head Start agency to report at the end of each budget year on how funds provided to carry out subparagraph (C)(i) were used.*

(3)(A)(i) * * *

(I) ⟦60 percent of such excess amount for fiscal year 1999, 50 percent of such excess amount for fiscal year 2000, 47.5 percent of such excess amount for fiscal year 2001, 35 percent of such excess amount for fiscal year 2002, and 25 percent of such excess amount for fiscal year 2003;⟧ *30 percent of such excess amount for fiscal year 2008, and 40 percent of such excess amount for each of fiscal years 2009 through 2012;* and

(II) * * *

(ii) * * *

(B) * * *

(i) Ensuring that Head Start programs meet or exceed ⟦performance standards pursuant to section 641A(a)(1)(A).⟧ *standards and measures pursuant to section 641A.*

⟦(ii) Ensuring that such programs have adequate numbers of qualified staff, and that such staff is furnished adequate training, including developing skills in working with children, with non-English language background and children with disabilities, when appropriate.⟧

(ii) Ensuring that such programs have adequate numbers of qualified staff, and that such staff is furnished adequate

training, including training to promote the development of language, premathematics, and pre-literacy skills in young children and in working with limited English proficient children, children in foster care, children referred by child welfare services, and children with disabilities, when appropriate.

[(iii) Ensuring that salary levels and benefits are adequate to attract and retain qualified staff for such programs.]

(iii) Developing and financing the salary scales and benefits standards under section 644(a) and section 653, in order to ensure that salary levels and benefits are adequate to attract and retain qualified staff for such programs.

[(iv) Using salary increases to improve staff qualifications, and to assist with the implementation of career development programs, for the staff of Head Start programs, and to encourage the staff to continually improve their skills and expertise by informing the staff of the availability of Federal and State incentive and loan forgiveness programs for professional development.]

(iv) Using salary increases to—

(I) assist with the implementation of quality programs and improve staff qualifications;

(II) ensure that staff can promote the language skills and literacy growth of children and can provide children with a variety of skills that have been identified, through scientifically based early reading research, as predictive of later reading achievement, as well as the skills, knowledge, abilities, development, and progress described in section 641A(a)(1)(B)(ii); and

(III) encourage the staff to continually improve their skills and expertise—

(aa) through the implementation of career development programs; and

(bb) through the completion of postsecondary coursework in early childhood education.

(v) Improving [community-wide] *communitywide* strategic planning and needs assessments for such programs*, including collaborations to increase program participation by underserved populations of eligible children*

(vi) * * *

[(vii) Ensuring that such programs have qualified staff that can promote language skills and literacy growth of children and that can provide children with a variety of skills that have been identified, through scientifically based reading research, as predictive of later reading achievement.

[(viii) Making such other improvements in the quality of such programs as the Secretary may designate.]

(vii) Providing assistance to complete postsecondary coursework, to enable Head Start teachers to improve competencies and the resulting child outcomes, including informing the teachers of the availability of Federal and State incentive and loan forgiveness programs.

(viii) Promoting the regular attendance and stability of all Head Start children with particular attention to highly mobile children, including children of migrant or seasonal farmworkers families (where appropriate), homeless children, and children in foster care.

(ix) Making such other improvements in the quality of such programs as the Secretary may designate.

(C) Quality improvements funds shall be used to carry out any or all of the following activities:

(i)(I) Not less than one-half of the amount reserved under this paragraph, to improve the compensation (including benefits) of classroom teachers and other staff of Head Start agencies and thereby enhance recruitment and retention of qualified staff, including recruitment and retention pursuant to achieving the requirements set forth in section 648(a). The expenditure of funds under this clause shall be subject to section 653. [Preferences in awarding salary increases, in excess of cost-of-living allowances, with such funds shall be granted to classroom teachers and staff who obtain additional training or education related to their responsibilities as employees of a Head Start program.] *Salary increases, in excess of cost-of-living allowances, provided with such funds shall be subject to the specific standards governing salaries and salary increases established pursuant to section 644(a).*

(II) * * *

* * * * * * *

(ii) To train classroom teachers and other staff to meet the [education performance standards described in section 641(a)(1)B)] *standards and measures described in section 641A*, through activities—

(I) to promote children's language*, pre-literacy,* and literacy growth, through techniques identified through scientifically based reading research;

[(II) to promote the acquisition of the English language for non-English background children and families;]

(II) to help limited English proficient children attain the knowledge, skills, abilities, and development specified in section 641A(a)(1)(B)(ii) and to promote the acquisition of the English language by such children and families;

(III) * * *

[(IV) to provide training necessary to improve the qualifications of the staff of the Head Start agencies and to support staff training, child counseling, and other services necessary to address the problems of children participating in Head Start programs, including children from dysfunctional families, children who experience chronic violence in their communities, and children who experience substance abuse in their families.]

(IV) to provide education and training necessary to improve the qualifications of Head Start staff,

particularly assistance to enable more instructors to be fully competent and to meet the degree requirements under section 648A(a)(2)(A), and to support staff training, child counseling, and other services necessary to address the challenges of children participating in Head Start programs, including children from immigrant, refugee, and asylee families, children from families in crisis, homeless children, children in foster care, children referred to Head Start programs by child welfare agencies, and children who are exposed to chronic violence or substance abuse.

(iii) To employ additional Head Start staff, including staff necessary to reduce the child-staff ratio*, educational staff who have the qualifications described in section 648(a),* and staff necessary to coordinate a Head Start program with other services available to children participating in such program and to their families.

(iv) * * *

(v) To supplement amounts provided under paragraph (2)(C) to provide training necessary to improve the qualifications of the staff of the Head Start agencies, and to support staff training, child counseling, and other services necessary to address the problems of children participating in Head Start ❚programs, including children from dysfunctional families, children who experience chronic violence in their communities, and children who experience substance abuse in their families.❚ *programs.*

(vi) To conduct outreach to homeless families in an effort to increase the program participation of eligible homeless children.

(vii) To conduct outreach to migrant and seasonal farmworking families and families with limited English proficient children.

(viii) To partner with institutions of higher education and nonprofit organizations, including community-based organizations, that recruit, train, place, and support college students, to serve as mentors and reading partners to preschool children in Head Start programs.

(ix) To upgrade the qualifications and skills of educational personnel to meet the professional standards described in section 648A(a)(1), including certification and licensure as bilingual education teachers, teachers of English as a second language, and for other educational personnel who serve limited English proficient children.

❚(vi)❚ *(x)* Such other activities as the Secretary may designate.

(D)(i) Funds reserved under subparagraph (A) shall be allotted by the Secretary as follows:

(I) * * *

* * * * * * *

(ii) * * *

* * * * * * *

(4) Subject to section 639(b), the Secretary shall allot the remaining amounts appropriated in each fiscal year among the States, in accordance with latest satisfactory data so that—

(A) each State receives an amount which is equal to the amount the State received for fiscal year ❚1998❚ *2007*; and

❚(B) any amount available after all allotments are made under subparagraph (A) for such fiscal year shall be distributed proportionately on the basis of the number of children less than 5 years of age from families whose income is below the poverty line.❚

(B) any amount available after all allotments are made under subparagraph (A) for such fiscal year shall be distributed as follows:

(i) Each State shall receive an amount sufficient to serve the same number of children in Head Start programs in each State as were served on the date of enactment of the Head Start for School Readiness Act, taking into consideration an appropriate adjustment for inflation.

(ii) After ensuring that each State has received the amount described in clause (i), the Secretary shall distribute the remaining balance, by—

(I) distributing 65 percent of the balance among the States serving less than 60 percent (as determined by the Secretary) of children who are 3 or 4 years of age from families whose income is below the poverty line, by allotting to each of those States an amount that bears the same relationship to that 65 percent as the number of children who are less than 5 years of age from families whose income is below the poverty line (referred to in this clause as "young low-income children") in that State bears to the number of young low-income children in all those States; and

(II) distributing 35 percent of the balance among the States, by allotting to each State an amount that bears the same relationship to that 35 percent as the number of young low-income children in that State bears to the number of young low-income children in all the States.

* * * * * * *

(5)(A) From amounts reserved and allotted pursuant to paragraph (4) *(and amounts reserved, before such allotments, for national administrative offices)*, the Secretary shall reserve such sums as may be necessary to award the collaboration grants described in subparagraphs (B) and (D).

❚(B) From the reserved sums, the Secretary may award a collaboration grant to each State in facilitate collaboration regarding activities carried out in the State under this subchapter, and other activities carried out in, and by, the State that are designed to benefit low-income children and families and to encourage Head Start agencies to collaborate with enti-

ties involved in State and local planning processes (including the State lead agency administering the financial assistance received under the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858 et seq.) and the entities providing resource and referral services in the State) in order to better meet the needs of low-income children and families.

[(C) A State that receives a grant under subparagraph (B) shall—

[(i) appoint an individual to serve as a State liaison between—

[(I) the appropriate regional office of the Administration for Children and Families and agencies and individuals carrying out Head Start programs in the State; and

[(II) agencies (including local educational agencies) and entities carrying out programs serving low-income children and families;

[(ii) involve the State Head Start Association in the selection of the individual, and involve the association in determinations relating to the ongoing direction of the collaboration;

[(iii) ensure that the individual holds a position with sufficient authority and access to ensure that the collaboration described in subparagraph (B) is effective and involves a range of State agencies;

[(iv) ensure that the collaboration described in subparagraph (B) involves coordination of Head Start services with health care, welfare, child care, education, and community service activities, family literacy services, activities relating to children with disabilities (including coordination of services with those State officials who are responsible for administering part C and section 619 of the Individuals with Disabilities Education Act (20 U.S.C. 1431–1444, 1419)), and services for homeless children;

[(v) include representatives of the State Head Start Association and local Head Start agencies in unified planning regarding early care and education services at both the State and local levels, including collaborative efforts to plan for the provision of full-working-day, full-calendar-year early care and education services for children; and

[(vi) encourage local Head Start agencies to appoint a State level representative to represent Head Start agencies within the State in conducting collaborative efforts described in subparagraphs (B) and (D), and in clause (v).

[(D) Following the award of collaboration grants described in subparagraph (B), the Secretary shall provide, from the reserved sums, supplemental funding for collaboration grants—

[(i) to States that (in consultation with their State Head Start Associations) develop statewide, regional, or local unified plans for early childhood education and child care that include the participation of Head Start agencies; and

[(ii) to States that engage in other innovative collaborative initiatives, including plans for collaborative training and professional development initiatives for child care,

early childhood education and Head Start service managers, providers, and staff.]

(B)(i) From the reserved sums, the Secretary shall award a collaboration grant to each State and to each national administrative office serving Indian Head Start programs and migrant and seasonal Head Start programs to facilitate collaboration between Head Start agencies and entities (including the State or national administrative office) that carry out other activities designed to benefit low-income families and children from birth to school entry. The national administrative offices shall use the funds made available through the grants to carry out the authorities and responsibilities described in subparagraphs (B) and (C).

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

(I) assist Head Start agencies to collaborate with entities involved in State and local planning processes to better meet the needs of low-income families and children from birth to school entry;

(II) assist Head Start agencies to coordinate activities with the State agency responsible for administering the State program carried out under the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858 et seq.) and entities providing resource and referral services in the State, to make full-working-day and full calendar year services available to children;

(III) promote alignment of Head Start services with State early learning standards, as appropriate, and the Head Start Child Outcomes Framework;

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

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

(C) In order to improve coordination and delivery of early childhood education and care to children in the State, a State that receives a collaboration grant under subparagraph (B) shall—

(i) appoint or designate an individual to serve as, or carry out the responsibilities of, the State Director of Head Start Collaboration;

(ii) ensure that the State Director of Head Start Collaboration holds a position with sufficient authority and access to ensure that the collaboration described in subparagraph (B) is effective and involves a range of State agencies; and

(iii) involve the State Head Start Association in the selection of the Director and involve the Association in determinations relating to the ongoing direction of the collaboration office.

(D) The State Director of Head Start Collaboration, reporting to the State Advisory Council described in subparagraph (E), shall—

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

(I) addresses the needs of Head Start agencies in the State with respect to collaboration, coordination of services, and alignment of services with State early learning standards, as appropriate, and the Head Start Child Outcomes Framework;

(II) shall be updated on an annual basis; and

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

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

(I) enhance collaboration and coordination of Head Start services with other entities providing early childhood education and care (such as child care or services offered by museums), health care, mental health care, welfare, child protective services, education and community service activities, family literacy services, reading readiness programs (including such programs offered by public and school libraries), services relating to children with disabilities, other early childhood education and care for limited English proficient children and homeless children, and services provided for children in foster care and children referred to Head Start programs by child welfare agencies, including agencies and State officials responsible for such services;

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

(III) assist Head Start agencies to align services with State early learning standards, as appropriate, and the Head Start Child Outcomes Framework; and

(IV) enable Head Start agencies in the State to better access professional development opportunities for Head Start staff, such as by—

(aa) working with local Head Start agencies to meet the degree requirements described in section 648A(a)(2)(A), including providing distance learning opportunities for Head Start staff, where needed to make higher education more accessible to Head Start staff; and

(bb) enabling the State Head Start agencies to better conduct outreach to eligible families;

(iii) promote partnerships between Head Start agencies, State and local governments, and the private sector to help ensure that children from low-income families, who are in Head Start programs or are preschool age, are receiving comprehensive services to prepare the children to enter school ready to learn;

(iv) consult with the chief State school officer, local educational agencies, and providers of early childhood education and care, regarding early childhood education and care at both the State and local levels;

(v) promote partnerships (such as the partnerships involved with the Free to Grow initiative) between Head Start agencies, schools, law enforcement, relevant community-based organizations, and substance abuse and mental health treatment agencies to strengthen family and community environments and to reduce the impact on child development of substance abuse, child abuse, domestic violence, and other high risk behaviors that compromise healthy development;

(vi) promote partnerships between Head Start agencies and other organizations in order to enhance the Head Start curriculum, including partnerships to promote inclusion of more books in Head Start classrooms and partnerships to promote coordination of activities with the Ready-to-Learn Television program carried out under subpart 3 of part D of title II of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6775 et seq.); and

(vii) identify other resources and organizations (both public and private) for the provision of in-kind services to Head Start agencies in the State.

(E)(i) The Governor of the State shall—

(I) designate or establish a council to serve as the State advisory council on collaboration on early childhood education and care for children from birth to school entry (in this subchapter referred to as the "State Advisory Council"); and

(II) designate an individual to coordinate activities of the State Advisory Council, as described in clause (iv)(I).

(ii) The Governor may designate an existing entity to serve as the State Advisory Council, if the entity includes representatives consistent with clause (iii).

(iii) Members of the State Advisory Council shall include, to the maximum extent possible—

(I) the State Director of Head Start Collaboration;

(II) a representative of the appropriate regional office of the Administration for Children and Families;

(III) a representative of the State educational agency and local educational agencies;

(IV) a representative of institutions of higher education;

(V) a representative (or representatives) of the State agency (or agencies) responsible for health or mental health care;

(VI) a representative of the State agency responsible for professional standards, certification, and licensing for early childhood educators;

(VII) a representative of the State agency responsible for child care;

(VIII) early childhood educators, including professionals with expertise in second language acquisition and instructional strategies in teaching limited English proficient children;

(IX) kindergarten teachers and teachers in grades 1 through 3;

(X) health care professionals;

(XI) child development specialists, including specialists in prenatal, infant, and toddler development;

(XII) a representative of the State agency responsible for assisting children with developmental disabilities;

(XIII) a representative of the State agency responsible for programs under section 619 or part C of the Individuals with Disabilities Education Act (20 U.S.C. 1419, 1431 et seq.);

(XIV) a representative of the State interagency coordinating councils established under section 641 of the Individuals with Disabilities Education Act (20 U.S.C. 1441);

(XV) a representative of the State Head Start Association (where appropriate), and other representatives of Head Start programs in the State;

(XVI) a representative of the State network of child care resource and referral agencies;

(XVII) a representative of community-based organizations;

(XVIII) a representative of State and local providers of early childhood education and child care;

(XIX) a representative of Indian Head Start programs (where appropriate) and a representative of migrant and seasonal Head Start programs (where appropriate);

(XX) parents;

(XXI) religious and business leaders;

(XXII) the head of the State library administrative agency;

(XXIII) representatives of State and local organizations and other entities providing professional development to early childhood educators and child care providers;

(XXIV) a representative from the Office of Coordinator for Education of Homeless Children and Youths in the State;

(XXV) a State legislator; and

(XXVI) a representative of other entities determined to be relevant by the Governor of the State.

(iv)(I) The State Advisory Council shall be responsible for, in addition to responsibilities assigned to the council by the Governor of the State—

(aa) conducting a periodic statewide needs assessment concerning early education and care for children from birth to school entry;

(bb) identifying barriers to, and opportunities for, collaboration and coordination among entities carrying out federally-funded and State-funded child development, child care, and early childhood education programs;

(cc) developing recommendations regarding means of establishing a unified data collection system for early childhood education and care throughout the State;

(dd) developing a statewide professional development and career ladder plan for early childhood education and care in the State;

(ee) reviewing and approving the strategic plan, regarding collaborating and coordinating services to better serve children enrolled in Head Start programs, developed by the

State Director of Head Start Collaboration under subparagraph (D)(iii);

(ff) assessing the availability of high quality prekindergarten services for low-income children in the State;

(gg) assisting 2- and 4-year public and private institutions of higher education to develop articulation agreements;

(hh) awarding grants to assist institutions of higher education to develop model programs of early childhood education and care, including practica or internships for students to spend time in a Head Start or prekindergarten program; and

(ii) undertaking collaborative efforts to develop, and make recommendations for improvements in, State early learning standards.

