

**Amendment in the Nature of a Substitute**

**To H.R. 2123**

**Offered by Mr. Castle**

Strike all after the enacting clause and insert the following:

**1 SECTION 1. SHORT TITLE.**

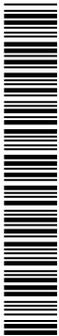
2 This Act may be cited as the “School Readiness Act  
3 of 2005”.

**4 SEC. 2. PURPOSE.**

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

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

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



1 **SEC. 3. DEFINITIONS.**

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

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

6 (2) by redesignating paragraphs (15) and (16)  
7 as paragraphs (20) and (21), respectively;

8 (3) by redesignating paragraph (17) as para-  
9 graph (22);

10 (4) by redesignating paragraphs (10) through  
11 (14) as paragraphs (14) through (18), respectively;

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

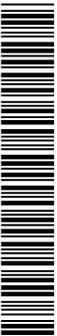
14 (6) by redesignating paragraph (2) as para-  
15 graph (4);

16 (7) by inserting after paragraph (1) the fol-  
17 lowing:

18 “(2) The term ‘challenging State developed aca-  
19 demic content standards’ has the meaning given  
20 such term in paragraphs (1) and (5) of section  
21 1111(b) of the Elementary and Secondary Edu-  
22 cation Act of 1965.

23 “(3) The term ‘deficiency’ means—

24 “(A) systemic or significant failure of a  
25 Head Start agency in an area of performance  
26 that the Secretary determines involves—



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

3           “(ii) a denial to parents of the exer-  
4           cise of their full roles and responsibilities  
5           related to program governance;

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

9           “(iv) the misuse of funds received  
10          under this subchapter;

11          “(v) loss of legal status (as deter-  
12          mined by the Secretary) or financial viabil-  
13          ity, loss of permits, debarment from receiv-  
14          ing Federal grants or contracts, or the im-  
15          proper use of Federal funds; or

16          “(vi) failure to meet any other Fed-  
17          eral or State requirement;

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

21          “(C) failure of a Head Start agency to  
22          meet the administrative requirements of section  
23          644(b); or



1           “(D) failure of a Head Start agency to  
2           meet the integration requirements of  
3           642B(a).”;

4           (8) by inserting after paragraph (4), as so re-  
5           designated, the following:

6           “(5) The term ‘eligible entities’ means an insti-  
7           tution of higher education or other agency with ex-  
8           pertise in delivering training in early childhood de-  
9           velopment, family support, and other assistance de-  
10          signed to improve the quality of early childhood edu-  
11          cation programs.”;

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

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

18          (10) by inserting after paragraph (18), as so  
19          redesignated, the following:

20          “(19)    PROFESSIONAL    DEVELOPMENT.—The  
21          term ‘professional development’ means high quality  
22          activities that will enhance the school readiness of el-  
23          igible children and prevent such children from en-  
24          countering difficulties once they enter school by im-  
25          proving the knowledge and skills of Head Start



1 teachers and staff, as relevant to their roles and  
2 functions, including activities that—

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

12 “(B) assist teachers in meeting the re-  
13 quirements in paragraphs (1) and (2) of section  
14 648A(a);

15 “(C) improve teachers’ classroom manage-  
16 ment skills;

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

21 “(E) are not primarily 1-day or short-term  
22 workshops or conferences, and attendance at  
23 activities that are 1-day or short-term work-  
24 shops or conferences must be as part of the



1 professional development plan defined in section  
2 648A(f);

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

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

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

14 “(i) based on scientifically based re-  
15 search; and

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

19 “(I) are, where applicable, aligned with  
20 and directly related to—

21 “(i) State academic content stand-  
22 ards, student academic achievement stand-  
23 ards, assessments, and the Head Start  
24 Child Outcomes Framework; and



1                   “(ii) the curricula, ongoing assess-  
2                   ments, and other instruction and services  
3                   designed to help meet the standards de-  
4                   scribed in section 641A(a)(1);

5                   “(J) are developed or selected with exten-  
6                   sive participation of administrators and teach-  
7                   ers from Head Start programs;

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

10                  “(L) are designed to give teachers of lim-  
11                  ited English proficient children, and other  
12                  teachers and staff, the knowledge and skills to  
13                  provide instruction and appropriate language  
14                  and support services to those children;

15                  “(M) as a whole, are regularly evaluated  
16                  for their impact on increased teacher and staff  
17                  effectiveness and improved ability of teachers to  
18                  support learning and increase participating chil-  
19                  dren’s school readiness, with the findings of the  
20                  evaluations used to improve the kquality of pro-  
21                  fessional development;

22                  “(N) provide instruction in methods of  
23                  teaching children with special needs;



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

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

8           (11) by inserting after paragraph (20), as so  
9           redesignated, the following:

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

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

17           “(B) includes research that—

18           “(i) employs systematic, empirical  
19           methods that draw on observation or ex-  
20           periment;

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



1           “(iii) relies on measurements or obser-  
2           vational methods that provide reliable and  
3           valid data across evaluators and observers,  
4           across multiple measurements and observa-  
5           tions, and across studies by the same or  
6           different investigators;

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

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

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



1 (12) by inserting after paragraph (23), as so  
2 redesignated, the following:

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

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

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

13 **SEC. 4. FINANCIAL ASSISTANCE FOR HEAD START PRO-**  
14 **GRAMS.**

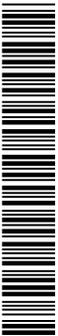
15 Section 638 of the Head Start Act (42 U.S.C. 9833)  
16 is amended by inserting “for a period of 5 years” after  
17 “provide financial assistance to such agency”.

18 **SEC. 5. AUTHORIZATION.**

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

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

22 “(a) IN GENERAL.—There are authorized to be ap-  
23 propriated for carrying out the provisions of this sub-  
24 chapter \$6,899,000,000 for the fiscal year 2006 and such



1 sums as may be necessary for the fiscal years 2007  
2 through 2011.

3 “(b) SPECIFIC PROGRAMS.—From the amount ap-  
4 propriated under subsection (a), the Secretary shall make  
5 available not more than \$20,000,000 for fiscal year 2006,  
6 and such sums as may be necessary for fiscal years 2007  
7 through 2011 to carry out such other research, dem-  
8 onstration, and evaluation activities, including longitu-  
9 dinal studies, under section 649, of which not more than  
10 \$7,000,000 for each of the fiscal years 2006 through 2011  
11 to carry out impact studies under section 649(g).”.