(II) The State Advisory Council shall hold public hearings and provide an opportunity for public comment on the activities described in subclause (I). The State Advisory Council shall submit a statewide strategic report addressing the activities described in subclause (I) to the State Director of Head Start Collaboration and the Governor of the State.

(III) After submission of a statewide strategic report under subclause (II), the State Advisory Council shall meet periodically to review any implementation of the recommendations in such report and any changes in State and local needs.

(F)(i)(I) Prior to carrying out paragraph (4), the Secretary shall reserve a portion to carry out this subparagraph for a fiscal year. The Secretary shall reserve the portion from the amount (if any) by which the funds appropriated under section 639(a) for the fiscal year exceed the adjusted prior year appropriation (as defined in paragraph (3)(A)(ii)), without reducing the share available for quality improvement funds described in paragraph (3)(B).

(II) To the extent consistent with subclause (I), the Secretary shall reserve $100,000,000 for fiscal year 2008. Funds reserved under this subclause shall remain available for obligation through fiscal year 2012.

(ii) The Secretary shall use the portion reserved under clause (i) to award, on a competitive basis, one-time startup grants of not less than $500,000 to eligible States to enable such States to pay for the Federal share of the cost of further developing and implementing the recommendations and plans for which the State's State Advisory Council is responsible under subparagraph (E)(iv)(I). Such grants shall—

(I) facilitate the development of high-quality systems of early childhood education and care and activities designed to improve school preparedness;

(II) increase and make effective use of existing and new delivery systems and funds for early childhood education and care; and

(III) enhance existing early childhood education and care (in existence on the date on which the grant involved is awarded).

(iii) To be eligible to receive a grant under this subparagraph, a State shall prepare and submit to the Secretary an applica-

tion, for a 3-year period, at such time, in such manner, and containing such information as the Secretary shall require, including—

(I) a description of the State's State Advisory Council's responsibilities under subparagraph (E)(iv)(I);

(II) a description, for each fiscal year, of how the State will make effective use of funds available under this subparagraph, with funds described in clause (iv), to create an early childhood education and care system, by developing or enhancing programs and activities described in subparagraph (E)(iv)(I);

(III) a description of the State early learning standards and the State's goals for increasing the number of children entering kindergarten ready to learn;

(IV) information identifying the agency or joint interagency office and individual designated to carry out the activities under this subparagraph, which may be the individual designated under subparagraph (E)(i)(II); and

(V) a description of how the State plans to sustain activities under this subparagraph beyond the grant period.

(iv) The Federal share of the cost described in clause (ii) shall be 30 percent, and the State shall provide the non-Federal share.

(v) Funds made available under this subparagraph shall be used to supplement, and not supplant, other Federal, State, and local funds expended to carry out activities related to early childhood education and care in the State.

(vi) Not later than 18 months after the date a State receives a grant under this subparagraph, the State shall submit an interim report to the Secretary. A State that receives a grant under this subparagraph shall submit a final report to the Secretary at the end of the grant period.

[(E)] *(G)*(i) The Secretary shall—

(I) review on an ongoing basis evidence of barriers to effective collaboration between Head Start programs and other Federal, State, and local [child care and early childhood education programs and resources] *early childhood education and care programs and resources*;

(II) * * *

* * * * * * *

(ii) In the case of a collaborative activity funded under this subchapter and another provision of law providing for [Federal child care or early childhood education] *Federal early childhood education or child care*, the use of equipment and nonconsumable supplies purchased with funds made available under this subchapter or such provision shall not be restricted to children enrolled or otherwise participating in the program carried out under that subchapter or provision, during a period in which the activity is predominantly funded under this subchapter or such provision.

[(F)] *(H)* As used in this paragraph, the term "low-income", used with respect to children or families, shall not be considered to refer only to children or families that meet the low-income criteria prescribed pursuant to section 645(a)(1)(A).

(6)(A) From amounts reserved and allotted pursuant to paragraphs (2) and (4), the Secretary shall use, for grants for programs described in section 645A(a), a portion of the combined total of such amounts equal to [7.5 percent for fiscal year 1999, 8 percent for fiscal year 2000, 9 percent for fiscal year 2001, 10 percent for fiscal year 2002, and 10 percent for fiscal year 2003, of the amount appropriated pursuant to section 639(a), except as provided in subparagraph (B).] *not less than 12 percent for fiscal year 2008, not less than 14 percent for fiscal year 2009, not less than 16 percent for fiscal year 2010, not less than 18 percent for fiscal year 2011, and not less than 20 percent for fiscal year 2012, of the amount appropriated pursuant to section 639(a).*

[(B)(i) If the Secretary does not submit an interim report on the preliminary findings of the Early Head Start impact study currently being conducted by the Secretary (as of the date of enactment of the Head Start Amendments of 1998) to the appropriate committees by June 1, 2001, the amount of the reserved portion for fiscal year 2002 that exceeds the reserved portion for fiscal year 2001, if any, shall be used for quality improvement activities described in section 640(a)(3) and shall not be used to serve an increased number of eligible children under section 645A.

[(ii) If the Secretary does not submit a final report on the Early Head Start impact study to the appropriate committees by June 1, 2002, or if the Secretary finds in the report that there are substantial deficiencies in the programs carried out under section 645A, the amount of the reserved portion for fiscal year 2003 that exceeds the reserved portion for fiscal year 2002, if any, shall be used for quality improvement activities described in section 640(a)(3) and shall not be used to serve an increased number of eligible children under section 645A.

[(iii) In this subparagraph:

[(I) The term "appropriate committees" means the Committee on Education and the Workforce and the Committee on Appropriations of the House of Representatives and the Committee on Labor and Human Resources and the Committee on Appropriations of the Senate.

[(II) The term "reserved portion", used with respect to a fiscal year, means the amount required to be used in accordance with subparagraph (A) for that fiscal year.]

[(C)] *(B)*(i) For any fiscal year for which the Secretary determines that the amount appropriated under section 639(a) is not sufficient to permit the Secretary to reserve the portion described in subparagraph (A) without reducing the number of children served by Head Start programs or adversely affecting the quality of Head Start services, relative to the number of children served and the quality of the services during the preceding fiscal year, the Secretary may reduce the percentage of funds [required to be] reserved for the portion described in subparagraph (A) for the fiscal year for which the determination is made, but not below the percentage [required to be] so reserved for the preceding fiscal year.

(ii) * * *

* * * * * * *

(7) For purposes of this subsection, the term "State" does not include Guam, American Samoa, the Virgin Islands, the Commonwealth of the Northern Mariana Islands, the Federated States of Micronesia, the Republic of the Marshall Islands, and Palau.

(b) * * *

* * * * * * *

[(f) The] *(f)(1) Not later than 1 year after the date of enactment of the Head Start for School Readiness Act, the* Secretary shall establish procedures to enable Head Start agencies to develop locally designed or specialized service delivery models to address local community [needs.] *needs, including models that leverage the capacity and capabilities of the delivery system of early childhood education and child care.*

(2) In establishing the procedures the Secretary shall establish procedures to provide for—

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

(B) serving additional infants and toddlers pursuant to section 645(a)(5).

(g)(1) * * *

(2) For the purpose of expanding Head Start programs, in allocating funds to an applicant within a State, from amounts allotted to a State pursuant to subsection (a)(4), the Secretary shall take into consideration—

(A) * * *

* * * * * * *

[(C) the extent to which the applicant has undertaken community-wide strategic planning and needs assessments involving other community organizations and public agencies serving children and families (including organizations serving families in whose homes English is not the language customarily spoken), and organizations and public entities serving children with disabilities;]

(C) the extent to which the applicant has undertaken communitywide strategic planning and needs assessments involving other community organizations and Federal, State, and local public agencies serving children and families (including organizations and agencies providing family support services and protective services to children and families and organizations serving families in whose homes English is not the language customarily spoken), and individuals, organizations, and public entities serving children with disabilities, children in foster care, and homeless children including the local educational agency liaison designated under section 722(g)(1)(J)(ii) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11432(g)(1)(J)(ii));

(D) the extent to which the family and [community] *communitywide* needs assessment of the applicant reflects a need to provide full-working-day or full calendar year services and the extent to which, and manner in which, the applicant demonstrates the ability to collaborate and participate with [other local] *the State and local* community providers of child care or

preschool services to provide full-working-day full calendar year services;

(E) the numbers of eligible children in each community who *would like to participate but* are not participating in a Head Start program or any other ⟦early childhood program⟧ *early childhood education and care program*;

(F) * * *

(G) the extent to which the applicant proposes to foster partnerships with other service providers in a manner that will *leverage the existing delivery systems of such services (existing as of the date of the allocation decision) and* enhance the resource capacity of the applicant; and

(H) the extent to which the applicant, in providing services, plans to coordinate with the local educational agency serving the community involved*, including the local educational agency liaison designated under section 722(g)(1)(J)(ii) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11432(g)(1)(J)(ii)),* and with schools in which children participating in a Head Start program operated by such agency will enroll following such program, regarding such services and the education services provided by such local educational agency.

(3) * * *

* * * * * * *

(h) * * *

⟦(i)⟧ *(i)(1)* The Secretary shall issue regulations establishing requirements for the safety features, and the safe operation, of vehicles used by Head Start agencies to transport children participating in Head Start programs. *The regulations shall also establish requirements to ensure the appropriate supervision of, and appropriate background checks for, individuals with whom the agencies contract to transport those children.*

(2)(A) For purposes of part 1310 of title 45, Code of Federal Regulations, as in effect on the date of enactment of the Head Start for School Readiness Act, any vehicle in use to transport children for a Head Start program as of January 1, 2007, shall not be subject to a requirement under that part regarding rear emergency exit doors for 2 years after that date of enactment.

(B) The Secretary shall revise allowable alternate vehicle standards described in that part 1310 (or any corresponding similar regulation or ruling) to exempt from Federal seat spacing requirements any vehicle used to transport children for a Head Start program, if the vehicle is equipped with child restraint systems consistent with that part 1310 (or any corresponding similar regulation or ruling). Such revision shall be made in a manner consistent with the findings of the Federal Transit Administration of the Department of Transportation, pursuant to its study on occupant protection on Head Start transit vehicles, related to Government Accountability Office report GAO–06–767R.

(j) * * *

(k)(1) * * *

* * * * * * *

(l)(1) With funds made available under section 640(a)(2) to migrant and seasonal Head Start programs, the Secretary shall give priority to migrant and seasonal Head Start programs that serve

eligible children of migrant [and seasonal farmworker families] *or seasonal farmworkers* whose work requires them to relocate most frequently.

(2) * * *

[(3) In carrying out this subchapter, the Secretary shall continue the administrative arrangement responsible for meeting the needs of children of migrant and seasonal farmworkers and Indian children and shall ensure that appropriate funding is provided to meet such needs.]

(3) In carrying out this subchapter, the Secretary shall continue the administrative arrangement at the national level for meeting the needs of Indian children and children of migrant and seasonal farmworkers and shall ensure—

(A) that appropriate funding is provided to meet such needs, including training and technical assistance provided by staff with knowledge of and experience in working with such populations; and

(B) the appointment of a national Indian Head Start collaboration director and a national migrant and seasonal Head Start program collaboration director.

(4)(A) For the purposes of paragraph (3), the Secretary shall conduct an annual consultation in each affected Head Start region, with tribal governments operating Head Start (including) Early Head Start programs.

(B) The consultations shall be for the purpose of better meeting the needs of American Indian and Alaska Native children and families pertinent to subsection (a)(2)(A), taking into consideration funding allocations, distribution formulas, and other issues affecting the delivery of Head Start services within tribal communities.

(C) The Secretary shall publish a notification of the consultations in the Federal Register prior to conducting the consultations.

(D) A detailed report of each consultation shall be prepared and made available, on a timely basis, to all tribal governments receiving funds under this subchapter.

(5)(A) In order to increase access to Head Start services for children of migrant and seasonal farmworkers, the Secretary shall work in collaboration with providers of migrant and seasonal Head Start programs, the Secretary of Agriculture, the Secretary of Labor, and the Secretary of Education to—

(i) collect, report, and share data on farmworkers and their families in order to adequately account for the number of children of migrant or seasonal farmworkers who are eligible for Head Start services and determine how many of such children receive the services; and

(ii) identify barriers that prevent children of migrant and seasonal farmworkers who are eligible for Head Start services from accessing Head Start services, and develop a plan for eliminating such barriers, including certain requirements relating to tracking, health records, and educational documents.

(B) Not later than 1 year after the date of enactment of the Head Start for School Readiness Act, the Secretary shall publish in the Federal Register a notice about how the Secretary plans to carry out the activities identified in subparagraph (A) and shall provide a period for public comment. To the extent practicable, the Secretary

shall consider comments received before implementing any of the activities identified in subparagraph (A).

(C) Not later than 18 months after the date of enactment of the Head Start for School Readiness Act, the Secretary shall submit a report to the Committee on Education and Labor of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate detailing how the Secretary plans to carry out the activities identified in subparagraph (A).

(D) The Secretary shall take appropriate caution to ensure the protection of the confidentiality of any personally identifiable data, information, and records collected or maintained regarding children and families served by migrant and seasonal Head Start programs.

(E) Nothing in this paragraph shall be construed to authorize the development of a nationwide database of personally identifiable data, information, or records on individuals involved in studies or other collections of data under this paragraph.

(m) ENROLLMENT OF HOMELESS CHILDREN.—The Secretary shall issue regulations to remove barriers to the enrollment and participation of homeless children in Head Start programs. Such regulations shall require Head Start agencies to—

(1) implement policies and procedures to ensure that homeless children are identified and receive appropriate priority for enrollment;

(2) allow homeless children to apply to, enroll in, and attend Head Start programs while required documents, such as proof of residency, proof of immunization, and other medical records, birth certificates, and other documents, are obtained within a reasonable timeframe; and

(3) coordinate individual Head Start programs with efforts to implement subtitle B of title VII of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11431 et seq.).

(n) RULE OF CONSTRUCTION.—Nothing in this subchapter shall be construed to require a State to establish a program of early childhood education and care for children in the State, to require any child to participate in a program in order to attend preschool, or to participate in any initial screening prior to participation in a program of early childhood education and care, except as provided under section 612(a)(3) of the Individuals with Disabilities Education Act (20 U.S.C. 1412(a)(3)) and consistent with section 635(a)(5) of such Act (20 U.S.C. 1435(a)(5)).

(o) CURRICULA.—All curricula funded under this subchapter shall be scientifically based, developmentally and linguistically based (to the extent practicable), and age appropriate. The curricula shall reflect all areas of child development and learning. Parents shall have the opportunity to examine any such curricula or instructional materials funded under this subchapter.

* * * * * * *

[DESIGNATION OF HEAD START AGENCIES

[SEC. 641. (a) The Secretary is authorized to designate as a Head Start agency any local public or private nonprofit or for-profit agency, within a community, which (1) has the power and authority to carry out the purposes of this subchapter and perform the functions set forth in section 642 within a community; and (2) is deter-

mined by the Secretary (in consultation with the chief executive officer of the State involved, if such State expends non-Federal funds to carry out Head Start programs) to be capable of planning, conducting, administering, and evaluating, either directly or by other arrangements, a Head Start program

[(b) For purposes of this subchapter, a community may be a city, county, or multicity or multicounty unit within a State, an Indian reservation (including Indians in any off-reservation area designated by an appropriate tribal government in consultation with the Secretary), or a neighborhood or other area (irrespective of boundaries or political subdivisions) which provides a suitable organizational base and possesses the commonality of interest needed to operate a Head Start program.

[(c)(1) In the administration of the provisions of this section (subject to paragraph (2)), the Secretary shall, in consultation with the chief executive officer of the State involved if such State expends non-Federal funds to carry out Head Start programs, give priority in the designation of Head Start agencies to any local public or private nonprofit or for-profit agency which is receiving funds under any Head Start program on the date of the enactment of this Act unless the Secretary determines that the agency involved fails to meet program and financial management requirements, performance standards described in section 641A(a)(1), results-based performance measures developed by the Secretary under section 64lA(b), or other requirements established by the Secretary.

[(2) If there is no agency of the type referred to in paragraph (1) because of any change in the assistance furnished to programs for economically disadvantaged persons, the Secretary shall, in consultation with the chief executive officer of the State if such State expends non-Federal funds to carry out Head Start programs, give priority in the designation of Head Start agencies to any successor agency that is operating a Head Start program in substantially the same manner as the predecessor agency that did receive funds in the fiscal year preceding the fiscal year for which the determination is made.

[(3) Notwithstanding any other provision of this subsection, the Secretary shall not give such priority to any agency with respect to which financial assistance has been terminated, or an application for refunding has been denied, under this subchapter by the Secretary after affording such agency reasonable notice and opportunity for a full and fair hearing in accordance with section 646(a)(3).