12 **SEC. 6. ALLOTMENT OF FUNDS; LIMITATIONS ON ASSIST-**  
13 **ANCE.**

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

16 (1) in paragraph (2)—

17 (A) by amending subparagraph (A) to read  
18 as follows:

19 “(A) Indian Head Start programs, services  
20 for children with disabilities, and migrant and  
21 seasonal Head Start programs, except that—

22 “(i) there shall be made available for  
23 each fiscal year for use by Indian Head  
24 Start programs and by migrant and sea-  
25 sonal Head Start programs, on a nation-



1 wide basis, not less than the amount that  
2 was obligated for use by Indian Head  
3 Start programs and by migrant and sea-  
4 sonal Head Start programs for fiscal year  
5 2005;

6 “(ii) migrant and seasonal Head Start  
7 programs shall receive at least 5 percent of  
8 the amount appropriated for such fiscal  
9 year until such time as the Secretary can  
10 make funding decisions to ensure access to  
11 funding for eligible children of migrant and  
12 seasonal farmworkers is comparable to ac-  
13 cess to funding for other eligible children  
14 based on the data collected and reported  
15 pursuant to section 648(j); and

16 “(iii) Indian Head Start programs  
17 shall receive at least 3.5 percent of the  
18 amount appropriated for such fiscal year  
19 until such time as the Secretary can make  
20 funding decisions to ensure access to fund-  
21 ing for eligible Indian children is com-  
22 parable to access to funding for other eligi-  
23 ble children;” and

24 (B) by amending subparagraph (B) to read  
25 as follows:



1           “(B) payments, subject to paragraph (7) to  
2           Guam, American Samoa, the Commonwealth of the  
3           Northern Mariana Islands, and the Virgin Islands of  
4           the United States;”;

5           (C) by amending (C) to read as follows:

6           “(C) training and technical assistance activities  
7           to foster program quality and management improve-  
8           ment as described in section 648, in an amount for  
9           each fiscal year which is equal to 2 percent of the  
10          amount appropriated for such fiscal year, of which—

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

20           “(ii) not less than 20 percent shall be  
21          made available to support a State system of  
22          early childhood education training and technical  
23          assistance, including the State Early Learning  
24          Council described in section 642B(b);



1           “(iii) not less than 30 percent shall be  
2           made available to the Secretary to assist local  
3           programs in meeting the standards described in  
4           section 641A(a)(1) and shall be allocated to ad-  
5           dress program weaknesses identified by moni-  
6           toring activities conducted by the Secretary  
7           under section 641A(c); and

8           “(iv) not less than \$3,000,000 of the  
9           amount in clause (iii) appropriated for such fis-  
10          cal year shall be made available to carry out ac-  
11          tivities described in section 648(d)(4);” and

12           (D) by striking the last sentence.

13          (2) in paragraph (3)—

14           (A) in subparagraph (A)—

15           (i) in clause (i)(I) by striking “1999”  
16           and all that follows down to the semicolon  
17           and inserting “2006 through 2011”; and

18           (ii) by adding at the end the fol-  
19           lowing:

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

24           “(I) to expand services to underserved popu-  
25          lations, such as children receiving services under



1 Early Head Start programs and under migrant and  
2 seasonal Head Start programs; and

3 “(II) to increase funding to grantees with full  
4 enrollment and whose aggregate amount of financial  
5 assistance provides funding per child that is below  
6 the national average.”;

7 (B) by amending subparagraph (B) to read  
8 as follows:

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

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

14 “(ii) Ensuring that such programs have ade-  
15 quate numbers of qualified staff, and that such staff  
16 is furnished adequate training, including developing  
17 skills to promote the development of language skills,  
18 premathematic skills, and prereading in young chil-  
19 dren and in working with children with non-English  
20 language background, children referred by child wel-  
21 fare services, and children with disabilities, when ap-  
22 propriate.

23 “(iii) Developing and financing the salary scales  
24 described under section 644(a)(3) and section 653,  
25 in order to ensure that salary levels and benefits are



1 adequate to attract and retain qualified staff for  
2 such programs.

3 “(iv) Using salary increases—

4 “(I) to assist with the implementation of  
5 quality programs and improve staff qualifica-  
6 tions;

7 “(II) to ensure that staff can promote the  
8 language skills and literacy growth of children  
9 and can provide children with a variety of skills  
10 that have been identified, through scientifically  
11 based early reading research, as predictive of  
12 later reading achievement; and

13 “(III) to encourage the staff to continually  
14 improve their skills and expertise by informing  
15 the staff of the availability of Federal and State  
16 incentive and loan forgiveness programs for  
17 professional development.

18 “(v) Improving community-wide strategic plan-  
19 ning and needs assessments for such programs and  
20 collaboration efforts for such programs, including  
21 collaborations to increase program participation by  
22 underserved populations of eligible children.

23 “(vi) Ensuring that the physical environments  
24 of Head Start programs are conducive to providing  
25 effective program services to children and families,



1 and are accessible to children with disabilities and  
2 their parents.

3 “(vii) Ensuring that such programs have quali-  
4 fied staff that can promote language skills and lit-  
5 eracy growth of children and that can provide chil-  
6 dren with a variety of skills that have been identi-  
7 fied, through scientifically based reading research, as  
8 predictive of later reading achievement.

9 “(viii) Providing assistance to complete postsec-  
10 ondary course work including scholarships or other  
11 financial incentives, such as differential and merit  
12 pay, to enable Head Start teachers to improve com-  
13 petencies and the resulting child outcomes.

14 “(ix) Upgrading the qualifications and skills of  
15 educational personnel to meet the professional  
16 standards established under section 648A(a)(1), in-  
17 cluding certification and licensure as bilingual edu-  
18 cation teachers and other educational personnel who  
19 serve limited English proficient children.

20 “(x) Promoting the regular attendance and sta-  
21 bility of all children participating in Head Start pro-  
22 grams, with particular attention to highly mobile  
23 children, including children from migrant and sea-  
24 sonal farm worker families (if appropriate), homeless  
25 children, and children in foster care.



1           “(xi) Making such other improvements in the  
2           quality of such programs as the Secretary may des-  
3           ignate.”; and

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

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

9                   “(i)(I) Not less than one-half of the amount re-  
10           served under this paragraph, to improve the com-  
11           pensation (including benefits) of classroom teachers  
12           and other staff of Head Start agencies providing in-  
13           structional services and thereby enhancing recruit-  
14           ment and retention of qualified staff, including re-  
15           cruitment and retention pursuant to achieving the  
16           requirements set forth in section 648A(a). The ex-  
17           penditure of funds under this clause shall be subject  
18           to section 653. Salary increases, in excess of cost-of-  
19           living allowance, provided with such funds shall be  
20           subject to the specific standards governing salaries  
21           and salary increases established pursuant to section  
22           644(a).

23                   “(II) If a Head Start agency certifies to the  
24           Secretary for such fiscal year that part of the funds  
25           set aside under subclause (I) to improve wages can-



1 not be expended by such agency to improve wages  
2 because of the operation of section 653, then such  
3 agency may expend such part for any of the uses  
4 specified in this subparagraph (other than wages).