[(d) If no entity in a community is entitled to the priority specified in subsection (c), then the Secretary may designate a Head Start agency from among qualified applicants in such community. In selecting from among qualified applicants for designation as a Head Start agency, the Secretary shall give priority to any qualified agency that functioned as a Head Start delegate agency in the community and carried out a Head Start program that the Secretary determines met or exceeded such performance standards and such results-based performance measures. In selecting from among qualified applicants for designation as a Head Start agency, the Secretary shall consider the effectiveness of each such applicant to provide Head Start services, based on—

[(1) any past performance of such applicant in providing services comparable to Head Start services, including how effectively such applicant provided such comparable services;

[(2) the plan of such applicant to provide comprehensive health, nutritional, educational, social, and other services needed to aid participating children in attaining their full potential;

[(3) the plan of such applicant to coordinate the Head Start program it proposes to carry out, with other preschool programs, including Even Start programs under part B of chapter 1 of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 2741 et seq.) and programs under part C and section 619 of the Individuals with Disabilities Education Act (20 U.S.C. 1431–1444, 1419), and with the educational programs such children will enter at the age of compulsory school attendance;

[(4) the plan of such applicant—

[(A) to seek the involvement of parents of participating children in activities (at home and in the center involved where practicable) designed to help such parents become full partners in the education of their children;

[(B) to afford such parents the opportunity to participate in the development, conduct, and overall performance of the program at the local level;

[(C) to offer (directly or through referral to local entities, such as entities carrying out Even Start programs under part B of chapter 1 of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 2741 et seq.), public and school libraries, and family support programs) to such parents—

[(i) family literacy services; and

[(ii) parenting skills training;

[(D) to offer to parents of participating children substance abuse counseling (either directly or through referral to local entities), including information on drug-exposed infants and fetal alcohol syndrome;

[(E) at the option of such applicant, to offer (directly or through referral to local entities) to such parents—

[(i) training in basic child development;

[(ii) assistance in developing communication skills;

[(iii) opportunities for parents to share experiences with other parents; or

[(iv) any other activity designed to help such parents become full partners in the education of their children; and

[(F) to provide, with respect to each participating family, a family needs assessment that includes consultation with such parents about the benefits of parent involvement and about the activities described in subparagraphs (C), (D), and (E) in which such parents may choose to become involved (taking into consideration their specific family needs, work schedules, and other responsibilities);

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

[(6) other factors related to the requirements of this subchapter;

[(7) the plan of such applicant to meet the needs of non-English background children and their families, including needs related to the acquisition of the English language;

[(8) the plan of such applicant to meet the needs of children with disabilities;

[(9) the plan of such applicant who chooses to assist younger siblings of children who will participate in the proposed Head Start program to obtain health services from other sources; and

[(10) the plan of such applicant to collaborate with other entities carrying out early childhood education and child care programs in the community.

[(e) If no agency in the community receives priority designation under subsection (c), and there is no qualified applicant in the community, the Secretary shall designate a qualified agency to carry out the Head Start program in the community on an interim basis until a qualified applicant from the community is so designated.

[(f) The Secretary shall require that the practice of significantly involving parents and area residents affected by the program in selection of Head Start agencies be continued.

[(g) If the Secretary determines that a nonprofit agency and a for-profit agency have submitted applications for designation of equivalent quality under subsection (d), the Secretary may give priority to the nonprofit agency. In selecting from among qualified applicants for designation as a Head Start agency under subsection (d), the Secretary shall give priority to applicants that have demonstated capacity in providing comprehensive early childhood services to children and their families.]

SEC. 641. DESIGNATION OF HEAD START AGENCIES.

(a) DESIGNATION.—

(1) IN GENERAL.—The Secretary is authorized to designate as a Head Start agency any local public or private nonprofit or for-profit agency, within a community, including a community-based organization that—

(A) has power and authority to carry out the purpose of this subchapter and perform the functions set forth in section 642 within a community; and

(B) is determined to have the capacity to plan, conduct, administer, and evaluate, either directly or by other arrangements, a Head Start program.

(2) REQUIRED GOALS FOR DESIGNATION.—In order to be designated as a Head Start agency, an entity described in paragraph (1) shall—

(A) establish program goals for improving the school readiness of children participating in a program under this subchapter, including goals for meeting the performance standards and additional educational standards described in section 641A and shall establish results-based school readiness goals that are aligned with the Head Start Child Outcomes Framework, State early learning standards (as appropriate), and requirements and expectations for local public schools; and

(B) have a governing body—

(i) with legal and fiscal responsibility for administering and overseeing programs under this subchapter;

(ii) that fully participates in the development, planning, and evaluation of the programs to ensure the operation of programs of high quality;

(iii) that is responsible for ensuring compliance with Federal laws and regulations, including the performance standards described in section 641A, as well as applicable State, tribal, and local laws and regulations, including laws defining the nature and operations of the governing body; and

(iv) that has procedures to facilitate meaningful consultation and collaboration about decisions of the governing body and the policy council established under paragraph (3).

(3) ESTABLISHMENT OF POLICY COUNCIL UPON DESIGNATION.—Upon receiving designation as a Head Start agency, the agency shall establish a policy council that—

(A) in accordance with paragraph (5)(C), shall make decisions that influence the character of programs consistent with paragraph (5)(F); and

(B) with the governing body, shall establish processes to resolve internal disputes.

(4) ELIGIBILITY FOR SUBSEQUENT GRANTS.—In order to receive a grant under this subchapter subsequent to the initial grant provided following the date of enactment of the Head Start for School Readiness Act, an entity described in paragraph (1) shall demonstrate that the entity has met or is making progress toward meeting the goals described in paragraph (2)(A).

(5) GOVERNING BODY AND POLICY COUNCIL.—

(A) ESTABLISHMENT OF GOVERNING BODY.—Each Head Start agency shall establish a governing body in accordance with paragraph (2)(B).

(B) COMPOSITION OF GOVERNING BODY.—

(i) IN GENERAL.—The governing body shall be composed as follows:

(I) Not less than 1 member of the governing body shall have a background in fiscal management.

(II) Not less than 1 member of the governing body shall have a background in early childhood development.

(III) Not less than 1 member of the governing body shall be a licensed attorney familiar with issues that come before the governing body.

(IV) Additional members shall reflect the community to be served, and include parents of children who are currently, or were formerly, enrolled in Head Start programs.

(V) In the case in which the governing body is a part of a Head Start agency that is a public agency, members of the governing body shall include elected or appointed public officials.

(ii) CONSULTANTS.—In the case that persons described in clause (i) are not available to serve as mem-

bers of the governing body, the governing body shall make use of consultants in the areas described in clause (i) to work directly with the governing body.

(iii) CONFLICT OF INTEREST.—Members of the governing body shall—

(I) not have a conflict of interest with the Head Start agency (including any delegate agency); and

(II) not receive compensation for the purposes of serving on the governing body or for providing services to the Head Start agency.

(C) RESPONSIBILITIES OF GOVERNING BODY.—

(i) IN GENERAL.—The governing body shall be responsible for—

(I) the selection of delegate agencies and such agencies' service areas;

(II) establishing procedures and criteria for recruitment, selection, and enrollment;

(III) all funding applications and amendments to funding applications for programs under this subchapter;

(IV) establishing procedures and guidelines to access and collect the information described in paragraph (6);

(V) review and approval of—

(aa) the annual self-assessment, financial audit, and findings from the Federal monitoring review, of the Head Start agency (including any delegate agency); and

(bb) such agency's progress in carrying out the programmatic and fiscal intent of such agency's grant application;

(VI) developing procedures for how members of the policy council of the Head Start agency are selected, consistent with subparagraph (E)(ii);

(VII) financial audits, accounting, and reporting;

(VIII) personnel policies and procedures regarding hiring, termination, salary scales (and changes made to the scale), and salaries of the Executive Director, Head Start Director, the Director of Human Resources, the Chief Fiscal Officer, and any equivalent position; and

(IX) review and approval of the community assessment, including any updates to such assessment.

(ii) CONDUCT OF RESPONSIBILITIES.—The governing body shall ensure the development and approval of an internal control structure to facilitate those responsibilities in order to—

(I) safeguard Federal funds;

(II) comply with laws and regulations that have an impact on financial statements;

(III) detect or prevent noncompliance with this subchapter; and

(IV) receive financial audit reports and direct and monitor staff implementation of corrective actions.

(iii) COMMITTEES.—The governing body shall, to the extent practicable and appropriate, establish—

(I) advisory committees to oversee responsibilities related to financial auditing and finances of the Head Start agency, as well as compliance with Federal, State, and local laws and regulations; and

(II) at the discretion of the governing body, additional advisory committees to study and make recommendations on areas related to the improvement of the Head Start program.

(D) ESTABLISHMENT OF POLICY COUNCIL.—Each Head Start agency shall establish a policy council in accordance with paragraph (3).

(E) COMPOSITION OF POLICY COUNCIL.—

(i) IN GENERAL.—The policy council shall consist of—

(I) parents of children currently enrolled in the programs of the Head Start agency (including any delegate agency), which shall constitute a majority of the membership of the policy council; and

(II) members at large of the community served by the Head Start agency, which may include parents of children previously enrolled in the programs of the Head Start agency (including any delegate agency).

(ii) SELECTION.—Parents serving on the policy council shall be elected by parents of children currently enrolled in the programs of the Head Start agency (including any delegate agency) and shall represent, proportionately, all program options and settings operated by the Head Start agency (including any delegate agency).

(iii) CONFLICT OF INTEREST.—Members of the policy council shall—

(I) not have a conflict of interest with the Head Start agency (including any delegate agency); and

(II) not receive compensation for serving on the policy council or for providing services to the Head Start agency.

(F) RESPONSIBILITIES OF POLICY COUNCIL.—The policy council shall be responsible for—

(i) program planning, including—

(I) program design, including long and short term program goals, all funding applications and amendments to funding applications, and objectives based on the annual communitywide assessment and self-assessment;

(II) program recruitment, selection, and enrollment priorities; and

(III) budget planning for program expenditures consistent with subparagraph (C)(i)(VII), including

polices for reimbursement and participation in policy council activities;

(ii) program operation consistent with subparagraph (C)(i)(VIII), including implementation of standards of conduct for program staff, contractors, and volunteers and criteria for the employment and dismissal of program staff; and

(iii) activities to support the active involvement of parents in supporting program operations, including policies to ensure that the Head Start program is responsive to community and parent needs.

(6) INFORMATION SHARING.—The governing body and the policy council shall share with each other regular and accurate information for use by both entities about program planning, policies, and Head Start agency operations, including—

(A) monthly financial statements (including detailed credit card account expenditures for any employee with a Head Start agency credit card or who seeks reimbursement for charged expenses);

(B) monthly program information summaries;

(C) program enrollment reports, including attendance reports for children whose care is partially subsidized by another public agency;

(D) monthly reports of meals and snacks provided through programs of the Department of Agriculture;

(E) the financial audit;

(F) the annual self-assessment, including any findings related to the annual self-assessment;

(G) the community assessment of the Head Start agency's service area and any applicable updates;

(H) communication and guidance from the Secretary; and

(I) the program information reports.

(7) TRAINING AND TECHNICAL ASSISTANCE.—Appropriate training and technical assistance shall be provided to the members of the governing body and the policy council to ensure that the members understand the information the members receive and can effectively oversee and participate in the programs of the Head Start agency.

(b) COMMUNITIES.—For purposes of this subchapter, a community may be a city, county, or multicity or multicounty unit within a State, an Indian reservation (including Indians in any off-reservation area designated by an appropriate tribal government in consultation with the Secretary), or a neighborhood or other area (irrespective of boundaries or political subdivisions) that provides a suitable organizational base and possesses the commonality of interest needed to operate a Head Start program.

(c) REDESIGNATION.—

(1) IN GENERAL.—In administering the provisions of this section, the Secretary shall, in consultation with the Governor of the State involved, redesignate as a Head Start agency any Head Start agency or delegate agency that is high performing, as determined by meeting each of the following criteria:

(A) Is receiving assistance under this subchapter.

(B) Meets or exceeds program and financial management requirements or standards described in section 641A(a)(1).

(C) Has no unresolved deficiencies, including having resolved any deficiencies found during the last triennial review under section 641A(c).

(D) Can demonstrate, through agreements such as memoranda of understanding, active collaboration with the State or local community in the provision of services for children (such as the provision of extended day services, education, professional development and training for staff, and other types of cooperative endeavors).

(E) Completes and submits the appropriate reapplication forms as required by the Secretary.

(2) LIMITATION.—A Head Start agency with a triennial review under section 641A(c) scheduled not later than 18 months after the date of enactment of the Head Start for School Readiness Act shall not be subject to the criteria described in paragraph (1) for that review in order to be redesignated. The Head Start agency shall be subject to the criteria for any subsequent triennial review.

(d) DESIGNATION WHEN NO ENTITY IS REDESIGNATED.—If no entity in a community is redesignated according to subsection (c), the Secretary shall, after conducting an open competition, designate a Head Start agency from among qualified applicants in such community.

(f) EFFECTIVENESS.—In selecting from among qualified applicants for designation as a Head Start agency, the Secretary shall consider the effectiveness of each such applicant to provide Head Start services, based on—

(1) any past performance of such applicant in providing services comparable to Head Start services, including how effectively such applicant provided such comparable services;

(2) the plan of such applicant to provide comprehensive health, educational, nutritional, social, and other services needed to aid participating children in attaining their full potential, and to prepare children to succeed in school;

(3) the capacity of such applicant to serve eligible children with programs that use scientifically based research that promote school readiness of children participating in the program;

(4) the plan of such applicant to meet standards set forth in section 641A(a)(1), with particular attention to the standards set forth in subparagraphs (A) and (B) of such section;

(5) the plan of such applicant to coordinate the Head Start program the applicant proposes to carry out with other preschool programs, including—

(A) the Early Reading First and Even Start programs under subparts 2 and 3 of part B of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6371 et seq., 6381 et seq.);

(B) other preschool program under title I of that Act (20 U.S.C. 6301 et seq.);

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

(D) State prekindergarten programs;

(E) child care programs;

(F) the educational programs that the children in the Head Start program involved will enter at the age of compulsory school attendance; and

(G) reading readiness programs such as those conducted by public and school libraries;

(6) the plan of such applicant to coordinate the Head Start program that the applicant proposes to carry out with public and private entities who are willing to commit resources to assist the Head Start program in meeting its program needs;

(7) the plan of such applicant to collaborate with a local library, where available, that is interested in that collaboration, to—

(A) develop innovative programs to excite children about the world of books, such as programs that involve—

(i) taking children to the library for a story hour;

(ii) promoting the use of library cards;

(iii) developing a lending library or using a mobile library van; and

(iv) providing fresh books in the Head Start classroom on a regular basis;

(B) assist in literacy training for Head Start teachers; and

(C) support parents and other caregivers in literacy efforts;

(8) the plan of such applicant—

(A) to facilitate the involvement of parents of participating children in activities (at home and in the center involved where practicable) designed to help such parents become full partners in the education of their children;

(B) to afford such parents the opportunity to participate in the development and overall conduct of the program at the local level, including through providing transportation costs;

(C) to offer (directly or through referral to local entities, such as entities carrying out Even Start programs under subpart 3 of part B of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6381 et seq.), public and school libraries, and entities carrying out family support programs) to such parents—

(i) family literacy services; and

(ii) parenting skills training;

(D) to offer to parents of participating children substance abuse counseling (either directly or through referral to local entities), including information on the effect of drug exposure on infants and fetal alcohol syndrome;

(E) at the option of such applicant, to offer (directly or through referral to local entities) to such parents—

(i) training in basic child development (including cognitive development);

(ii) assistance in developing literacy and communication skills;

(iii) opportunities to share experiences with other parents (including parent mentor relationships);

(iv) regular in-home visitation; or

(v) any other activity designed to help such parents become full partners in the education of their children;

(F) to provide, with respect to each participating family, a family needs assessment that includes consultation with such parents (including foster parents and grandparents, where applicable) about the benefits of parent involvement and about the activities described in subparagraphs (C), (D), and (E) in which such parents may choose to become involved (taking into consideration their specific family needs, work schedules, and other responsibilities); and

(G) to extend outreach to fathers, in appropriate cases, in order to strengthen the role of fathers in families, in the education of their young children, and in the Head Start program, by working directly with fathers and father figures through activities such as—

(i) in appropriate cases, including fathers in home visits and providing opportunities for direct father-child interactions; and

(ii) targeting increased male participation in the conduct of the program;

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

(10) other factors related to the requirements of this subchapter;

(11) the plan of such applicant to meet the needs of limited English proficient children and their families, including procedures to identify such children, plans to provide trained personnel, and plans to provide services to assist the children in making progress toward the acquisition of the English language;

(12) the plan of such applicant to meet the needs of children with disabilities;

(13) the plan of such applicant who chooses to assist younger siblings of children who will participate in the Head Start program, to obtain health services from other sources;

(14) the plan of such applicant to collaborate with other entities carrying out early childhood education and child care programs in the community;

(15) the plan of such applicant to meet the needs of homeless children and children in foster care, including the transportation needs of such children; and

(16) the plan of such applicant to recruit and retain qualified staff.

(f) INVOLVEMENT OF PARENTS AND AREA RESIDENTS.—The Secretary shall continue the practice of involving parents and area residents who are affected by programs under this subchapter in the selection of qualified applicants for designation as Head Start agencies.

(g) PRIORITY.—In selecting from among qualified applicants for designation as a Head Start agency, the Secretary shall give priority to applicants that have demonstrated capacity in providing effective, comprehensive, and well-coordinated early childhood education and care to children and their families.