5 “(III) From the remainder of the amount re-  
6 served under this paragraph (after the Secretary  
7 carries out subclause (I)), the Secretary may carry  
8 out the activities described in clauses (ii) through  
9 (vii).

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

13 “(I) to promote children’s language and  
14 prereading growth, through techniques identi-  
15 fied through scientifically based reading re-  
16 search;

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

23 “(III) to foster children’s school readiness  
24 through activities described in section  
25 648A(a)(1); and



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

15          “(iii) To employ additional Head Start staff, in-  
16          cluding staff necessary to reduce the child-staff  
17          ratio, lead instructors who meet the qualifications of  
18          section 648A(a) and staff necessary to coordinate a  
19          Head Start program with other services available to  
20          children participating in such program and to their  
21          families.

22          “(iv) To pay costs incurred by Head Start  
23          agencies to purchase insurance (other than employee  
24          benefits) and thereby maintain or expand Head  
25          Start services.



1           “(v) To supplement amounts provided under  
2 paragraph (2)(C) to provide training necessary to  
3 improve the qualifications of the staff of the Head  
4 Start agencies, and to support staff training, child  
5 counseling, and other services necessary to address  
6 the problems of children participating in Head Start  
7 programs, including children from dysfunctional  
8 families, children who experience chronic violence in  
9 their communities, and children who experience sub-  
10 stance abuse in their families.

11           “(vi) To conduct outreach to homeless families  
12 in an effort to increase the program participation of  
13 homeless children.

14           “(vii) To conduct outreach to migrant and sea-  
15 sonal farm-working families and families with chil-  
16 dren with a limited English proficiency.”;

17           “(viii) Such other activities as the Secretary  
18 may designate.

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

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

23           “(A) From amounts reserved and allotted pursuant  
24 to paragraph (4), the Secretary shall award the collabora-  
25 tion grants described in subparagraphs (B) and (D).



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

17           “(C) In order to improve results for children, a State  
18 that receives a grant under subparagraph (B) shall ap-  
19 point an individual to serve as the State Director of Head  
20 Start Collaboration to be a liaison between the appropriate  
21 regional office of the Administration for Children and  
22 Families and agencies carrying out Head Start programs  
23 in the State. The State shall—

24                   “(i) ensure that such Director holds a position  
25           with sufficient authority and access to ensure that



1 the collaboration described in subparagraph (B) is  
2 effective and involves a range of State agencies and  
3 local entities, including—

4 “(I) the State educational agency;

5 “(II) the State Department of Health and  
6 Human Services;

7 “(III) the State agency that oversees child  
8 care;

9 “(IV) the State agency that assists chil-  
10 dren with developmental disabilities;

11 “(V) the State Head Start Association;

12 “(VI) the State network of child care re-  
13 source and referral agencies;

14 “(VII) local educational agencies;

15 “(VIII) community-based and faith-based  
16 organizations;

17 “(IX) representatives of migrant and sea-  
18 sonal Head Start programs located in the  
19 State;

20 “(X) representatives of Indian Head Start  
21 programs located in the State;

22 “(XI) State and local providers of early  
23 childhood education and child care, including  
24 providers with experience serving children with  
25 limited English proficiency; and



1           “(XII) other entities carrying out pro-  
2           grams serving low-income children and families  
3           in the State;

4           “(ii) involve the entities described in clause (i)  
5           to develop a strategic plan for the coordinated out-  
6           reach to identify eligible children and to implement  
7           strategies based on a needs assessment, which shall  
8           include an assessment of the availability of high  
9           quality prekindergarten services for low-income chil-  
10          dren in the State. Such assessment shall be com-  
11          pleted not later than 1 year after the date of enact-  
12          ment of the School Readiness Act of 2005 and be  
13          updated on an annual basis and shall be made avail-  
14          able to the general public within the State;

15          “(iii) ensure that the collaboration described in  
16          subparagraph (B) involves coordination of Head  
17          Start services with health care, welfare, child care,  
18          child protective services, education, and community  
19          service activities, family literacy services, activities  
20          relating to children with disabilities (including co-  
21          ordination of services with those State officials who  
22          are responsible for administering part C and section  
23          619 of the Individuals with Disabilities Education  
24          Act (20 U.S.C. 1419, 1431 et seq.)), and services  
25          for homeless children (including coordination of serv-



1       ices with the Office of Coordinator for Education of  
2       Homeless Children and Youth designated under sec-  
3       tion 722(g)(1)(J)(ii) of the McKinney-Vento Home-  
4       less Assistance Act of 2001 (42 U.S.C.  
5       11432(g)(1)(J)(ii));

6               “(iv) require the State Director of Head Start  
7       Collaboration to—

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

10                      “(II) consult with the Early Learning  
11                      Council, chief State school officer, local edu-  
12                      cational agencies, representatives of local Head  
13                      Start agencies and providers of early childhood  
14                      education and care in unified planning regard-  
15                      ing early care and education services at both  
16                      the State and local levels, including collabo-  
17                      rative efforts to develop school readiness stand-  
18                      ards;

19                      “(III) consult with the chief State school  
20                      officer, local educational agencies, State child  
21                      care administrators, State human services ad-  
22                      ministrators, representatives of local child care  
23                      resource and referral agencies, local early child-  
24                      hood councils, providers of early childhood edu-  
25                      cation and care, and other relevant State and



1 local agencies, and representatives of the State  
2 Head Start Association to plan for the provision  
3 of full-working-day, full-calendar-year early care  
4 and education services for eligible children with  
5 working parents who have a demonstrated need;

6 “(IV) consult with the chief State school  
7 officer, local educational agencies and Head  
8 Start agencies to improve alignment between  
9 Head Start programs and State-funded pre-  
10 kindergarten activities to meet shared goals of  
11 school readiness; and

12 “(V) establish improved linkages between Head Start  
13 agencies and other children and family agencies, including  
14 agencies that provide health, mental health or family serv-  
15 ices or other child and family support services.”;

16 (C) in subparagraph (D)(i) by inserting  
17 “and providers of services supporting early  
18 childhood education and child care” after “As-  
19 sociations”; and

20 (D) by amending paragraph (6)(A) to read  
21 as follows:

22 “(A) From amounts reserved and allotted pursuant  
23 to paragraphs (2) and (4), the Secretary shall use, for  
24 grants for programs described in section 645A(a) of this  
25 subchapter, a portion of the combined total of such



1 amounts equal to at least 10 percent for each of the fiscal  
2 years 2006 through 2011, of the amount appropriated  
3 pursuant to section 639(a), except as provided in subpara-  
4 graph (B).”.