(h) INTERIM BASIS.—If there is not a qualified applicant in a community for designation as a Head Start agency, the Secretary shall

designate a qualified agency to carry out the Head Start program in the community on an interim basis until a qualified applicant from the community is so designated.

(i) PROHIBITION AGAINST NON-INDIAN HEAD START AGENCY RECEIVING A GRANT FOR AN INDIAN HEAD START PROGRAM.—

(1) IN GENERAL.—Notwithstanding any other provision of law except as provided in paragraph (2), under no condition may a non-Indian Head Start agency receive a grant to carry out an Indian Head Start program.

(2) EXCEPTION.—In a community in which there is no Indian Head Start agency available for designation to carry out an Indian Head Start program, a non-Indian Head Start agency may receive a grant to carry out an Indian Head Start program but only until such time as an Indian Head Start agency in such community becomes available and is designated pursuant to this section.

* * * * * * *

SEC. 641A. QUALITY STANDARDS; MONITORING OF HEAD START AGENCIES AND PROGRAMS.

(a) QUALITY STANDARDS.—

(1) ESTABLISHMENT OF STANDARDS.—* * *

(A) performance standards with respect to services required to be provided, including health, parental involvement, nutritional, social, transition activities described in section [642(d)] *642(c)*, and other services;

(B)(i) [education performance standards] *educational performance standards* to ensure the school readiness of children participating in a Head Start program, on completion of the Head Start program and prior to entering school; and

[(ii) additional education performance standards to ensure that the children participating in the program, at a minimum—

[(I) develop phonemic, print, and numeracy awareness;

[(II) understand and use language to communicate for various purposes;

[(III) understand and use increasingly complex and varied vocabulary;

[(IV) develop and demonstrate an appreciation of books; and

[(V) in the case of non-English backgound children, progress toward acquisition of the English language.]

(ii) additional educational standards based on the recommendations of the National Academy of Sciences panel described in section 649(h) and other experts in the field, to ensure that the curriculum involved addresses, and that the children participating in the program show appropriate progress toward developing and applying, the recommended educational outcomes, after the panel considers the appropriateness of additional educational standards relating to—

(I) language skills related to listening, understanding, speaking, and communicating;

(II) pre-literacy knowledge and skills;

(III) premathematics knowledge and skills;

(IV) scientific abilities;

(V) general cognitive abilities related to academic achievement and child development;

(VI) social and emotional development related to early learning and school success;

(VII) physical development; and

(VIII) in the case of limited English proficient children, progress toward acquisition of the English language (which may include progress made with linguistically appropriate instructional services) while making meaningful progress in attaining the knowledge, skills, abilities, and development described in subclauses (I) through (VII);

* * * * * * *

(D) standards relating to the condition and location of facilities for such agencies, programs, and [projects; and] *projects, including regulations that require that the facilities used by Head Start agencies (including Early Head Start agencies and including any delegate agencies) for regularly scheduled center-based and combination program option classroom activities—*

(i) shall be in compliance with State and local requirements concerning licensing for such facilities; and

(ii) shall be accessible by State and local authorities for purposes of monitoring and ensuring compliance; and

* * * * * * *

(2) CONSIDERATIONS IN DEVELOPING STANDARDS.—

* * * * * * *

(B) take into consideration—

(i) past experience with use of the standards in effect under this subchapter on [the date of enactment of this section] *the date of enactment of the Head Start for School Readiness Act*;

(ii) changes over the period since [the date of enactment of this Act] *the date of enactment of the Head Start for School Readiness Act* in the circumstances and problems typically facing children and families served by Head Start agencies;

(iii) developments concerning best practices with respect to [early childhood education and development] *early childhood education and care*, children with disabilities, *homeless children, children in foster care,* family services, program administration, and financial management;

* * * * * * *

(vi) changes in the population of children who are eligible to participate in Head Start programs, [including the language background and family structure of such children; and] *including changes in the language background and family structure of such children, and*

changes in the population and number of such children who are in foster care or are homeless children;

[(vii) the need for, and state-of-the-art developments relating to, local policies and activities designed to ensure that children participating in Head Start programs make a successful transition to public schools; and]

(vii) the unique challenges faced by individual programs, including those programs that are seasonal or short term and those programs that serve rural populations;

(C)(i) review and revise as necessary the performance standards in effect under this subsection; and

(ii) ensure that any such revisions in the performance standards will not result in the elimination of or any reduction in the scope or types of health, education, parental involvement, nutritional, social, or other services required to be provided under such standards as in effect on [the date of enactment of the Coats Human Services Reauthorization Act of 1998.] *the date of enactment of the Head Start for School Readiness Act; and*

(D) consult with Indian tribes, American Indian and Alaska Native experts in early childhood education and care, linguists, and the National Indian Head Start Directors Association on the review and promulgation of program standards and measures (including standards and measures for language acquisition and school readiness).

(3) * * *

(4) EVALUATIONS AND CORRECTIVE ACTIONS FOR DELEGATE AGENCIES.—

(A) PROCEDURES.—

(i) IN GENERAL.—Subject to clause (ii), the Head Start agency shall establish procedures relating to its delegate agencies, including—

(I) procedures for evaluating delegate agencies;

(II) procedures for defunding delegate agencies; and

(III) procedures for appealing a defunding decision relating to a delegate agency.

(ii) TERMINATION.—The Head Start agency may not terminate a delegate agency's contract or reduce a delegate agency's service area without showing cause or demonstrating the cost-effectiveness of such a decision.

(B) EVALUATIONS.—Each Head Start agency—

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

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

(C) REMEDIES TO ENSURE CORRECTIVE ACTIONS.—In the event that the Head Start agency identifies a deficiency for a delegate agency through the evaluation, the Head Start agency shall take action, which may include—

(i) initiating procedures to terminate the designation of the agency unless the agency corrects the deficiency;

(ii) conducting monthly monitoring visits to such delegate agency until all deficiencies are corrected or the Head Start agency decides to defund such delegate agency; and

(iii) releasing funds to such delegate agency—

(I) only as reimbursements, until all deficiencies are corrected or the Head Start agency decides to defund such delegate agency; and

(II) only if there is continuity of services for children and families.

(D) RULE OF CONSTRUCTION.—Nothing in this paragraph shall be construed to impact or obviate the responsibilities of the Secretary with respect to Head Start agencies or delegate agencies receiving funding under this subchapter.

(b) RESULTS-BASED PERFORMANCE MEASURES.—

(1) IN GENERAL.— * * *

(2) [CHARACTERISTICS OF MEASURES.—] *CHARACTERISTICS AND USE OF MEASURES.*— * * *

(A) * * *

(B) be adaptable for use in self-assessment, peer review, and program evaluation of individual Head Start agencies and programs[, not later than July 1, 1999; and]*;*

(C) be developed for other program purposes as determined by the Secretary[.]*;*

[The performance measures shall include the performance standards described in subsection (a)(1)(B)(ii).]

(D) measure characteristics that are strongly predictive (as determined on a scientific basis) of a child's school readiness and later performance in school;

(E) be appropriate for the population served; and

(F) be reviewed not less than every 4 years, based on advances in the science of early childhood development.

The performance measures shall be issued by regulation and shall include the performance standards and additional educational standards described in subparagraphs (A) and (B) of subsection (a)(1).

(3) USE OF MEASURES.—The Secretary shall use the performance measures developed pursuant to this subsection—

(A) to identify strengths and weaknesses in the operation of Head Start programs nationally, regionally, and locally[; and]*;*

(B) to identify problem areas that may require additional training and technical assistance resources[.]*; and*

(C) to enable Head Start agencies to individualize programs of instruction to better meet the needs of the child involved.

* * * * * * *

(c) MONITORING OF LOCAL AGENCIES AND PROGRAMS.—

(1) IN GENERAL.— * * *

(A) * * *

* * * * * * *

[(C) Followup reviews including prompt return visits to agencies and programs that fail to meet the standards.]

(C) Unannounced site inspections for health and safety reasons, as appropriate.

(D) Followup reviews, including—

(i) prompt return visits as necessary for failure to meet 1 or more of the performance measures developed by the Secretary under subsection (b);

(ii) a review of agencies and programs with citations that include findings of deficiencies not later than 6 months after the date of such citation; and

(iii) followup reviews that incorporate a monitoring visit without prior notice of the visit to the agency or program involved or with such limited prior notice as is necessary to ensure the participation of parents and key staff members.

[(D)] *(E)* Other reviews as appropriate.

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

[(A) are performed, to the maximum extent practicable, by employees of the Department of Health and Human Services who are knowledgeable about Head Start programs;

[(B) are supervised by such an employee at the site of such Head Start agency;

[(C) are conducted by review teams that shall include individuals who are knowledgeable about Head Start programs and, to the maximum extend practicable, the diverse (including linguistic and cultural) needs of eligible children (including children with disabilities) and their families;

[(D) include as part of the reviews of the programs, a review and assessment of program effectiveness, as measured in accordance with the results-based performance measures developed by the Secretary pursuant to subsection (b) and with the performance standards established pursuant to subparagraphs (A) and (B) of subsection (a)(1); and

[(E) seek information from the communities and the States involved about the performance of the programs and the efforts of the Head Start agencies to collaborate with other entities carrying out early childhood education and child care programs in the community.]

(2) CONDUCT OF REVIEWS.—

(A) IN GENERAL.—The Secretary shall ensure that reviews described in paragraph (1)—

(i) are performed, to the maximum extent practicable, by employees of the Department of Health and Human Services who are knowledgeable about Head Start programs;

(ii) are conducted by review teams that shall include individuals who are knowledgeable about Head Start programs and other early childhood education and care and, to the maximum extent practicable, the di-

verse (including linguistic and cultural) needs of eligible children (including children with disabilities, homeless children, and children in foster care) and limited English proficient children and their families, and personnel management, financial accountability, and systems development and monitoring;

(iii) include as part of the reviews of the programs, a review and assessment of program effectiveness, including strengths and weaknesses, as measured in accordance with the results-based performance measures developed by the Secretary pursuant to subsection (b) and with the standards established pursuant to subparagraphs (A) and (B) of subsection (a)(1);

(iv) seek information from the communities and States where Head Start programs exist about innovative or effective collaborative efforts, barriers to collaboration, and the efforts of the Head Start agencies to collaborate with the entities carrying out early childhood education and care in the community;

(v) include as part of the reviews of the programs, a review and assessment of whether the programs are in conformity with the income eligibility requirements under section 645 and regulations promulgated under such section;

(vi) include as part of the reviews of the programs, a review and assessment of whether programs have adequately addressed population and community needs (including needs of populations of limited English proficient children and children of migrant or seasonal farmworkers);

(vii) include as part of the reviews of the programs, a review and assessment of whether programs have adequately addressed the needs of children with disabilities;

(viii) include as part of the reviews of the programs, data from the results of periodic child assessments, and a review and assessment of child outcomes and performance as they relate to agency-determined school readiness goals described in section 641(a)(2)(A); and

(ix) in the case of Early Head Start agencies programs, are conducted by a review team that includes individuals who are knowledgeable about the development of infants and toddlers.

(B) TRAINING; QUALITY AND CONSISTENCY.—The Secretary, from funds available under section 640(a)(2)(D), shall provide periodic training for supervisors and members of review teams in such topics as program management and financial audit performance. The Secretary shall ensure the quality and consistency across and within regions of reviews and non-compliance and deficiency determinations by conducting periodic interrater reliability checks.

(d) CORRECTIVE ACTION; TERMINATION.—

(1) DETERMINATION.—If the Secretary determines, on the basis of a review pursuant to subsection (c), that a Head Start

agency designated pursuant to section 641 fails to meet the standards described in subsection (a) or results-based performance measures developed by the Secretary under subsection (b), *or fails to address the communitywide strategic plan and needs assessment identified in section 640(g)(2)(C),* the Secretary shall—

(A) inform the agency of the deficiencies that shall be corrected *and identify the assistance to be provided consistent with paragraph (3)*;

* * * * * * *

(e) SUMMARIES OF MONITORING OUTCOMES.—Not later than 120 days after the end of each fiscal year, the Secreatry shall publish a summary report on the findings of reviews conducted under subsection (c) and on the outcomes of quality improvement plans implemented under subsection (d), during such fiscal year. ⟦Such report shall be widely disseminated and available for public review in both written and electronic formats.⟧ *The information contained in such report shall be made available to parents with children receiving assistance under this subchapter in an understandable and uniform format, and to the extent practicable, in a language that the parents can understand. Such information shall be made widely available through public means such as distribution through public agencies, and, at a minimum, by posting such information on the Internet immediately upon publication.*

(f) SELF-ASSESSMENTS.—

(1) IN GENERAL.—Not less frequently than once each program year, with the consultation and participation of policy councils, and, as applicable, policy committees, and, as appropriate, other community members, each agency receiving funds under this subchapter shall conduct a comprehensive self-assessment of the agency's effectiveness and progress in meeting program goals and objectives and in implementing and complying with standards described in subsection (a)(1).

(2) REPORT AND IMPROVEMENT PLANS.—

(A) REPORT.—An agency conducting a self-assessment shall report the findings of the self-assessment to the relevant policy council, policy committee, governing body, and regional office of the Administration for Children and Families of the Department of Health and Human Services. Each self-assessment shall identify areas of strength and weakness.

(B) IMPROVEMENT PLAN.—The agency shall develop an improvement plan approved by the governing body of the agency to strengthen any areas identified in the self-assessment as weaknesses or in need of improvement. The agency shall report the areas to the appropriate regional office of the Administration for Children and Families.

(3) ONGOING MONITORING.—Each Head Start agency, (including each Early Head Start agency and including any delegate agency) shall establish and implement procedures for the ongoing monitoring of their Head Start (including Early Head Start) programs, to ensure that the operations of the programs work toward meeting program goals and objectives and Head Start performance standards.

(4) TRAINING AND TECHNICAL ASSISTANCE.—Funds may be made available, through section 648(d), for training and technical assistance to assist agencies in conducting self-assessments.

(g) REDUCTION OF GRANTS AND REDISTRIBUTION OF FUNDS IN CASES OF UNDER-ENROLLMENT.—

(1) DEFINITIONS.—In this subsection:

(A) ACTUAL ENROLLMENT.—The term "actual enrollment" means, with respect to the program of a Head Start agency, the actual number of children enrolled in such program and reported by the agency (as required in paragraph (2)) in a given month.

(B) BASE GRANT.—The term "base grant" means, with respect to a Head Start agency for a fiscal year, that portion of the grant derived—

(i) from amounts reserved for use in accordance with section 640(a)(2)(A), for a Head Start agency administering an Indian Head Start program or migrant and seasonal Head Start program;

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

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

(C) FUNDED ENROLLMENT.—The term "funded enrollment" means, with respect to the program of a Head Start agency in a fiscal year, the number of children that the agency is funded to serve through a grant for the program during such fiscal year, as indicated in the grant award.

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

(A) the actual enrollment in such program; and

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

(3) SECRETARIAL REVIEW AND PLAN.—The Secretary shall—

(A) on a semiannual basis, determine which Head Start agencies are operating with an actual enrollment that is less than the funded enrollment based on not less than 4 consecutive months of data;

(B) for each such Head Start agency operating a program with an actual enrollment that is less than 95 percent of its funded enrollment, as determined under subparagraph (A), develop, in collaboration with such agency, a plan and timetable for reducing or eliminating under-enrollment taking into consideration—

(i) the quality and extent of the outreach, recruitment, and communitywide needs assessment conducted by such agency;

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

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

(iv) the ability to provide full-day programs, where needed, through funds made available under this subchapter or through collaboration with entities carrying out other preschool or child care programs, or programs with other funding sources (where available);

(v) the availability and use by families of other preschool and child care options (including parental care) in the community served; and

(vi) agency management procedures that may impact enrollment; and

(C) provide timely and ongoing technical assistance to each agency described in subparagraph (B) for the purpose of implementing the plan described in such subparagraph.

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

(5) SECRETARIAL ACTION FOR CONTINUED UNDER-ENROLLMENT.—If, 1 year after the date of implementation of the plan described in paragraph (3)(B), the Head Start agency continues to operate a program at less than funded enrollment, the Secretary shall, where determined appropriate, continue to provide technical assistance to such agency.

(6) SECRETARIAL REVIEW AND ADJUSTMENT FOR CHRONIC UNDER-ENROLLMENT.—

(A) IN GENERAL.—If, after receiving technical assistance and developing and implementing a plan to the extent described in paragraphs (3), (4), and (5) for 9 months, a Head Start agency is still operating a program with an actual enrollment that is less than 95 percent of its funded enrollment, the Secretary may—

(i) designate such agency as chronically under-enrolled; and

(ii) recapture, withhold, or reduce the base grant for the program by a percentage equal to the percentage difference between funded enrollment and actual enrollment for the program for the most recent year in which the agency is determined to be under-enrolled under paragraph (3)(A).

(B) WAIVER OR LIMITATION OF REDUCTIONS.—If the Secretary, after the implementation of the plan described in paragraph (3)(B), finds that—

(i) the causes of the enrollment shortfall, or a portion of the shortfall, are beyond the agency's control (such as serving significant numbers of children of migrant or seasonal farmworkers, homeless children, children in foster care, or other highly mobile children);

(ii) the shortfall can reasonably be expected to be temporary; or

(iii) the number of slots allotted to the agency is small enough that under-enrollment does not constitute a significant shortfall, the Secretary may, as appropriate, waive or reduce the percentage recapturing,

withholding, or reduction otherwise required by subparagraph (A).