5 (b) SERVICE DELIVERY MODELS.—Section 640(f) of  
6 the Head Start Act (42 U.S.C. 9835(f)) is amended by  
7 inserting before the period at the end the following: “, in-  
8 cluding models that leverage the existing capacity and ca-  
9 pabilities of the delivery system of early childhood edu-  
10 cation and child care”;

11 (c) MAINTENANCE OF SERVICE LEVELS.—Section  
12 640(g)(2) of the Head Start Act (42 U.S.C. 9835(g)(2))  
13 is amended—

14 (1) by striking “For purposes of expanding  
15 Head Start programs, in” and inserting “in”;

16 (2) by amending subparagraph (C) to read as  
17 follows:

18 “(C) the extent to which the applicant has un-  
19 dertaken community-wide strategic planning and  
20 needs assessments involving other community orga-  
21 nizations and Federal, State, and local public agen-  
22 cies serving children and families (including organi-  
23 zations and agencies providing family support serv-  
24 ices and protective services to children and families  
25 and organizations serving families in whose homes



1 English is not the language customarily spoken),  
2 and individuals, organizations, and public entities  
3 serving children with disabilities and homeless chil-  
4 dren including the local educational agency liaison  
5 designated under section 722(g)(1)(J)(ii) of the  
6 McKinney-Veto Homeless Assistance Act (42 U.S.C.  
7 11432(g)(1)(J)(ii));”;

8 (3) in subparagraph (D) by striking “other  
9 local” and inserting “the State and local”;

10 (4) in subparagraph (E) by inserting “would  
11 like to participate but” after “community who”;

12 (5) in subparagraph (G)—

13 (A) by inserting “leverage the existing de-  
14 livery systems of such services and” after  
15 “manner that will”; and

16 (B) by striking “and” at the end;

17 (6) in subparagraph (H)—

18 (A) by inserting “, including the local edu-  
19 cational agency liaison designated under section  
20 722(g)(1)(J)(ii) of the McKinney-Vento Home-  
21 less Assistance Act (42 U.S.C.  
22 11432(g)(1)(J)(ii)),” after “community in-  
23 volved”;



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

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

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

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

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

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

16 “(i) TRANSPORTATION SAFETY.—

17 “(1) REGULATIONS.—The”; and

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

19 “(2) WAIVER AUTHORITY.—

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



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

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

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

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

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

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

17 (1) by amending (3) to read as follows:

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



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

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

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

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

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

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

22 (f) ENROLLMENT OF HOMELESS CHILDREN.—Sec-  
23 tion 640 of the Head Start Act (42 U.S.C. 9835) is  
24 amended by adding at the end the following:



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

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

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

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

19           “(n) RULE OF CONSTRUCTION.—Nothing in this sub-  
20 chapter shall be construed to require a State to establish  
21 a program of early education for children in the State,  
22 to require any child to participate in a program of early  
23 education, to attend school, or to participate in any initial  
24 screening prior to participation in such program, except  
25 as provided under section 612(a)(3), (consistent with sec-



1 tion 614(a)(1)(C)), of the Individuals with Disabilities  
2 Education Act.

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

8 **SEC. 7. DESIGNATION OF AGENCIES.**

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

12 “(a) AUTHORITY TO DESIGNATE.—

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

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

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



1           “(2) DESIGNATION REQUIREMENTS.—To be des-  
2   ignated as a Head Start agency and to receive financial  
3   assistance under this subparagraph, and entity described  
4   in paragraph (1) shall establish measurable objectives  
5   for—

6                   “(A) the school readiness of children par-  
7                   ticipating in the program under this sub-  
8                   chapter;

9                   “(B) meeting the performance standards  
10                  described in section 641A;

11                  “(C) educational instruction in prereading,  
12                  premathematics, and language skills;

13                  “(D) the provision of health, educational,  
14                  nutritional, social and other services related to  
15                  school readiness; and

16                  “(E) alignment of curricula to challenging  
17                  state developed K-12 academic content stand-  
18                  ards and state early learning standards in  
19                  states where such standards have been devel-  
20                  oped.

21           “(3) ELIGIBILITY FOR SUBSEQUENT FINANCIAL  
22   ASSISTANCE.—In order to receive financial assist-  
23   ance under this subchapter subsequent to the initial  
24   financial assistance provided following the effective  
25   date of this subsection, an entity described in para-



1 graph (1) shall demonstrate that the entity has met  
2 the measurable objectives described in paragraph  
3 (2);

4 “(4) MEASURING PROGRESS.—Progress in  
5 meeting such measurable objectives shall not be  
6 measured primarily or solely by the results of assess-  
7 ments.”

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

11 “(c) CONSULTATION.—In the administration of this  
12 section, the Secretary shall, in consultation with the chief  
13 executive officer of the State involved, give priority in the  
14 designation of Head Start agencies to Head Start agencies  
15 that—

16 “(1) are receiving assistance under this sub-  
17 chapter on the effective date of this subsection;

18 “(2) meet or exceed program and financial  
19 management requirements, standards described in  
20 section 641A(a);

21 “(3) meet or exceed the education standards  
22 and requirements described in section  
23 641A(a)(1)(B);

24 “(4) have no unresolved area of noncompliance;



1           “(5) have not been deemed deficient since the  
2 then most recent designation;

3           “(6) employ qualified staff (including in center-  
4 based programs, a teaching staff of whom at least  
5 50 percent have an associate, baccalaureate, or ad-  
6 vanced degree in early child education or a related  
7 field), except that the Secretary may waive the appli-  
8 cation of this paragraph, for a period not to exceed  
9 3 years, for Head Start programs operating in rural  
10 areas, for migrant and seasonal Head Start pro-  
11 grams, and for Indian Head Start programs, on a  
12 case-by-case basis, if the program demonstrates  
13 progress in increasing the qualifications of teaching  
14 staff and demonstrates adequate instructional super-  
15 vision by qualified staff;

16           “(7) were not deemed by the Secretary as  
17 chronically under-enrolled since the then most recent  
18 designation;

19           “(8) utilize curricula based on scientifically  
20 based research, that are aligned with State-devel-  
21 oped K-12 academic content standards, the Head  
22 Start Child Outcomes Framework, and the State  
23 early learning standards in States in which such  
24 standards are developed;



1           “(9) demonstrate active partnerships with local  
2 educational agencies serving the same communities  
3 to facilitate smooth transitions to kindergarten;

4           “(10) actively implement a memorandum of un-  
5 derstanding described in section 642B(a) and addi-  
6 tional collaborative partnerships with organizations  
7 that enhance the delivery of services to children;

8           “(11) demonstrate success in improving child  
9 outcomes across all domains of development, includ-  
10 ing measurable progress in language skills,  
11 prereading knowledge, and premathematics knowl-  
12 edge;

13           “(12) maintain classroom environments con-  
14 structive to early learning and future school success;