(C) PROCEDURAL REQUIREMENTS; EFFECTIVE DATE.—The actions taken by the Secretary under this paragraph with respect to a Head Start agency shall take effect 1 day after the date on which—

(i) the time allowed for appeal under section 646(a) expires without an appeal by the agency; or

(ii) the action is upheld in an administrative hearing under section 646.

(7) REDISTRIBUTION OF FUNDS.—

(A) IN GENERAL.—The Secretary shall use amounts recovered from a Head Start agency through recapturing, withholding, or reduction under paragraph (6) in a fiscal year—

(i) in the case of a Head Start agency administering an Indian Head Start program or a migrant and seasonal Head Start program, whose base grant is derived from amounts specified in paragraph (1)(B)(i), to redirect funds to 1 or more agencies that—

(I) are administering Head Start programs serving the same special population; and

(II) demonstrate that the agencies will use such redirected funds to increase enrollment in their Head Start programs in such fiscal year; or

(ii) in the case of a Head Start agency in a State, whose base grant is derived from amounts specified in clause (ii) or (iii) of paragraph (1)(B), to redirect funds to 1 or more agencies that—

(I) are administering Head Start programs in the same State; and

(II) make the demonstration described in clause (i)(II).

(B) SPECIAL RULE.—If there is no agency located in a State that meets the requirements of subclauses (I) and (II) of subparagraph (A)(ii), in the case of a Head Start agency described in subparagraph (A)(ii), the Secretary shall use amounts described in subparagraph (A) to redirect funds to Head Start agencies located in other States that make the demonstration described in subparagraph (A)(i)(II).

(C) ADJUSTMENT TO FUNDED ENROLLMENT.—The Secretary shall adjust as necessary the requirements relating to funded enrollment indicated in the grant agreement of a Head Start agency receiving redistributed amounts under this paragraph.

(h) CONTRACT WITH NONPROFIT INTERMEDIARY ORGANIZATION.—From funds reserved under clause (i) or (ii) of section 640(a)(2)(C) or from whatever other resources the Secretary determines appropriate, in carrying out the provisions of this section, the Secretary or a Head Start agency may contract with a nonprofit intermediary organization that—

(1) provides evaluations and technical assistance to improve overall performance management; and

(2) has an exclusive focus of improving the performance management and the use of technology in assessing performance

and meeting Head Start regulations and can provide on-site, hands-on guidance with the implementation of the recommendations.

* * * * * * *

SEC. 641B. CENTERS OF EXCELLENCE IN EARLY CHILDHOOD.

(a) DEFINITION.—In this section, the term "center of excellence" means a Center of Excellence in Early Childhood designated under subsection (b).

(b) DESIGNATION AND BONUS GRANTS.—The Secretary shall, subject to the availability of funds under this subchapter, including under subsection (f), establish a program under which the Secretary shall—

(1) designate not more than 200 exemplary Head Start agencies (including Early Head Start agencies, Indian Head Start agencies, and migrant and seasonal Head Start agencies) as Centers of Excellence in Early Childhood; and

(2) make bonus grants to the centers of excellence to carry out the activities described in subsection (d).

(c) APPLICATION AND DESIGNATION.—

(1) APPLICATION.—

(A) NOMINATION AND SUBMISSION.—

(i) IN GENERAL.—To be eligible to receive a designation as a center of excellence under subsection (b), except as provided in clause (ii), a Head Start agency in a State shall be nominated by the Governor of the State and shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

(ii) INDIAN AND MIGRANT AND SEASONAL HEAD START PROGRAMS.—In the case of an Indian Head Start agency or a migrant or seasonal Head Start agency, to be eligible to receive a designation as a center of excellence under subsection (b), such an agency shall be nominated by the head of the appropriate regional office of the Department of Health and Human Services and shall submit an application to the Secretary in accordance with clause (i).

(B) CONTENTS.—At a minimum, the application shall include—

(i) evidence that the Head Start program carried out by the agency has significantly improved the school readiness of, and enhanced academic outcomes for, children who have participated in the program;

(ii) evidence that the program meets or exceeds standards and performance measures described in subsections (a) and (b) of section 641A, as evidenced by successful completion of programmatic and monitoring reviews, and has no findings of deficiencies with respect to the standards and measures;

(iii) evidence that the program is making progress toward meeting the requirements described in section 648A;

(iv) evidence demonstrating the existence of a collaborative partnership among the Head Start agency, the

State (or a State agency), and other early care and education providers in the local community involved;

(v) a nomination letter from the Governor, or appropriate regional office, demonstrating the agency's ability to carry out the coordination, transition, and training services of the program to be carried out under the bonus grant involved, including coordination of activities with State and local agencies that provide early childhood education and care to children and families in the community served by the agency;

(vi) information demonstrating the existence of a local council for excellence in early childhood, which shall include representatives of all the institutions, agencies, and groups involved in the work of the center for, and the local provision of services to, eligible children and other at-risk children, and their families; and

(vii) a description of how the Center, in order to expand accessibility and continuity of quality early childhood education and care, will coordinate activities assisted under this section with—

(I) programs carried out under the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858 et seq.);

(II) other programs carried out under this subchapter, including the Early Head Start programs carried out under section 645A;

(III)(aa) Early Reading First and Even Start programs carried out under subparts 2 and 3 of part B of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6371 et seq., 6381 et seq.);

(bb) other preschool programs carried out under title I of that Act (20 U.S.C. 6301 et seq.); and

(cc) the Ready-to-Learn Television program carried out under subpart 3 of part D of title II of that Act (20 U.S.C. 6775 et seq.);

(IV) programs carried out under section 619 and part C of the Individuals with Disabilities Education Act (20 U.S.C. 1419, 1431 et seq.);

(V) State prekindergarten programs; and

(VI) other programs of early childhood education and care.

(2) SELECTION.—In selecting agencies to designate as centers of excellence under subsection (b), the Secretary shall designate not less than 1 from each of the 50 States, the District of Columbia, an Indian Head Start program, a migrant or seasonal Head Start program, and the Commonwealth of Puerto Rico.

(3) PRIORITY.—In making bonus grant determinations under this section, the Secretary shall give priority to programs that, through their applications, demonstrate that they are of exceptional quality and would serve as exemplary models for programs in the same geographic region. The Secretary may also consider the populations served by the applicants, such as programs that serve large proportions of limited English proficient or other underserved populations, and may make bonus grants

to programs that do an exceptional job meeting the needs of such children in such populations.

(4) TERM OF DESIGNATION.—

(A) IN GENERAL.—Subject to subparagraph (B), the Secretary shall designate a Head Start agency as a center of excellence for a 5-year term. During the period of that designation, subject to the availability of appropriations, the agency shall be eligible to receive a bonus grant under subsection (b).

(B) REVOCATION.—The Secretary may revoke an agency's designation under subsection (b) if the Secretary determines that the agency is not demonstrating adequate performance or has had findings of deficiencies described in paragraph (1)(B)(ii).

(5) AMOUNT OF BONUS GRANT.—The Secretary shall base the amount of funding provided through a bonus grant made under subsection (b) to a center of excellence on the number of children eligible for Head Start services in the community involved. The Secretary shall, subject to the availability of funding, make such a bonus grant in an amount of not less than $200,000 per year.

(d) USE OF FUNDS.—

(1) ACTIVITIES.—A center of excellence that receives a bonus grant under subsection (b)—

(A) shall use the funds made available through the bonus grant to model and disseminate, to other Head Start centers in the State involved, best practices for achieving early academic success, including—

(i) best practices for achieving school readiness and developing pre-literacy and premathematics skills for at-risk children and achieving the acquisition of the English language for limited English proficient children; and

(ii) best practices for providing seamless service delivery for eligible children and their families;

(B) may use the funds made available through the bonus grant—

(i) to provide Head Start services to additional eligible children;

(ii) to better meet the needs of working families in the community served by the center by serving more children in existing Early Head Start programs (existing as of the date the center is designated under this section) or in full-working-day, full calendar year Head Start programs;

(iii) to further coordinate early childhood education and care and social services available in the community served by the center for at-risk children (birth through age 8), their families, and pregnant women;

(iv) to provide training and cross training for Head Start teachers and staff, child care providers, public and private preschool and elementary school teachers, and other providers of early childhood education and care, and training and cross training to develop agency leaders;

(v) to provide effective transitions between Head Start programs and elementary school, to facilitate ongoing communication between Head Start and elementary school teachers concerning children receiving Head Start services, and to provide training and technical assistance to providers who are public elementary school teachers and other staff of local educational agencies, child care providers, family service providers, and other providers of early childhood education and care, to help the providers described in this clause increase their ability to work with low-income, at-risk children and their families;

(vi) to develop or maintain partnerships with institutions of higher education and nonprofit organizations, including community-based organizations, that recruit, train, place, and support college students to serve as mentors and reading partners to preschool children in Head Start programs; and

(vii) to carry out other activities determined by the center to improve the overall quality of the Head Start program carried out by the agency and the program carried out under the bonus grant involved.

(2) INVOLVEMENT OF OTHER HEAD START AGENCIES AND PROVIDERS.—A center that receives a bonus grant under subsection (b), in carrying out activities under this subsection, shall work with the center's delegate agencies and several additional Head Start agencies (especially agencies that are low-performing on the standards or performance measures described in subsection (a) or (b) of section 641(A), and other providers of early childhood education and care in the community involved, to encourage the agencies and providers described in this sentence to carry out model programs.

(e) RESEARCH AND REPORTS.—

(1) RESEARCH.—The Secretary shall, subject to the availability of funds to carry out this subsection, award a grant or contract to an independent organization to conduct research on the ability of the centers of excellence to improve the school readiness of children receiving Head Start services, and to positively impact school results in the earliest grades. The organization shall also conduct research to measure the success of the centers of excellence at encouraging the center's delegate agencies, additional Head Start agencies, and other providers of early childhood services in the communities involved to meet measurable improvement goals, particularly in the area of school readiness.

(2) REPORT.—Not later than 48 months after the date of enactment of the Head Start for School Readiness Act, the organization shall prepare and submit to the Secretary and Congress a report containing the results of the research described in paragraph (1).

(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for each of fiscal years 2008 through 2012—

(1) $90,000,000 to make bonus grants to centers of excellence under subsection (b) to carry out activities described in subsection (d);

(2) $500,000 to pay for the administrative costs of the Secretary in carrying out this section; and

(3) $2,000,000 for research activities described in subsection (e).

* * * * * * *

[POWERS AND FUNCTIONS OF HEAD START AGENCIES

SEC. 642. POWERS AND FUNCTIONS OF HEAD START AGENCIES.

[SEC. 642. (a)] *(a) IN GENERAL.*—In order to be designated as a Head Start agency under this subchapter, an agency must have authority under its charter or applicable law to receive and administer funds under this subchapter, funds and contributions from private or local public sources which may be used in support of a Head Start program, and funds under any Federal or State assistance program pursuant to which a public or private nonprofit or for-profit agency (as the case may be organized in accordance with this subchapter, could act as grantee, contractor, or sponsor of projects appropriate for inclusion in Head Start program. Such an agency must also be empowered to transfer funds so received, and to delegate powers to other agencies, subject to the powers of its governing board and it overall program responsibilities. The power to transfer funds and delegate powers must include the power to make transfers and delegations covering component projects in all cases where this will contribute to efficiency and effectiveness or otherwise further program objectives.

[(b) In order to be so designated, a Head Start agency shall also—

[(1) establish effective procedures by which parents and area residents concerned will be enabled to directly participate in decisions that influence the character of programs affecting their interests;

[(2) provide for their regular participation in the implementation of such programs;

[(3) provide technical and other support needed to enable parents and area residents to secure on their own behalf available assistance from public and private sources;

[(4) seek the involvement of parents of participating children in activities designed to help such parents become full partners in the education of their children, and to afford such parents the opportunity to participate in the development, conduct, and overall performance of the program at the local level;

[(5) offer (directly or through referral to local entities, such as entities carrying out Even Start programs under part B of chapter 1 of title I of the Elementary and Secondary Education Act of 1965 (20 D.S.C. 2741 et seq.)), to parents of participating children, family literacy services and parenting skills training.

[(6) offer to parents of participating children substance abuse counseling (either directly or through referral to local entities), including information on drug-exposed infants and fetal alcohol syndrome;

[(7) at the option of such agency, offer (directly or through referral: to local entities), to such parents—

[(A) training in basic child development;

[(B) assistance in developing communication skills;

[(C) opportunities to share experiences with other parents;

[(D) regular in-home visitation; or

[(E) any other activity designed to help such parents become full partners in the education of their children;

[(8) provide, with respect to each participating family, a family needs assessment that includes consultation with such parents about the benefits of parent involvement and about the activities described in paragraphs (4) through (7) in which such parents may choose to be involved (taking into consideration their specific family needs, work schedules, and other responsibilities);

[(9) consider providing services to assist younger siblings of children participating in its Head Start program to obtain health services from other sources;

[(10) perform community outreach to encourage individuals previously unaffiliated with Head Start programs to participate in its Head Start program as volunteers; and

[(11)(A) inform custodial parents in single-parent families that participate in programs, activities, or services carried out or provided under this subchapter about the availability of child support services for purposes of establishing paternity and acquiring child support; and

[(B) refer eligible parents to the child support offices of State and local governments.

[(c) The head of each Head Start agency shall coordinate and collaborate with the State agency responsible for administering the State program carried out under the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858 et seq.), and other early childhood education and development programs, including Even Start programs under part B of chapter 1 of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 2741 et seq.) and programs under part C and section 619 of the Individuals with Disabilities Education Act (20 U.S.C 1431–1444, 1419), serving the children and families served by the Head Start agency to carry out the provisions of this subchapter.

[(d)(1) Each Head Start agency shall take steps to ensure, to the maximum extent possible, that children maintain the developmental and educational gains achieved in Head Start programs and build upon such gains in further schooling.

[(2) A Head Start agency may take steps to coordinate with the local educational agency serving the community involved and with schools in which children participating in a Head Start program operated by such agency will enroll following such program, including—

[(A) collaborating on the shared use of transportation and facilities; and

[(B) exchanging information on the provision of noneducational services to such children.

[(3) In order to promote the continued involvement of the parents of children that participate in Head Start programs in the education of their children upon transition to school, the Head Start agency shall—

[(A) provide training to the parents—

[(i) to inform the parents about their rights and responsibilities concerning the education of their children; and

[(ii) to enable the parents to understand and work with schools in order to communicate with teachers and other school personnel, to support the school work of their children, and to participate as appropriate in decisions relating to the education of their children; and

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

[(4) The Secretary, in cooperation with the Secretary of Education, shall—

[(A) evaluate the effectiveness of the projects and activities funded under section 642A;

[(B) disseminate to Head Start agencies information (includtng information from the evaluation required by subparagraph (A)) on effective policies and activities relating to the transition of children from Head Start programs to public schools; and

[(C) provide technical assistance to such agencies to promote and assist such agencies to adopt and implement such effective policies and activities.

[(e) Head Start agencies shall adopt, in consultation with experts in child development and with classroom teachers, an assessment to be used when hiring or evaluating any classroom teacher in a center-based Head Start program. Such assessment shall measure whether such teacher has mastered the functions described in section 648A(a)(1).]

(b) ADDITIONAL REQUIREMENTS.—In order to be designated as a Head Start agency under this subchapter, a Head Start agency shall also—

(1) establish a program with all standards set forth in section 641A(a)(1), with particular attention to the standards set forth in subparagraphs (A) and (B) of such section;

(2) demonstrate the capacity to serve eligible children with scientifically based curricula and other interventions and support services that help promote the school readiness of children participating in the program;

(3) establish effective procedures and provide for the regular assessment of Head Start children, including observational and direct formal assessment, where appropriate;

(4) establish effective procedures, for determining the needs of children, that include high quality research based developmental screening tools that have been demonstrated to be valid, reliable, and accurate for children from a range of backgrounds;

(5) require each delegate agency to create a policy committee, which shall—

(A) be comprised of members of the community to be served, including parents of children who are currently enrolled in the Head Start programs of the Head Start agency; and

(B) serve in an advisory capacity to the delegate agency, to make decisions and recommendations regarding program planning and operation and parental involvement.

(6) seek the involvement of parents, area residents, and local business in the design and implementation of the program;

(7) provide for the regular participation of parents and area residents in the implementation of the program;

(8) provide technical and other support needed to enable such parents and area residents to secure, on their own behalf, available assistance from public and private sources;

(9) establish effective procedures to carry out subparagraphs (A) and (B) of section 641(f)(8);

(10) conduct outreach to schools in which Head Start children will enroll, local educational agencies, the local business community, community-based organizations, faith-based organizations, museums, and libraries to generate support and leverage the resources of the entire local community in order to improve school readiness;

(11) establish effective procedures to carry out section 641(f)(8)(C);

(12) establish effective procedures to carry out section 641(f)(8)(D);

(13) establish effective procedures to carry out section 641(f)(8)(E);

(14) establish effective procedures to carry out section 641(f)(8)(F);

(15) consider providing services to assist younger siblings of children participating in its Head Start program, to obtain health services from other sources;

(16) perform community outreach to encourage individuals previously unaffiliated with Head Start programs to participate in its Head Start program as volunteers;

(17)(A) inform custodial parents in single-parent families that participate in programs, activities, or services carried out or provided under this subchapter about the availability of child support services for purposes of establishing paternity and acquiring child support; and

(B) refer eligible parents to the child support offices of State and local governments;

(18) provide parents of limited English proficient children outreach and information in an understandable and uniform format and, to the extent practicable, in a language that the parents can understand; and

(19) at the option of such agency, partner with an institution of higher education and a nonprofit organization to provide college students with the opportunity to serve as mentors or reading partners to Head Start participants.