15           “(13) demonstrate strong parental involvement  
16 and activities to develop parent skills to support  
17 their children’s educational development and ability  
18 to participate effectively in decisions relating to the  
19 education of their children;

20           “(14) are overseen by a board described in sec-  
21 tion 642(b) that provides direction and actively over-  
22 sees all program activities;

23           “(15) document strong fiscal controls,  
24 including—



1           “(A) the employment of well-qualified fis-  
2 cal staff with a history of successful manage-  
3 ment of a public or private organization;

4           “(B) having no reportable findings with  
5 applicable laws and regulations on all annual fi-  
6 nancial audits performed since the most recent  
7 designation;

8           “(C) meeting or exceeding annual require-  
9 ments for financial support under section  
10 640(b); and

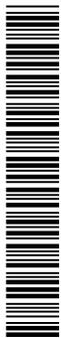
11           “(D) maintaining total administrative costs  
12 at or below 15 percent of total program costs;

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

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

18           “(18) have developed strong community part-  
19 nerships with public and private organizations, such  
20 as businesses, health, and social service providers;  
21 and

22           “(19) provide opportunities for ongoing profes-  
23 sional development.”.



1 (c) DESIGNATION WHEN NO ENTITY HAS PRI-  
2 ORITY.—Section 641(d) of the Head Start Act (43 U.S.C.  
3 9836(d)) is amended to read as follows:

4 “(d) DESIGNATION WHEN NO ENTITY HAS PRI-  
5 ORITY.—

6 “(1) IN GENERAL.—If no entity in a commu-  
7 nity is entitled to the priority specified in subsection  
8 (c), the Secretary shall, after conducting an open  
9 competition, designate for a 5-year period a Head  
10 Start agency from among qualified applicants in  
11 such community.”.

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

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

21 “(B) the plan of such applicant to provide  
22 comprehensive health, educational, nutritional,  
23 social, and other services needed to prepare  
24 children to succeed in school;



1           “(C) the capacity of such applicant to  
2           serve eligible children with curriculum and  
3           teaching practices based on scientifically based  
4           research that promote the school readiness of  
5           children participating in the program;

6           “(D) the plan of such applicant to meet  
7           standards set forth in section 641A(a)(1), with  
8           particular attention to the standards set forth  
9           in subparagraphs (A) and (B) of such section;

10          “(E) the proposed budget and plan of such  
11          applicant to maintain strong fiscal controls and  
12          cost effective fiscal management;

13          “(F) the plan of such applicant to coordi-  
14          nate the Head Start program the applicant pro-  
15          poses to carry out with other educational pro-  
16          grams for young children, including—

17                 “(i) the Early Reading First and  
18                 Even Start programs under subparts 2  
19                 and 3 of part B of title I of the Elemen-  
20                 tary and Secondary Education Act of 1965  
21                 (20 U.S.C. 6371 et seq., 6381 et seq.);

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



1                   “(iii) State prekindergarten programs;

2                   “(iv) child care programs;

3                   “(v) the educational programs that  
4 the children participating in the Head  
5 Start program involved will enter at the  
6 age of compulsory school attendance; and

7                   “(vi) reading readiness programs such  
8 as those conducted by public and school li-  
9 braries;

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

16                   “(H) the plan of such applicant—

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



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

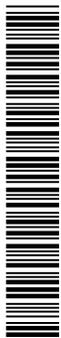
5           “(iii) to offer (directly or through re-  
6           ferral to local entities, such as entities car-  
7           rying out Even Start programs under sub-  
8           part 3 of part B of title I of the Elemen-  
9           tary and Secondary Education Act of 1965  
10          (20 U.S.C.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

13                   “(I) family literacy services; and

14                   “(II) parenting skills training;

15          “(iv) to offer to parents of partici-  
16          pating children, substance abuse coun-  
17          seling (either directly or through referral  
18          to local entities), including information on  
19          the effect of drug exposure on infants and  
20          fetal alcohol syndrome;

21          “(v) at the option of such applicant,  
22          to offer (directly or through referral to  
23          local entities) to such parents—



1                   “(I) training in basic child devel-  
2                   opment (including cognitive develop-  
3                   ment);

4                   “(II) assistance in developing lit-  
5                   eracy and communication skills;

6                   “(III) opportunities to share ex-  
7                   periences with other parents (includ-  
8                   ing parent mentor relationships);

9                   “(IV) regular in-home visitation;  
10                  or

11                  “(V) any other activity designed  
12                  to help such parents become full part-  
13                  ners in the education of their children;

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

24                  “(vii) to extend outreach to fathers, in  
25                  appropriate cases, in order to strengthen



1 the role of fathers in families, in the edu-  
2 cation of their young children, and in the  
3 Head Start program, by working directly  
4 with fathers and father figures through ac-  
5 tivities such as—

6 “(I) in appropriate cases, includ-  
7 ing fathers in home visits and pro-  
8 viding opportunities for direct father-  
9 child interactions; and

10 “(II) targeting increased male  
11 participation in the conduct of the  
12 program;

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

16 “(J) the plan of such applicant to meet the  
17 needs of non-English background children and  
18 their families, including procedures to identify  
19 such children, plans to provide trained per-  
20 sonnel, and plans to provide services to assist  
21 the children in making progress toward the ac-  
22 quisition of the English language, while making  
23 meaningful progress in attaining the knowledge,  
24 skills, abilities, and development described in  
25 section 641A(a)(1)(B);



1           “(K) the plan of such applicant to meet  
2 the diverse cultural needs of the population  
3 served;

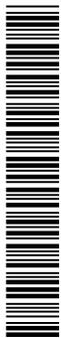
4           “(L) the plan of such applicant to meet  
5 the needs of children with disabilities;

6           “(M) the plan of such applicant who choos-  
7 es to assist younger siblings of children who will  
8 participate in the Head Start program, to ob-  
9 tain health services from other sources;

10           “(N) the plan of such applicant to collabo-  
11 rate with other entities carrying out early child-  
12 hood education and child care programs in the  
13 community;

14           “(O) the plan of such applicant to meet  
15 the needs of homeless children, including trans-  
16 portation needs, and children in foster care;

17           “(P) the plan of such applicant to main-  
18 tain a qualified staff, including a teaching staff  
19 qualified to implement research-based edu-  
20 cational curricula aligned with State-developed  
21 K-12 academic content standards, the Head  
22 Start Child Outcomes Framework, and the  
23 State early learning standards in States in  
24 which such standards are developed;



1           “(Q) the plan of such applicant to enter  
2           into memoranda of understanding with local  
3           educational agencies, child care providers, and  
4           other entities within the service area; and

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

7           (d) SELECTION OF APPLICANTS.—Section 641 of the  
8           Head Start Act (43 U.S.C. 9836) is amended by striking  
9           subsection (g).

10       **SEC. 8. QUALITY STANDARDS; MONITORING OF HEAD**  
11                               **START AGENCIES AND PROGRAMS.**

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

14                               (1) by amending paragraph (1)(B)—

15                                       (A) in clause (i)—

16   (i) by inserting “based on sound sci-  
17   entific evidence” after “standards”; and

18   (ii) by inserting “and sustained aca-  
19   demic gains” after “readiness”; and

20                               (B) by amending clause (ii) to read as fol-  
21                               lows:

22                                       “(ii) additional scientifically-based edu-  
23                                       cation standards to ensure that the children  
24                                       participating in the program, at a minimum de-  
25                                       velop and demonstrate—



1           “(I) language knowledge and skills,  
2 including oral language and listening com-  
3 prehension;

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

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

13           “(IV) cognitive abilities related to aca-  
14 demic achievement and child development;

15           “(V) social and emotional development  
16 related to early learning, school success,  
17 and sustained academic gains; and

18           “(VI) in the case of limited-English  
19 proficient children, progress toward acqui-  
20 sition of the English language while mak-  
21 ing meaningful progress in attaining the  
22 knowledge, skills, abilities, and develop-  
23 ment described in subclauses (I) through  
24 (IV);”;

25           (2) in paragraph (2)—



1 (A) by amending subparagraph (B) to read  
2 as follows:

3 “(B) take into consideration—

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

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

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

17 “(iv) projected needs of an expanding  
18 Head Start program;

19 “(v) guidelines and standards cur-  
20 rently in effect or under consideration that  
21 promote child health services and physical  
22 development, including outdoor activity  
23 that supports children’s motor development  
24 and overall health and nutrition;



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

6           “(vii) scientifically based research to  
7 ensure that children participating in Head  
8 Start programs make a successful transi-  
9 tion to schools that the children will be at-  
10 tending; and

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

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

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

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

24           “(i) procedures for evaluating delegate  
25 agencies;



1                   “(ii) procedures for defunding dele-  
2                   gate agencies; and

3                   “(iii) procedures for appealing a  
4                   defunding decision relating to a delegate  
5                   agency.

6                   “(B) EVALUATIONS.—Each Head Start  
7                   agency—

8                   “(i) shall evaluate its delegate agen-  
9                   cies using the procedures established pur-  
10                  suant to this section, including subpara-  
11                  graph (A); and

12                  “(ii) shall inform the delegate agen-  
13                  cies of the deficiencies identified through  
14                  the evaluation that shall be corrected.

15                  “(C) REMEDIES TO ENSURE CORRECTIVE  
16                  ACTIONS.—If the Head Start agency identifies  
17                  a deficiency for a delegate agency through the  
18                  evaluation, the Head Start agency may—

19                  “(i) initiate procedures to terminate  
20                  the designation of the agency unless the  
21                  agency corrects the deficiency;

22                  “(ii) conduct monthly monitoring vis-  
23                  its to such delegate agency until all defi-  
24                  ciencies are corrected or the Head Start



1 agency decides to defund such delegate  
2 agency; and

3 “(iii) release funds to such delegate  
4 agency only as reimbursements until all de-  
5 ficiencies are corrected or the Head Start  
6 agency decides to defund such delegate  
7 agency.

8 “(D) RULE OF CONSTRUCTION.—Nothing  
9 in this paragraph shall be construed to impact  
10 or obviate the responsibilities of the Secretary  
11 with respect to Head Start agencies or delegate  
12 agencies receiving funding under this sub-  
13 chapter.”.

14 (b) RESULTS-BASED PERFORMANCE MEASURES.—  
15 Section 641A(b) of the Head Start Act (42 U.S.C.  
16 9836a(b)) is amended—

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

19 “(2) CHARACTERISTICS OF MEASURES.—The  
20 performance measures developed under this sub-  
21 section shall—

22 “(A) be used to assess the impact of the  
23 various services provided by Head Start pro-  
24 grams and, to the extent the Secretary finds



1 appropriate, administrative and financial man-  
2 agement practices of such programs;

3 “(B) be adaptable for use in self-assess-  
4 ment, peer review, and program evaluation of  
5 individual Head Start agencies and programs;

6 “(C) be developed for other program pur-  
7 poses as determined by the Secretary;

8 “(D) be appropriate for the population  
9 served; and

10 “(E) be reviewed no less than every 4  
11 years, based on advances in the science of early  
12 childhood development.

13 The performance measures shall include the per-  
14 formance standards described in subparagraphs (A)  
15 and (B) of subsection (a)(1).”; and

16 (2) by amending paragraph (4) to read as fol-  
17 lows:

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



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

4 (1) in paragraph (1)—

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

8 (B) by amending subparagraph (C) to read  
9 as follows:

10 “(C) Unannounced followup reviews, in-  
11 cluding unannounced reviews as appropriate, of  
12 programs with 1 or more findings of defi-  
13 ciencies not later than 6 months after the date  
14 of such finding.”; and

15 (C) by amending subparagraph (D) to read  
16 as follows:

17 “(D) Unannounced site inspections of  
18 Head Start centers and other reviews, as appro-  
19 priate.”;

20 (2) by amending paragraph (2) to read as fol-  
21 lows:

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



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

4           “(B) are conducted by review teams com-  
5           posed of individuals who are knowledgeable  
6           about the program areas they are reviewing  
7           and, to the maximum extent practicable, the di-  
8           verse (including linguistic and cultural) needs of  
9           eligible children (including children with disabili-  
10          ties) and limited-English proficient children  
11          and their families;

12          “(C) include as part of the reviews of the  
13          programs, a review and assessment of program  
14          effectiveness, including strengths and areas for  
15          improvement, as measured in accordance with  
16          the results-based performance measures devel-  
17          oped by the Secretary pursuant to subsection  
18          (b) and with the standards established pursuant  
19          to subparagraphs (A) and (B) of subsection  
20          (a)(1);

21          “(D) seek information from the commu-  
22          nities and the States involved about the per-  
23          formance of the programs and the efforts of the  
24          Head Start agencies to collaborate with other



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

3 “(E) seek information from the commu-  
4 nities where Head Start programs exist about  
5 innovative or effective collaborative efforts, bar-  
6 riers to collaboration, and the efforts of the  
7 Head Start agencies and programs to collabo-  
8 rate with the entities carrying out early child-  
9 hood education and child care programs in the  
10 community;

11 “(F) include as part of the reviews of the  
12 programs, a review and assessment of whether  
13 a program is in conformity with the income eli-  
14 gibility requirements, as defined in section 645  
15 and regulations promulgated thereunder;

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

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



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

3 “(I) are conducted in a manner that evalu-  
4 ates program performance, quality, and overall  
5 operations with consistency and objectivity, and  
6 based on a transparent and reliable system of  
7 review.”.