(c) TRANSITION ACTIVITIES TO FACILITATE CONTINUED PROGRESS.—

(1) IN GENERAL.—Each Head Start agency shall collaborate with the entities listed in this subsection, to the maximum extent possible, to ensure the successful transition of Head Start children to school, so that such children are able to build upon the developmental and educational gains achieved in Head Start programs in further schooling.

(2) COORDINATION.—

(A) LOCAL EDUCATIONAL AGENCY.—In communities where both public prekindergarten programs and Head Start pro-

grams operate, a Head Start agency shall collaborate and coordinate activities with the local educational agency or other public agency responsible for the operation of the prekindergarten program and providers of prekindergarten, including outreach activities to identify eligible children.

(B) ELEMENTARY SCHOOLS.—Head Start staff shall, with the permission of the parents of children enrolled in Head Start programs, regularly communicate with the elementary schools such children will be attending to—

(i) share information about such children;

(ii) collaborate with the teachers in such elementary schools regarding teaching strategies and options; and

(iii) ensure a smooth transition to elementary school for such children.

(C) OTHER PROGRAMS.—The head of each Head Start agency shall coordinate activities and collaborate with the State agency responsible for administering the State program carried out under the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858 et seq.), other entities providing early childhood education and care, and the agencies responsible for administering section 106 of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5106a), parts B and E of title IV of the Social Security Act (42 U.S.C. 621 et seq. and 670 et seq.), programs under subtitle B of title VII of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11431 et seq.), Even Start programs under subpart 3 of part B of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6381 et seq.), and programs under section 619 and part C of the Individuals with Disabilities Education Act (20 U.S.C. 1419, 1431 et seq.), serving the children and families served by the Head Start agency.

(3) COLLABORATION.—A Head Start agency shall take steps to coordinate activities with the local educational agency serving the community involved and with schools in which children participating in a Head Start program operated by such agency will enroll following such program, including—

(A) collaborating on the shared use of transportation and facilities, in appropriate cases;

(B) collaborating to reduce the duplication of services while increasing the program participation of underserved populations of eligible children; and

(C) exchanging information on the provision of noneducational services to such children.

(4) PARENTAL INVOLVEMENT.—In order to promote the continued involvement of the parents of children that participate in Head Start programs in the education of their children, the Head Start agency shall—

(A) provide training to the parents—

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

(ii) to enable the parents, upon the transition of their children to school—

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

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

(III) to participate as appropriate in decisions relating to the education of their children; and

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

(d) ASSESSMENT OR EVALUATION.—Each Head Start agency shall adopt, in consultation with experts in child development and with classroom teachers, an assessment or evaluation to measure whether classroom teachers have mastered the functions described in section 648A(a)(1) and have attained a level of literacy appropriate to implement Head Start curricula.

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

(f) TECHNICAL ASSISTANCE AND TRAINING PLAN.—In order to receive funds under this subchapter, a Head Start agency shall develop an annual technical assistance and training plan. Such plan shall be based on the agency's self-assessment, the communitywide needs assessment, and the needs of parents to be served by such agency.

[SEC. 642A. HEAD START TRANSITION.

Each Head Start agency shall take steps to coordinate with the local educational agency serving the community involved and with schools in which children participating in a Head Start program operated by such agency will enroll following such program, including—

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

[(2) establishing channels of communication between Head Start staff and their counterparts in the schools (including teachers, social workers, and health staff) to facilitate coordination of programs;

[(3) conducting meetings involving parents, kindergarten or elementary school teachers, and Head Start program teachers to discuss the educational, developmental, and other needs of individual children;

[(4) organizing and participating in joint transition-related training of school staff and Head Start staff;

[(5) developing and implementing a family outreach and support program in cooperation with entities carrying out parental involvement efforts under title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.);

[(6) assisting families, administrators, and teachers in enhancing educational and developmental continuity between Head Start services and elementary school classes; and

[(7) linking the services provided in such Head Start program with the education services provided by such local educational agency.]

SEC. 642A. HEAD START TRANSITION AND ALIGNMENT WITH K–12 EDUCATION.

(a) IN GENERAL.—Each Head Start agency shall take steps to coordinate activities with the local educational agency serving the community involved and with schools in which children participating in a Head Start program operated by such agency will enroll following such program, which may include—

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

(2) establishing ongoing channels of communication between Head Start staff and their counterparts in the schools (including teachers, social workers, health staff, and local educational agency liaisons designated under section 722(g)(1)(J)(ii) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11432(g)(1)(J)(ii))) to facilitate coordination of programs;

(3) establishing comprehensive transition policies and procedures that support children transitioning to school, including by engaging the local education agency in the establishment of such policies;

(4) developing a continuity of developmentally appropriate curricular objectives and practices between the Head Start agency and local educational agency, that reflect shared expectations for children's learning and development for the transition to school;

(5) conducting outreach to parents, elementary school (such as kindergarten) teachers, and Head Start teachers to discuss the educational, developmental, and other needs of individual children;

(6) organizing and participating in joint training, including transition-related training of school staff and Head Start staff;

(7) developing and implementing a family outreach and support program, in cooperation with entities carrying out parental involvement efforts under title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.), and family outreach and support efforts under subtitle B of title VII of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11431 et seq.), taking into consideration the language needs of parents of limited English proficient children;

(8) assisting families, administrators, and teachers in enhancing educational and developmental continuity and continuity of parental involvement in activities between Head Start services and elementary school classes;

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

(10) helping parents understand the importance of parental involvement in a child's academic success while teaching the parents strategies for maintaining parental involvement as

their child moves from the Head Start program to elementary school;

(11) helping parents understand the instructional and other services provided by the school in which their child will enroll after participation in the Head Start program; and

(12) coordinating activities and collaborating to ensure that curricula used in the Head Start program are aligned with State early learning standards, as appropriate, and the Head Start Child Outcomes Framework with regard to cognitive development (including language, pre-literacy, and premathematics competencies), and social, emotional, and physical competencies that children entering kindergarten are expected to demonstrate.

(b) CONSTRUCTION.—In this section, a reference to a Head Start agency, or its program, services, facility, or personnel, shall not be construed to be a reference to an Early Head Start agency, or its program, services, facility, or personnel.

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SUBMISSION OF PLANS TO GOVERNORS

SEC. 643. In carrying out the provisions of this subchapter, no contract, agreement, grant, or other assistance shall be made for the purpose of carrying out a Head Start program within a State unless a plan setting forth such proposed contract, agreement, grant, or other assistance has been submitted to the [chief executive officer] *Governor* of the State, and such plan has not been disapproved by such officer within [45] *30* days of such submission, or, if disapproved (for reasons other than failure of the program to comply with State health, safety, and child care laws, including regulations applicable to comparable child care programs in the State), has been reconsidered by the Secretary and found by the Secretary to be fully consistent with the provisions and in furtherance of the purposes of this subchapter, as evidenced by a written statement of the Secretary's findings that is transmitted to such officer. Funds to cover the costs of the proposed contract, agreement, grant, or other assistance shall be obligated from the appropriation which is current at the time the plan is submitted to such officer. This section shall not[, however,] apply to contracts, agreements, grant, loans, or other assistance to any institution of higher education in existence on the date of the enactment of this Act. *This section shall not apply to contracts, agreements, grants, loans, or other assistance for Indian Head Start programs and migrant and seasonal Head Start programs.*

* * * * * * *.

SEC. 644. (a) * * *

(b) [Except] *(1) Except* as provided in subsection (f), no financial assistance shall be extended under this subchapter in any case in which the Secretary determines that the costs of developing and administering a program assisted under this subchapter exceed 15 percent of the total costs, including the required non-Federal contributions to such costs, of such program. The Secretary shall establish by regulation, criteria for determining (1) the costs of developing and administering such program; and (2) the total costs of such program. In any case in which the Secretary determines that

the cost of administering such program does not exceed 15 percent of such total costs but is, in the judgment of the Secretary, excessive, the Secretary shall forthwith require the recipient of such financial assistance to take such steps prescribed by the Secretary as will eliminate such excessive administrative cost, including the sharing by one or more Head Start agencies of a common director and other administrative personnel. The Secretary may waive the limitation prescribed by this subsection for specific periods of time not be exceed 12 months whenever the Secretary determines that such a waiver is necessary in order to carry out the purposes of this subchapter.

(2)(A) The limitation prescribed by paragraph (1) shall not prohibit a Head Start agency from expending an amount in excess of allowable direct costs associated with developing and administering a program assisted under this subchapter, if—

(i) the agency submits an application for a grant year containing an assurance that—

(I) the agency will serve a greater percentage of children in the community involved than were served in the preceding grant year; and

(II) the agency will not diminish services provided to currently enrolled children (as of the date of the application), including the number of hours and days such services are provided;

(ii) any such excess amount does not exceed 5 percent of the total costs, including the required non-Federal contributions to such costs, of such program; and

(iii) in the event that the applicant applies to expend any such excess amount in a subsequent grant year, the applicant continues to serve the same number of children as proposed in the initial application submitted under this paragraph and accomplishes, relative to the prior Head Start agency, at least 3 of the 5 improved outcomes.

(B) In subparagraph (A), the term 'improved outcome' means—

(i) an increase in average teacher salary;

(ii) an increase in the number of qualified teachers;

(iii) a significant increase in the number of children who receive full-day Head Start services;

(iv) a decrease in the caseload for family workers; or

(v) an increase in transportation options for families.

(C) The Secretary shall approve not more than 10 applications described in subparagraph (A) for a fiscal year, and to the extent practicable shall ensure participation under this paragraph of a diverse group of Head Start agencies, including public, private nonprofit, and for-profit agencies operating Head Start programs.

* * * * * * *

SEC. 645. (a)(1) The Secretary shall by regulation prescribe eligibility for the participation of persons in Head Start programs assisted under this subchapter. Except as provided in paragraph (2), such criteria may provide—

(A) that children from low-income families shall be eligible for participation in programs assisted under this subchapter if their families' incomes are below *130 percent of* the poverty line, or if their families are eligible or, in the absence of child care, would potentially be leigible for public assistance; and

(B) * * *

(i) * * *

(ii) * * *

In determining, for purposes of this paragraph, whether a child who has applied for enrollment in a Head Start program meets the low-income criteria, an entity may consider evidence of family income during the 12 months preceding the month in which the application is submitted, or during the calendar year preceding the calendar year in which the application is submitted, whichever more accurately reflects the needs of the family at the time of application. *A homeless child shall be deemed eligible for Head Start services*.

(2) * * *

* * * * * * *

(3)(A) In this paragraph:

(i) The term "dependent" has the meaning given the term in paragraphs (2)(A) and (4)(A)(i) of section 401(a) of title 37, United States Code.

(ii) The terms "member" and "uniformed services" have the meanings given the terms in paragraphs (23) and (3), respectively, of section 101 of title 37, United States Code.

(B) The following amounts of pay and allowance of a member of the uniformed services shall not be considered to be income for purposes of determining the eligibility of a dependent of such member for programs funded under this subchapter:

(i) The amount of any special pay payable under section 310 of title 37, United States Code, relating to duty subject to hostile fire or imminent danger.

(ii) The amount of basic allowance payable under section 403 of such title, including any such amount that is provided on behalf of the member for housing that is acquired or constructed under the alternative authority for the acquisition and improvement of military housing under subchapter IV of chapter 169 of title 10, United States Code, or any other related provision of law.

(4) After demonstrating a need through a communitywide needs assessment, a Head Start agency may apply to the Secretary to convert part-day sessions, particularly consecutive part-day sessions, into full-day sessions.

(5)(A) Consistent with a communitywide needs assessment, a Head Start agency may apply to the Secretary to serve additional infants and toddlers if the agency submits an application to the Secretary containing—

(i) a description of how the needs of pregnant women, infants, and toddlers will be addressed in accordance with section 645A(b), and with regulations prescribed by the Secretary pursuant to section 641A in areas including the agency's approach to child development and provision of health services, approach to family and community partnerships, and approach to program design and management;

(ii) a description of how the needs of eligible Head Start children are being and will be served;

(iii) assurances that the agency will participate in technical assistance activities (including a planning period, start-up site

visits, and national training activities) in the same manner as recipients of grants under section 645A; and

(iv) evidence that the agency meets the same eligibility criteria as recipients of grants under section 645A.

(B) In approving such applications, the Secretary shall take into account the costs of serving persons under section 645A.

(C) Any Head Start agency designated under this section and permitted to use grant funds under subparagraph (A) to serve additional infants and toddlers shall be considered to be an Early Head Start agency and shall be subject to the same rules, regulations, and conditions as apply to recipients of grants under section 645A for those grant funds.

* * * * * * *

(d)(1) An Indian tribe that—

(A) * * *

* * * * * * *

(3) * * *

(4) Notwithstanding any other provision of this Act, an Indian tribe that operates both an Early Head Start program under section 645A and a Head start program may, at its discretion, at any time during the grant period involved, reallocate funds between the Early Head Start program and the Head Start program in order to address fluctuations in client population, including pregnant women and children birth to compulsory school age. The reallocation of such funds between programs by an Indian tribe shall not serve as the basis for the Secretary to reduce a base grant (as defined in section 641A(g)(1)) for either program in succeeding years.

* * * * * * *

[SEC. 645A. EARLY HEAD START PROGRAMS FOR FAMILIES WITH INFANTS AND TODDLERS.] ***SEC. 645A. EARLY HEAD START PROGRAMS.***

(a) IN GENERAL.—* * *

(b) SCOPE AND DESIGN OF PROGRAMS.* * *

(1) * * *

* * * * * * *

(4) **[**provide services to parents to support their role as parents**]** *provide additional services and research-based activities to parents to support their role as parents (including parenting skills training and training in basic child development)* and to help the families move toward self-sufficiency (including educational and employment services as appropriate);

(5) where appropriate and in conjunction with services provided under this section to the children's immediate families (or as approved by the Secretary), provide home-based services to family child care homes, and kin caregivers, caring for infants and toddlers who also participate in Early Head Start programs, to provide continuity in supporting the children's cognitive, social, emotional, and physical development;

[(5)**]***(6)* coordinate services with services *(including home-based services)* provided by programs in the State and programs in the community (including programs for infants and toddlers with disabilities *and homeless infants and toddlers*) to

ensure a comprehensive array of services (such as health and mental health services, *and family support services*);

(7) ensure that children with documented behavioral problems, including problems involving behavior related to prior or existing trauma, receive appropriate screening and deferral;

[(6)**]***(8)* ensure formal linkages with local Health Start programs in order to provide for continuity of services for children and families;

(9) develop and implement a systematic procedure for transitioning children and parents from an Early Head Start program to a Head Start program or another local program of early childhood education and care;

(10) establish channels of communication between staff of Early Head Start programs and staff of Head Start programs or other local providers of early childhood education and care, to facilitate the coordination of programs;

[(7)**]***(11)* in the case of a Head Start agency that operates a program and that also provides Head Start services through the age of mandatory school attendance, ensure that children and families participating in the program receive such services through such age;

[(8)**]***(12)* ensure formal linkages with the agencies and entities described in section 644(b) of the Individuals with Disabilities Education Act (20 U.S.C. 1444(b)) **[**and providers**]** *providers* of early intervention services for infants and toddlers with disabilities under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.*), and the agencies responsible for administering section 106 of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5106a) and parts B and E of title IV of the Social Security Act (42 U.S.C. 621 et seq. and 670 et seq.)*; and

[(9)**]***(13)* meet such other requirements concerning design and operation of the program described in subsection (a) as the Secretary may establish.

* * * * * * *

(d) ELIGIBLE SERVICE PROVIDERS.—* * *

(1) entities operating Head Start programs under this subchapter*, including tribal governments and entities operating migrant and seasonal Head Start programs*; and

(2) other public entities, and nonprofit or for-profit private entities*, including community-based organizations* capable of providing child and family services that meet the standards for participation in programs under this subchapter and meet such other appropriate requirements relating to the activities under this section as the Secretary may establish.

* * * * * * *

(g) MONITORING, TRAINING, TECHNICAL ASSISTANCE, AND EVALUATION.—

(1) REQUIREMENT. * * *

(2) TRAINING AND TECHNICAL ASSISTANCE ACCOUNT.—

(A) IN GENERAL.—* * *

(B) ACTIVITIES.—Funds in the account may be used by the Secretary for purposes including—

(i) * * *

* * * * * * *

[(iv) providing professional development and personnel enhancement activities, including the provision of funds to recipients of grants under subsection (a) for the recruitment and retention of qualified staff with an appropriate level of education and experience.]

(iv) providing professional development and personnel enhancement activities, including the provision of funds to recipients of grants under subsection (a), relating to—

(I) effective methods of conducting parent education, home visiting, and promoting quality early childhood development;

(II) recruiting and retaining qualified staff; and

(III) increasing program participation for underserved populations of eligible children.