8 (d) CORRECTIVE ACTION; TERMINATION.—Section  
9 641A(d) of the Head Start Act (42 U.S.C. 9836a(d)) is  
10 amended—

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

13 “(1) DETERMINATION.—If the Secretary deter-  
14 mines, on the basis of a review pursuant to sub-  
15 section (c), that a Head Start agency designated  
16 pursuant to section 641 fails to meet the standards  
17 described in subsection (a) or results-based perform-  
18 ance measures developed by the Secretary under  
19 subsection (b), or fails to adequately address the  
20 community needs and strategic plan identified in  
21 640(g)(2)(C), the Secretary shall—”;

22 (2) by amending paragraph (2) to read as fol-  
23 lows:

24 “(2) QUALITY IMPROVEMENT PLAN.—



1           “(A) AGENCY AND PROGRAM RESPONSIBIL-  
2           ITIES.—In order to retain a designation as a  
3           Head Start agency under this subchapter, or in  
4           the case of a Head Start program, in order to  
5           continue to receive funds from such agency, a  
6           Head Start agency, or Head Start program  
7           that is the subject of a determination described  
8           in paragraph (1) (other than an agency or pro-  
9           gram required to correct a deficiency imme-  
10          diately or during a 90-day period under clause  
11          (i) or (ii) of paragraph (1)(B)) shall—

12                   “(i) develop in a timely manner, a  
13                   quality improvement plan that shall be  
14                   subject to the approval of the Secretary, or  
15                   in the case of a program, the sponsoring  
16                   agency, and which shall specify—

17                           “(I) the deficiencies to be cor-  
18                           rected;

19                           “(II) the actions to be taken to  
20                           correct such deficiencies; and

21                           “(III) the timetable for accom-  
22                           plishment of the corrective actions  
23                           specified; and

24                           “(ii) eliminate each deficiency identi-  
25                           fied, not later than the date for elimination



1 of such deficiency specified in such plan  
2 (which shall not be later than 1 year after  
3 the date the agency or program received  
4 notice of the determination and of the spe-  
5 cific deficiency to be corrected).

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

13 “(C) AGENCY RESPONSIBILITY FOR PRO-  
14 GRAM IMPROVEMENT.—Not later than 30 days  
15 after receiving from a Head Start program, a  
16 proposed quality improvement plan pursuant to  
17 subparagraph (A), the sponsoring agency shall  
18 either approve such proposed plan or specify  
19 the reasons why the proposed plan cannot be  
20 approved.”; and

21 (3) in paragraph (3) by inserting “and pro-  
22 grams” after “agencies”;

23 (4) by amending subsection (e) to read as fol-  
24 lows:



1           “(e) SUMMARIES OF MONITORING OUTCOMES.—Not  
2 later than 120 days after the end of each fiscal year, the  
3 Secretary shall publish a summary report on the findings  
4 of reviews conducted under subsection (c) and on the out-  
5 comes of quality improvement plans implemented under  
6 subsection (d), during such fiscal year. Such information  
7 shall be made available to all parents with children receiv-  
8 ing assistance under this subchapter in an understandable  
9 and uniform format, and to the extent practicable, pro-  
10 vided in a language that the parents can understand, and  
11 in addition, make the information widely available through  
12 public means such as distribution through public agencies,  
13 and at a minimum posting such information on the Inter-  
14 net immediately upon publication.”; and

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

16           “(f) REDUCTION OF GRANTS AND REDISTRIBUTION  
17 OF FUNDS IN CASES OF UNDER-ENROLLMENT.—

18           “(1) DEFINITIONS.—In this subsection:

19           “(A) ACTUAL ENROLLMENT.—The term  
20 ‘actual enrollment’ means, with respect to the  
21 program of a Head Start agency, the actual  
22 number of children enrolled in such program  
23 and reported by the agency (as required in  
24 paragraph (2)) in a given month.



1           “(B) BASE GRANT.—The term ‘base grant’  
2 means, with respect to a Head Start agency for  
3 a fiscal year, that portion of the grant  
4 derived—

5           “(i) from amounts reserved for use in  
6 accordance with section 640(a)(2)(A), for a  
7 Head Start agency administering an In-  
8 dian Head Start program or migrant and  
9 seasonal Head Start program;

10           “(ii) from amounts reserved for pay-  
11 ments under section 640(a)(2)(B); or

12           “(iii) from amounts available under  
13 section 640(a)(2)(D) or allotted among  
14 States under section 640(a)(4).

15           “(C) FUNDED ENROLLMENT.—The term  
16 ‘funded enrollment’ means, with respect to the  
17 program of a Head Start agency in a fiscal  
18 year, the number of children that the agency is  
19 funded to serve through a grant for the pro-  
20 gram during such fiscal year, as indicated in  
21 the grant agreement.

22           “(2) ENROLLMENT REPORTING REQUIREMENT  
23 FOR CURRENT FISCAL YEAR.—Each entity carrying  
24 out a Head Start program shall report on a monthly



1 basis to the Secretary and the relevant Head Start  
2 agency—

3 “(A) the actual enrollment in such pro-  
4 gram; and

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

8 “(3) SECRETARIAL REVIEW AND PLAN.—The  
9 Secretary shall—

10 “(A) on a semiannual basis, determine  
11 which Head Start agencies are operating with  
12 an actual enrollment that is less than the fund-  
13 ed enrollment based on not less than the aver-  
14 age of 4 consecutive months of data;

15 “(B) for each such Head Start agency op-  
16 erating a program with an actual enrollment  
17 that is less than 95 percent of its funded enroll-  
18 ment, as determined under subparagraph (A),  
19 develop, in collaboration with such agency, a  
20 plan and timetable for reducing or eliminating  
21 under-enrollment taking into consideration—

22 “(i) the quality and extent of the out-  
23 reach, recruitment, and community needs  
24 assessment conducted by such agency;



1           “(ii) changing demographics, mobility  
2           of populations, and the identification of  
3           new underserved low-income populations;

4           “(iii) facilities-related issues that may  
5           impact enrollment;

6           “(iv) the ability to provide full-day  
7           programs, where needed, through Head  
8           Start funds or through collaboration with  
9           entities carrying out other preschool or  
10          child care programs, or programs with  
11          other funding sources (where available);

12          “(v) the availability and use by fami-  
13          lies of other preschool and child care op-  
14          tions (including parental care) in the local  
15          catchment area; and

16          “(vi) agency management procedures  
17          that may impact enrollment; and

18          “(C) provide timely and ongoing technical  
19          assistance to each agency described in subpara-  
20          graph (B) for the purpose of implementing the  
21          plan described in such subparagraph.