(h) STAFF QUALIFICATIONS AND DEVELOPMENT.—

(1) CENTER-BASED STAFF.—The Secretary shall establish staff qualification goals to ensure that, not later than September 30, 2012, all teachers providing direct services to Early Head Start children and families in Early Head Start centers have a minimum of a child development associate credential or an associate degree, and have been trained (or have equivalent course work) in early childhood development with a focus on infant and toddler development.

(2) HOME VISITOR STAFF.—

(A) STANDARDS.—In order to further enhance the quality of home visiting services provided to families of children participating in home-based, center-based, or combination program options under this subchapter, the Secretary shall establish standards for training, qualifications, and the conduct of home visits for home visitor staff in Early Head Start programs.

(B) CONTENTS.—The standards for training, qualifications, and the conduct of home visits shall include content related to—

(i) structured child-focused home visiting that promotes parents' ability to support the child's cognitive, social, emotional, and physical development;

(ii) effective strengths-based parent education, including methods to encourage parents as their child's first teachers;

(iii) early childhood development with respect to children from birth through age 3;

(iv) methods to help parents promote emergent literacy in their children from birth through age 3, including use of research-based strategies to support the development of literacy and language skills for children who are limited English proficient;

(v) health, vision, hearing, and developmental screenings;

(vi) strategies for helping families coping with crisis; and

(vii) the relationship of health and well-being of pregnant women to prenatal and early child development.

* * * * * * *

APPEALS, NOTICE, AND HEARING

SEC. 646. (a) The Secretary shall prescribe procedures to assure that—

(1) * * *

* * * * * * *

[(3) financial assistance under this subchapter shall not be terminated or reduced, an application for refunding shall not be denied, and a suspension of financial assistance shall not be continued for longer than 30 days, unless the recipient has been afforded reasonable notice and opportunity for a full and fair hearing; and

[(4) the Secretary shall develop and publish procedures (including mediation procedures) to be used in order to—

[(A) resolve in a timely manner conflicts potentially leading to adverse action between—

[(i) recipients of financial assistance under this subchapter; and

[(ii) delegate agencies or Head Start Parent Policy Councils; and

[(B) avoid the need for an administrative hearing on an adverse action.]

(3) financial assistance under this subchapter may be terminated or reduced, and an application for refunding may be denied, after the recipient has been afforded reasonable notice and opportunity for a full and fair hearing, including—

(A) a right to file a notice of appeal of a decision not later than 30 days after notice of the decision from the Secretary; and

(B) access to a full and fair hearing of the appeal, not later than 120 days after receipt by the Secretary of the notice of appeal;

(4) the Secretary shall develop and publish procedures (including mediation procedures) to be used in order to—

(A) resolve in a timely manner conflicts potentially leading to an adverse action between—

(i) recipients of financial assistance under this subchapter; and

(ii) delegate agencies, or policy councils of Head Start agencies;

(B) avoid the need for an administrative hearing on an adverse action; and

(C) prohibit a Head Start agency from expending financial assistance awarded under this subchapter for the purpose of paying legal fees pursuant to an appeal under paragraph (3), except that such fees shall be reimbursed by the Secretary if the agency prevails in such decision; and

(5) the Secretary may suspend funds to a grantee under this subchapter—

(A) except as provided in subparagraph (B), for not more than 30 days; or

(B) in the case of a grantee under this subchapter that has multiple and recurring deficiencies for 180 days or more and has not made substantial and significant progress toward meeting the goals of the grantee's quality improvement plan or eliminating all deficiencies identified by the Secretary, during the hearing of an appeal described in paragraph (3), for any amount of time, including permanently.

* * * * * * *

[RECORDS AND AUDITS] *RECORDS AND FINANCIAL AUDITS*

SEC. 647. (a) [Each recipient of] *Each Head Start center, including each Early Head Start center, receiving* financial assistance under this subchapter shall keep such records as the Secretary shall prescribe, including records which fully disclose the amount and disposition by such recipient of the proceeds of such financial assistance, the total cost of the project or undertaking in connection with which such financial assistance is given or used, the amount of that portion of the cost of the project or undertaking supplied by other sources, and such other records as will facilitate an effective [audit] *financial audit.*

(b) The Secretary and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access for the purpose of [audit] *financial audit* and examination to any books, documents, papers, and records of the recipients that are pertinent to the financial assistance received under this subchapter.

(c) Each Head Start center, including each Early Head Start center, receiving financial assistance under this subchapter shall maintain, and annually submit to the Secretary, a complete accounting of its administrative expenses, including expenses for salaries and compensation funded under this subchapter and provide such additional documentation as the Secretary may require.

* * * * * * *

TECHNICAL ASSISTANCE AND TRAINING

SEC. 648. (a) The Secretary shall provide, directly or through grants or other arrangements (1) technical assistance to communities developing, conducting, and administering programs under this subchapter; and (2) training for specialized or other personnel needed in connection with Head Start programs, in accordance with the process, and the provisions for allocating resources, set forth in subsections [(b) and (c)] *(b), (c), and (d).*

(b) The Secretary shall make available funds set aside in section 640(a)(2)(C)(ii) to support a State system of training and technical assistance (which may include such a system for a consortium of States within a region) that improves the capacity of Head Start programs to deliver services in accordance with the standards described in section 641A(a)(1), with particular attention to the standards described in subparagraphs (A) and (B) of such section. The Secretary shall—

(1) ensure that agencies with demonstrated expertise in providing high-quality training and technical assistance to improve the delivery of Head Start services, including the State Head Start Associations, State agencies, Indian Head Start agencies, migrant and seasonal Head Start agencies, and other entities providing training and technical assistance in early childhood education and care, for the State (including such a consortium of States within a region), are included in the planning and coordination of the system; and

(2) encourage States (including such consortia) to supplement the funds authorized in section 640(a)(2)(C)(ii) with Federal, State, or local funds other than funds made available under this subchapter, to expand training and technical assistance activities beyond Head Start agencies to include other providers of other early childhood education and care within a State (including such a consortium).

[(b)**]** *(c)* The process for determining the technical assistance and training activities to be carried out under this section shall—

(1) * * *

(2) * * *

(3) ensure the provision of technical assistance to assist Head Start agencies, entities carrying out other **[**child care and early childhood programs**]** *early childhood education and care programs*, communities, and States in collaborative efforts to provide quality full-working-day, full calendar year services, including technical assistance related to identifying and assisting in resolving barriers to collaboration.

[(c)**]** *(d)* In allocating resources for technical assistance and training under this section, the Secretary shall—

(1) * * *

(A) * * *

(B) assisting Head Start agencies in—

(i) ensuring the school readiness of children; and

(ii) meeting the **[**educational performance measures**]** *measures* described in section 641A(b)(4);

(2) supplement amounts provided under section 640(a)(3)(C)(ii) in order to address the training and career development needs of classroom staff (including instruction for providing services to children with disabilities *and for activities described in section 1222(d) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6372(d))*) and nonclassroom staff, including home visitors and other staff working directly with families, including training relating to increasing parent involvement and services designed to increase family literacy and improve parenting skills;

(3) assist Head Start agencies in the development of collaborative initiatives with States and other entities within the States, to foster effective **[**early childhood professional development systems**]** *professional development systems regarding early childhood education and care;*

(4) * * *

* * * * * * *

(5) assist Head Start agencies and programs in conducting and participating in communitywide strategic planning and

needs assessment, *including assessing the needs of homeless children and their families*;

(6) * * *

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

(7) assist Head Start agencies in better serving the needs of families with very young children, including providing support and program planning and implementation assistance for Head Start agencies that apply to serve or are serving additional infants and toddlers with funds previously used for 3- and 4-year-olds in accordance with section 645(a)(5);

(8) * * *

* * * * * * *

(10) assist Head Start agencies in developing innovative program models, including mobile and home-based programs**[**; and**]***;*

(11) provide support for Head Start agencies (including policy councils and policy committees, as defined in regulation) that meet the standards described in section 641A(a) but that have, as documented by the Secretary through reviews conducted pursuant to section 641A(c), significant programmatic, quality, and fiscal issues to address**[**.**]***;*

(12) assist Head Start agencies in increasing the program participation of homeless children;

(13) provide training and technical assistance to members of governing bodies, policy councils, and, as appropriate, policy committees, to ensure that the members can fulfill their functions;

(14) provide training and technical assistance to Head Start agencies to assist such agencies in conducting self-assessments;

(15) assist Head Start agencies in improving outreach to, and the quality of services available to, limited English proficient children and their families, including such services to help such families learn English, particularly in communities that have experienced a large percentage increase in the population of limited English proficient individuals, as measured by the Bureau of the Census;

(16) provide activities that help ensure that Head Start programs have qualified staff who can promote prevention of childhood obesity by integrating into the programs developmentally appropriate research-based initiatives that stress the importance of physical activity and nutrition choices made by children and family, through daily classroom and family routines; and

(17) assist Indian Head Start agencies to provide on-site and off-site training to staff, using approaches that identify and enhance the positive resources and strengths of Indian children and families, to improve parent and family engagement and staff development, particularly with regard to child and family development.

[(d)**]***(e)* The Secretary may provide, either directly or through grants to public or private nonprofit entities, *including community-based organizations,* training for Head Start personnel in the use of the performing and visual arts and interactive programs using electronic media to enhance the learning experience of Head Start

childre. Special consideration shall be given to entities that have demonstrated effectiveness in educational programming for preschool children that includes components for parental involvement, care provider training, and developmentally appropriate related activities.

[(e)]*(f)* The Secretary shall provide, either directly or through grants or other arrangements, funds from programs authorized under this subchapter to support an organization to administer a centralized child development and national assessment programs leading to recognized credentials for personnel working in [early childhood development and child care programs] *early childhood education and care programs,* training for personnel providing services to non-English language background children (including services to promote the acquisition of the English language) *or providing services to children determined to be abused or neglected, training for personnel providing services to children referred by entities providing child welfare services or receiving child welfare services,* training for personnel in helping children cope with community violence, and resource access projects for personnel working with disabled children.

(g) The Secretary shall provide, either directly or through grants or other arrangements, funds for training of Head Start personnel in addressing the unique needs of migrant and seasonal farmworker families, families with limited English proficiency, and homeless families.

(h) Funds used under this section shall be used to provide high quality, sustained, and intensive, training and technical assistance in order to have a positive and lasting impact on classroom instruction. Funds shall be used to carry out activities related to 1 or more of the following:

(1) Education and early childhood development.

(2) Child health, nutrition, and safety.

(3) Family and community partnerships.

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

(i) Funds used under this section for training shall be used for needs identified annually by a grant applicant (including any delegate agency) in its program improvement plan, except that funds shall not be used for long-distance travel expenses for training activities—

(1) available locally or regionally; or

(2) substantially similar to locally or regionally available training activities.

(j)(1) To support local efforts to enhance early language and preliteracy development of children in Head Start programs, and to provide the children with high-quality oral language skills, and environments that are rich in literature, in which to acquire language and preliteracy skills, each Head Start agency, in coordination with the appropriate State office and the relevant State Head Start collaboration office, shall ensure that all of the agency's Head Start teachers receive ongoing training in language and emergent literacy (referred to in this subsection as "literacy training"), including appropriate curricula and assessments to improve instruction and learning. Such training shall include training in methods to promote phonological awareness (including phonemic awareness) and

vocabulary development in an age-appropriate and culturally and linguistically appropriate manner.

(2) The literacy training shall be provided at the local level in order—

(A) to be provided, to the extent feasible, in the context of the Head Start programs of the State involved and the children the program involved serves; and

(B) to be tailored to the early childhood literacy background and experience of the teachers involved.

(3) The literacy training shall be culturally and linguistically appropriate and support children's development in their home language.

(4) The literacy training shall include training in how to work with parents to enhance positive language and early literacy development at home.

(5) The literacy training shall include specific methods to best address the needs of children who are limited English proficient.

(6) The literacy training shall include training on how to best address the language and literacy needs of children with disabilities, including training on how to work with specialists in language development.

* * * * * * *

SEC. 648A. STAFF QUALIFICATIONS AND DEVELOPMENT.

(a) CLASSROOM TEACHERS.—

(1) PROFESSIONAL REQUIREMENTS.—* * *

(A) * * *

* * * * * * *

[(2) DEGREE REQUIREMENTS.—

[(A) IN GENERAL.—The Secretary shall ensure that not later than September 30, 2003, at least 50 percent of all Head Start teachers nationwide in center-based programs have—

[(i) an associate, baccalaureate, or advanced degree in early childhood education; or

[(ii) an associate, baccalaureate, or advanced degree in a field related to early childhood education, with experience in teaching preschool children.

[(B) PROGRESS.—The Secretary shall require Head Start agencies to demonstrate continuing progress each year to reach the result described in subparagraph (A).]

(2) DEGREE REQUIREMENTS.—

(A) IN GENERAL.—The Secretary shall establish staff qualification goals to ensure that—

(i) not later than September 30, 2012, all Head Start teachers nationwide in center-based programs have at least—

(I)(aa) an associate degree (or equivalent coursework) relating to early childhood; or

(bb) an associate degree in a related educational area and, to the extent practicable, coursework relating to early childhood; and

(II) demonstrated teaching competencies, as determined by the program director involved (including, at a minimum, an appropriate level of lit-

eracy, a demonstrated capacity to be highly engaged with children, and a demonstrated ability to effectively implement an early childhood curriculum);

(ii) not later than September 30, 2010, all Head Start curriculum specialists and education coordinators nationwide in center-based programs have—

(I) the capacity to offer assistance to other teachers in the implementation and adaptation of curricula to the group and individual needs of a class; and

(II)(aa) a baccalaureate or advanced degree relating to early childhood; or

(bb) a baccalaureate or advanced degree and coursework equivalent to a major relating to early childhood;

(iii) not later than September 30, 2010, all Head Start teaching assistants nationwide in center-based programs have—

(I) at least a child development associate credential;

(II) enrolled in a program leading to an associate or baccalaureate degree; or

(III) enrolled in a child development associate credential program to be completed within 2 years; and

(iv) not later than September 30, 2013, 50 percent of all Head Start teachers in center-based programs in each State (and geographic region for Indian Head Start programs and for migrant and seasonal Head Start programs) have a baccalaureate degree relating to early childhood (or a related educational area), and demonstrated teaching competencies, as determined by the program director involved (including, at a minimum, an appropriate level of literacy, a demonstrated capacity to be highly engaged with children, and a demonstrated ability to effectively implement an early childhood curriculum).

(B) TEACHER IN-SERVICE REQUIREMENT.—Each Head Start teacher shall attend not less than 15 clock hours of professional development per year. Such professional development shall be high quality, sustained, intensive, and classroom-focused in order to have a positive and lasting impact on classroom instruction and the teacher's performance in the classroom, and regularly evaluated for effectiveness.

(C) PROGRESS.—

(i) REPORT.—The Secretary shall—

(I) require Head Start agencies to—

(aa) describe continuing progress each year toward achieving the goals described in subparagraph (A);

(bb) submit to the Secretary a report indicating the number and percentage of classroom instructors in center-based programs

with child development associate credentials or associate, baccalaureate, or advanced degrees; and

(II) compile and submit a summary of all program reports described in subclause (I)(bb) to the Committee on Education and Labor of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate.

(ii) DEMONSTRATE PROGRESS.—A Head Start agency may demonstrate that progress by partnering with institutions of higher education or other programs that recruit, train, place, and support college students to deliver an innovative program of early childhood education and care to preschool children.

(D) SERVICE REQUIREMENTS.—The Secretary shall establish requirements to ensure that, in order to enable Head Start agencies to comply with the requirements of subparagraph (A), individuals who receive financial assistance under this subchapter to pursue a degree or credential described in subparagraph (A) shall—

(i) teach or work in a Head Start program for a minimum of 3 years after receiving the degree; or

(ii) repay the total or a prorated amount of the financial assistance received based on the length of service completed after receiving the degree.

(3) ALTERNATIVE CREDENTIALING REQUIREMENTS.—The Secretary shall ensure that, for center-based programs, each Head Start classroom that does not have a teacher that meets the requirements of clause [(i) or (ii)] *(i) or (iv)* of paragraph (2)(A) is assigned one teacher who has—

(A) * * *

* * * * * * *

(c) FAMILY SERVICE WORKERS.—* * *

(1) * * *

(2) promote the development of model curricula (on subjects including parenting training and family literacy) designed to ensure the attainment of appropriate competencies by individuals working or planning to work in the field of early childhood and family services; [and]

(3) promote the establishment of a credential that indicates attainment of the competencies and that is accepted nationwide[.]*; and*

(4) promote the use of appropriate strategies to meet the needs of special populations (including populations of limited English proficient children).

(d) HEAD START FELLOWSHIPS.—

(1) * * *

(2) * * *

(3) ASSIGNMENTS OF FELLOWS.—

(A) PLACEMENT SITES.—* * *

* * * * * * *

(C) NO PLACEMENT IN LOBBYING ORGANIZATIONS.—Head Start Fellowship positions may not be located in any agency*, including a center,* whose primary purpose, or one of

whose major purposes, is to influence Federal, State, or local legislation.

* * * * * * *

(f) PROFESSIONAL DEVELOPMENT PLANS.—Every Head Start agency and center shall create, in consultation with employees of the agency or center (including family service workers), a professional development plan for employees who provide direct services to children, including a plan for classroom teachers, curriculum specialists, and education coordinators, and teaching assistants to meet the requirements set forth in subsection (a).

(g) CONSTRUCTION.—In this section, a reference to a Head Start agency, or its program, services, facility or personnel, shall not be considered to be a reference to an Early Head Start agency, or its program, services, facility or personnel.

* * * * * * *

SEC. 648B. TRIBAL COLLEGE OR UNIVERSITY HEAD START PARTNERSHIP PROGRAM.

(a) PURPOSE.—The purpose of this section is to promote social competencies and school readiness in Indian children.

(b) TRIBAL COLLEGE OR UNIVERSITY HEAD START PARTNERSHIP PROGRAM.—

(1) GRANTS.—The Secretary is authorized to award grants, for periods of not less than 5 years, to Tribal Colleges and Universities to—

(A) implement education programs that include education concerning tribal culture and language and increase the number of associate, baccalaureate, and advanced degrees in early childhood education and related fields that are earned by Indian Head Start agency staff members, parents of children served by such an agency, and members of the tribal community involved;

(B) develop and implement the programs under subparagraph (A) in technology-mediated formats, including providing the programs through such means as distance learning and use of advanced technology, as appropriate; and

(C) provide technology literacy programs for Indian Head Start agency staff members and children and families of children served by such an agency.

(2) STAFFING.—The Secretary shall ensure that the American Indian Programs Branch of the Head Start Bureau of the Department of Health and Human Services shall have staffing sufficient to administer the programs under this section and to provide appropriate technical assistance to Tribal Colleges and Universities receiving grants under this section.

(c) APPLICATION.—Each Tribal College or University desiring a grant under this section shall submit an application to the Secretary, at such time, in such manner, and containing such information as the Secretary may require, including a certification that the Tribal College or University has established a partnership with 1 or more Indian Head Start agencies for the purpose of conducting the activities described in subsection (b).

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section, $10,000,000 for fiscal year

2008 and such sums as may be necessary for each of fiscal years 2009 through 2012.

(e) DEFINITIONS.—In this section:

(1) INSTITUTION OF HIGHER EDUCATION.—The term "institution of higher education" has the meaning given such term in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)).

(2) TRIBAL COLLEGE OR UNIVERSITY.—The term "Tribal College or University"—

(A) has the meaning given such term in section 316 of the Higher Education Act of 1965 (20 U.S.C. 1059c); and

(B) means an institution determined to be accredited or a candidate for accreditation by a nationally recognized accrediting agency or association.

* * * * * * *

SEC. 649. RESEARCH, DEMONSTRATIONS, AND EVALUATION.

(a) IN GENERAL.—

(1) REQUIREMENT; GENERAL PURPOSES.—* * *

(A) * * *

(B) use the Head Start programs to develop, test, and disseminate new ideas and approaches for addressing the needs of low-income preschool children (including children with disabilities*, children determined to be abused or neglected, homeless children, and children in foster care*) and their families and communities (including demonstrations of innovative noncenter-based program models such as home-based and mobile programs), and otherwise to further the purposes of this subchapter.

* * * * * * *

(d) SPECIFIC OBJECTIVES.— * * *

(1) * * *

* * * * * * *

(4) * * *

(5) identify successful strategies that promote good oral health and provide effective linkages to quality dental services through pediatric dental referral networks, for infants and toddlers participating in Early Head Start programs and children participating in other Head Start programs;

[(5)**]***(6)* permit comparisons of children and families participating in Head Start programs with children and families receiving other **[**child care, early childhood education, or child development services**]** *early childhood education and care services* and with other appropriate control groups;

[(6)**]***(7)* * * *

[(7)**]***(8)* * * *

[(8)**]***(9)* promote exploration of areas in which knowledge is insufficient, and that will other wise contribute to fulfiling the purposes of this subchapter; *and*

[(9) study the experiences of small, medium, and large States with Head Start programs in order to permit comparisons of children participating in the programs with eligible children who did not participate in the programs, which study—

[(A) may include the use of a data set that existed prior to the initiation of the study; and

[(B) shall compare the educational achievement, social adaptation, and health status of the participating children and the eligible nonparticipating children; and]

(10) * * *

* * * * * * *

[The Secretary shall ensure that an appropriate entity carries out a study described in paragraph (9), and prepares and submits to the appropriate committees of Congress a report containing the results of the study, not later than September 30, 2002.]

* * * * * * *

(e) LONGITUDINAL STUDIES.—* * *

(1) * * *

* * * * * * *

(3) as appropriate, permit comparison of children and families participating in Head Start programs with children and families receiving other [child care, early childhood education, or child development services] *early childhood education and care services*, and with other appropriate control groups.

* * * * * * *

(g) NATIONAL HEAD START IMPACT RESEARCH.—

(1) EXPERT PANEL.—

(A) IN GENERAL.—The Secretary shall appoint an independent panel consisting of experts in program evaluation and research, [education, and early childhood programs] *and early childhood education and care programs*—

[(i) to review, and make recommendations on, the design and plan for the research (whether conducted as a single assessment or as a series of assessments) described in paragraph (2), within 1 year after the date of enactment of the Coats Human Services Reauthorization Act of 1998;]

[(ii)] *(i)* * * *

[(iii)] *(ii)* * * *

(2) GENERAL AUTHORITY.—After reviewing the recommendations of the expert panel, the Secretary shall make a grant to, or enter into a contract or cooperative agreement with, an organization to conduct independent research that provides a national analysis of the impact of Head Start programs. The Secretary shall ensure that the organization shall have expertise in program evaluation[, and research, education, and early childhood programs] *and research, and early childhood education and care programs.*

* * * * * * *

(5) ANALYSIS.—The Secretary shall ensure that the organization conducting the research—

(A)(i) * * *

* * * * * * *

(D) * * *

(i) individuals who participate in other [early childhood programs] *early childhood education and care*

programs (such as public or private preschool programs and day care); and

(ii) individuals who do not participate in any other [early childhood program] *early childhood education and care program.*

* * * * * * *

(7) REPORTS.—

(A) SUBMISSION OF INTERIM REPORTS.—* * *

* * * * * * *

(C) TRANSMITTAL OF REPORTS TO CONGRESS.—

(i) IN GENERAL.—The Secretary shall transmit, to the committees described in clause (ii), the first interim report by September 30, 1999, the second interim report by September 30, 2001, and the final report by September 30, [2003] *2008.*

(ii) COMMITTEES.—The committees referred to in clause (i) are the Committee on [Education and the Workforce] *Education and Labor* of the House of Representatives and the Committee on [Labor and Human Resources] *Health, Education, Labor, and Pensions* of the Senate.

* * * * * * *

[(h) QUALITY IMPROVEMENT STUDY.—

[(1) STUDY.—The Secretary shall conduct a study regarding the use and effects of use of the quality improvement funds made available under section 640(a)(3) since fiscal year 1991.

[(2) REPORT.—The Secretary shall prepare and submit to Congress not later than September 2000 a report containing the results of the study, including information on—

[(A) the types of activities funded with the quality improvement funds;

[(B) the extent to which the use of the quality improvement funds has accomplished the goals of section 640(a)(3)(B);

[(C) the effect of use of the quality improvement funds on teacher training, salaries, benefits, recruitment, and retention; and

[(D) the effect of use of the quality improvement funds on the development of children receiving services under this subchapter.]

(h) REVIEW OF ASSESSMENTS.—

(1) APPLICATION OF STUDY.—When the study on Developmental Outcomes and Assessments for Young Children by the National Academy of Sciences is made available to the Secretary, the Secretary shall—

(A) incorporate the results of the study, as appropriate and in accordance with paragraphs (2) and (3), into each assessment used in the Head Start programs; and

(B) use the results of the study to develop, inform, and revise the standards and measures described in section 641A.

(2) DEVELOPMENT AND REFINEMENT.—In developing and refining any assessment used in the Head Start programs, the Secretary shall—

(A) receive recommendations from the Panel on Developmental Outcomes and Assessments for Young Children of the National Academy of Sciences; and

(B) with respect to the development or refinement of such assessment, ensure—

(i) consistency with relevant, nationally recognized professional and technical standards;

(ii) validity and reliability for all purposes for which assessments under this subchapter are designed and used;

(iii) developmental and linguistic appropriateness of such assessments for children assessed, including children who are limited English proficient; and

(iv) that the results can be used to improve the quality of, accountability of, and training and technical assistance in, Head Start programs.

(3) ADDITIONAL REQUIREMENTS.—The Secretary, in carrying out the process described under paragraph (2), shall ensure that—

(A) staff administering any assessments under this subchapter have received appropriate training to administer such assessments;

(B) appropriate accommodations for children with disabilities and children who are limited English proficient are made;

(C) the English and Spanish (and any other language, as appropriate) forms of such assessments are valid and reliable; and

(D) such assessments are not used to exclude children from Head Start programs.

(4) SUSPENDED IMPLEMENTATION OF NATIONAL REPORTING SYSTEM.—The Secretary shall—

(A) suspend implementation and terminate further development and use of the National Reporting System; and

(B) incorporate, as appropriate, recommendations under paragraph (2)(A) into any assessment used in the Head Start programs.

(i) SPECIAL RULE.—The use of assessment items and data on any assessment authorized under this subchapter by any agent of the Federal Government to rank, compare, or otherwise evaluate individual children or teachers, or to provide rewards or sanctions for individual children or teachers is prohibited. The Secretary shall not use the results of a single assessment as the sole method for assessing program effectiveness or making grantee funding determinations at the national, regional, or local level under this subchapter.

(j) SERVICES TO LIMITED ENGLISH PROFICIENT CHILDREN AND FAMILIES.—

(1) STUDY.—The Secretary shall conduct a study on the status of limited English proficient children and their families in Head Start (including Early Head Start) programs.

(2) REPORT.—The Secretary shall prepare and submit to Congress, not later than September 2011, a report containing the results of the study, including information on—

(A) the demographics of limited English proficient children from birth through age 5, including the number of

such children receiving Head Start (including Early Head Start) services and the geographic distribution of children described in this subparagraph;

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

(C) procedures in Head Start programs for the assessment of language needs and the transition of limited English proficient children to kindergarten, including the extent to which Head Start programs meet the requirements of section 642A for limited English proficient children;

(D) the qualifications of and training provided to Head Start (including Early Head Start) teachers serving limited English proficient children and their families;

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

(i) the rate of progress of the limited English proficient children toward meeting the additional educational standards described in section 641A(a)(1)(B)(ii) while enrolled in Head Start programs, measured between 1990 and 2006;

(ii) the correlation between the progress described in this subparagraph and the type of instruction and educational program provided to the limited English proficient children; and

(iii) the correlation between the progress described in this subparagraph and the health and family services provided by Head Start programs to limited English proficient children and their families; and

(F) the extent to which Head Start programs make use of funds under section 640(a)(3) to improve the quality of Head Start services provided to limited English proficient children and their families.

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SEC. 650. REPORTS.

(a) STATUS OF CHILDREN.—At least once during every 2-year period, the Secretary shall prepare and submit, to the Committee on [Education and the Workforce] *Education and Labor* of the House of Representatives and the Committee on [Labor and Human Resources] *Health, Education, Labor, and Pensions* of the Senate, a report concerning the status of children) [(including disabled and non-English language background children)] *(including children with disabilities, limited English proficient children, and children participating in Indian Head Start programs and migrant and seasonal Head Start programs)* in Head Start programs, including the number of children and the services being provided to such children. Such report shall include—

(1) * * *

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(8) information concerning children participating in programs that receive Head Start funding, including information

on family income, racial and ethnic background, *homelessness, children in foster care,* disability, and receipt of benefits under part A of title IV of the Social Security Act;

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(14) a study of the delivery of Head Start programs to Indian children living on and near Indian reservations, to children of [Alaskan Natives] *Alaska Natives,* and to children of [migrant and] *migrant or* seasonal farmworkers.

Promptly after submitting such report to the Committee on [Education and the Workforce] *Education and Labor* of the House of Representatives and the Committee on [Labor and Human Resources] *Health, Education, Labor, and Pensions* of the Senate, the Secretary shall publish in the Federal Register a notice indicating that such report is available to the public and specifying how such report may be obtained.

(b) FACILITIES.—At least once during every 5-year period, the Secretary shall prepare and submit, to the Committee on [Education and the Workforce] *Education and Labor* of the House of Representatives and the Committee on [Labor and Human Resources] *Health, Education, Labor, and Pensions* of the Senate, a report concerning the condition, location, and ownership of facilities used, or available to be used, by Indian Health Start agencies (including [Native Alaskan] *Alaska Native* Head Start agencies) and Native Hawaiian Head Start agencies.

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COMPARABILITY OF WAGES

SEC. 653. [The Secretary shall take] *(a) The Secretary shall take* such action as may be necessary to assure that persons employed in carrying out programs financed under this subchapter shall not receive compensation at a rate which is (1) in excess of the average rate of compensation paid in the area where the program is carried out to a substantial number of the persons providing substantially comparable services, or in excess of the average rate of compensation paid to a substantial number of the persons providing substantially comparable services in the area of the person's immediately preceding employment, whichever is higher; or (2) less than the minimum wage rate prescribed in section 6(a)(1) of the Fair Labor Standards Act of 1938. The Secretary shall encourage Head Start agencies to provide compensation according to salary scales that are based on training and experience.

(b) No Federal funds shall be used to pay the compensation of an individual employed by a Head Start agency in carrying out programs under this subchapter, either as direct or indirect costs or any proration of such costs, in an amount in excess of an amount based on the rate payable for level II of the Executive Schedule under section 5313 of title 5, United States Code.

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LIMITATION WITH RESPECT TO CERTAIN UNLAWFUL ACTIVITIES

SEC. 655. No individual employed or assigned by *or in* any Head Start agency or other agency assisted under this subchapter shall, pursuant to or during the performance of services rendered or as-

sisted under this subchapter by such Head Start agency or such other agency, plan, initiate, participate in, or otherwise aid or assist in the conduct of any unlawful demonstration, rioting, or civil disturbance.

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POLITICAL ACTIVITIES

[SEC. 656. (a) For purposes of]

SEC. 656. POLITICAL ACTIVITIES.

(a) STATE OR LOCAL AGENCY.—For purposes of chapter 15 of title 5, United States Code, any agency which assumes responsibility for planning, developing, and coordinating Head Start programs and receives assistance under this subchapter shall be deemed to be a State or local agency. For purposes of clauses (1) and (2) of section 150(2)(a) of such title, any agency receiving assistance under this subchapter shall be deemed to be a State or local agency.

[(b) Programs assisted under this subchapter shall not be carried on in a manner involving the use of program funds, the provision of services, or the employment or assignment of personnel in a manner supporting or resulting in the identification of such programs with (1) any partisan or nonpartisan political activity or any other political activity associated with a candidate, or contending faction or group, in an election for public or party office; (2) any activity to provide voters or prospective voters with transportation to the polls or similar assistance in connection with any such election; or (3) any voter registration activity. The Secretary, after consultation with the Office of Personnel Management, shall issue rules and regulations to provide for the enforcement of this section, which shall include provisions for summary suspension of assistance or other action necessary to permit enforcement on an emergency basis.]

(b) RESTRICTIONS.—

(1) IN GENERAL.—A program assisted under this subchapter, and any individual employed by, or assigned to or in, a program assisted under this subchapter (during the hours in which such individual is working on behalf of such program), shall not engage in—

(A) any partisan or nonpartisan political activity or any other political activity associated with a candidate, or contending faction or group, in an election for public or party office; or

(B) any activity to provide voters or prospective voters with transportation to the polls or similar assistance in connection with any such election.

(2) RULES AND REGULATIONS.—The Secretary, after consultation with the Director of the Office of Personnel Management, may issue rules and regulations to provide for the enforcement of this section, which may include provisions for summary suspension of assistance or other action necessary to permit enforcement on an emergency basis.

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SEC. 657. * * *

SEC. 657A. PARENTAL CONSENT REQUIREMENT FOR NONEMERGENCY INTRUSIVE PHYSICAL EXAMINATIONS.

(a) DEFINITION.—The term "nonemergency intrusive physical examination" means, with respect to a child, a physical examination that—

(1) is not immediately necessary to protect the health or safety of the child or the health or safety of another individual; and

(2) requires incision or is otherwise invasive, or involves exposure of private body parts.

(b) REQUIREMENT.—A Head Start agency shall obtain written parental consent before administration of, or referral for, any health care service provided or arranged to be provided, including any nonemergency intrusive physical examination of a child in connection with participation in a program under this subchapter.

(c) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to prohibit agencies from using established methods, for handling cases of suspected or known child abuse and neglect, that are in compliance with applicable Federal, State, or tribal law.

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United States Code

Title 42

§ 247b–1. Screenings, referrals, and education regarding lead poisoning

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HISTORICAL AND STATUTORY NOTES

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Development and Implementation of Effective Data Management by the Centers for Disease Control and Prevention

Pub. L. 106–310, Div. A, Title XXV, § 2501(c), Oct. 17, 2000, 114 Stat. 1161, provided that:

(1) IN GENERAL.—* * *

(A) * * *

* * * * * * *

(C) assist with the improvement of the ability of State-based data management systems and federally-funded means-tested public benefit programs (including the special supplemental food program for women, infants and children (WIC) under section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786) and the early head start program under section 645A of the Head Start Act (42 U.S.C. ⟦9840a(h)⟧ *9840a*) to respond to ad hoc inquiries and generate progress reports regarding the lead blood level screening of children enrolled in those programs;

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