22          “(4) IMPLEMENTATION.—Upon receipt of the  
23          technical assistance described in paragraph (3)(C), a  
24          Head Start agency shall immediately implement the  
25          plan described in paragraph (3)(B).



1           “(5) SECRETARIAL ACTION FOR CONTINUED  
2 UNDER-ENROLLMENT.—If, 1 year after the date of  
3 implementation of the plan described in paragraph  
4 (3)(B), the Head Start agency continues to operate  
5 a program at less than full enrollment, the Secretary  
6 shall, where determined appropriate, continue to  
7 provide technical assistance to such agency.

8           “(6) SECRETARIAL REVIEW AND ADJUSTMENT  
9 FOR CHRONIC UNDER-ENROLLMENT.—

10           “(A) IN GENERAL.—If, after receiving  
11 technical assistance and developing and imple-  
12 menting a plan to the extent described in para-  
13 graphs (3), (4), and (5) for 6 months, a Head  
14 Start agency is still operating a program with  
15 an actual enrollment that is less than 95 per-  
16 cent of its funded enrollment, the Secretary  
17 may—

18           “(i) designate such agency as chron-  
19 ically under-enrolled; and

20           “(ii) recapture, withhold, or reduce  
21 the base grant for the program by, a per-  
22 centage equal to the percentage difference  
23 between funded enrollment and actual en-  
24 rollment for the program for the most re-  
25 cent year in which the agency is deter-



1           mined to be under-enrolled under para-  
2           graph (2)(B).

3           “(B) WAIVER OR LIMITATION OF REDUC-  
4           TIONS.—If the Secretary, after the implementa-  
5           tion of the plan described in paragraph (3)(B),  
6           finds that—

7                   “(i) the shortfall can reasonably be  
8                   expected to be temporary; or

9                   “(ii) the number of slots allotted to  
10                  the agency is small enough that under-en-  
11                  rollment does not constitute a significant  
12                  shortfall,

13           the Secretary may, as appropriate, waive or re-  
14           duce the percentage recapturing, withholding,  
15           or reduction otherwise required by subpara-  
16           graph (A).

17           “(C) PROCEDURAL REQUIREMENTS; EF-  
18           FECTIVE DATE.—The actions taken by the Sec-  
19           retary under this paragraph with respect to a  
20           Head Start agency shall take effect 1 day after  
21           the date on which—

22                   “(i) the time allowed for appeal under  
23                   section 646(a) expires without an appeal  
24                   by the agency; or



1                   “(ii) the action is upheld in an admin-  
2                   istrative hearing under section 646.

3                   “(7) REDISTRIBUTION OF FUNDS.—

4                   “(A) IN GENERAL.—Funds held by the  
5                   Secretary as a result of recapturing, with-  
6                   holding, or reducing a base grant in accordance  
7                   with paragraph (6) in a fiscal year shall be re-  
8                   distributed in such fiscal year as follows:

9                   “(i) If such funds are attributable to  
10                  the portion of a base grant derived from  
11                  amounts specified in paragraph (1)(B)(i)  
12                  payable, but for the operation of this para-  
13                  graph, to carry out an Indian Head Start  
14                  program, then such funds shall be redis-  
15                  tributed to increase enrollment in such fis-  
16                  cal year in 1 or more Indian Head Start  
17                  programs.

18                  “(ii) If such funds are attributable to  
19                  the portion of a base grant derived from  
20                  amounts specified in paragraph (1)(B)(i)  
21                  payable, but for the operation of this para-  
22                  graph, to carry out a migrant and seasonal  
23                  Head Start program, then such funds shall  
24                  be redistributed to increase enrollment in



1 such fiscal year in 1 or more migrant and  
2 seasonal Head Start programs.

3 “(iii) If such funds are attributable to  
4 the portion of a base grant derived from  
5 amounts specified in clause (ii) or (iii) of  
6 paragraph (1)(B) payable, but for the op-  
7 eration of this paragraph, to carry out a  
8 Head Start program (excluding Indian  
9 Head Start programs, and migrant and  
10 seasonal Head Start programs) in a State,  
11 then such funds shall be redistributed to  
12 increase enrollment in such fiscal year in 1  
13 or more other Head Start programs (ex-  
14 cluding Indian Head Start programs, and  
15 migrant and seasonal Head Start pro-  
16 grams) that are carried out in such State.

17 “(B) ADJUSTMENT TO FUNDED ENROLL-  
18 MENT.—The Secretary shall adjust as necessary  
19 the requirements relating to funded enrollment  
20 indicated in the grant agreement of a Head  
21 Start agency receiving funds redistributed  
22 under this paragraph.”



1 **SEC. 9. POWERS AND FUNCTIONS OF HEAD START AGEN-**  
2 **CIES.**

3 (a) QUALIFICATIONS FOR DESIGNATION.—Section  
4 642(b) of the Head Start Act (42 U.S.C. 9837(b)) is  
5 amended to read as follows:

6 “(b) In order to be so designated, a Head Start agen-  
7 cy shall do all of the following:—

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

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

16 “(3) Establish effective procedures by which  
17 parents and area residents concerned will be enabled  
18 to directly participate in decisions that influence the  
19 character of programs affecting their interests.

20 “(4) Establish an independent board of direc-  
21 tors selected from among eligible individuals who  
22 shall serve on the board (or may designate an exist-  
23 ing entity whose members are eligible individuals,  
24 that shall be such board) for a period not to exceed  
25 5 years, except that board members who oversee a  
26 public entity and who are selected by election (or



1 members of a board of a local educational agency or  
2 a local council, appointed by an elected official or an  
3 official of a general purpose local government), may  
4 serve for such period as may be determined by the  
5 electing or appointing authority, as the case may be.  
6 An individual who has a conflict of interest is ineli-  
7 gible to serve as a member of the board. Members  
8 of the board of all nonpublic entities shall include  
9 representatives of the local community (including at  
10 least 1 member with significant financial manage-  
11 ment or accounting experience). Additional members  
12 shall be selected for their expertise in education,  
13 business administration, community affairs, govern-  
14 ment, legal affairs, and such other areas of expertise  
15 as may contribute to effective governance of the  
16 Head Start agency. All members of the board shall  
17 receive training in the management responsibilities  
18 and obligations, ethics, and financial literacy and  
19 management, and shall adopt practices that assure  
20 active, independent and informed governance of the  
21 Head Start agency, including independent oversight  
22 of the financial and management practices of such  
23 agency. The board shall provide direction to an execu-  
24 tive director and shall operate as an entity inde-  
25 pendent of staff employed by the Head start agency,



1 entity, or applicant and have the following duties  
2 and responsibilities:

3 “(A) To provide independent oversight to  
4 ensure that the Head Start agency under the  
5 direction of the executive director is delivering  
6 high quality services to children and families in  
7 compliance with all applicable standards in ef-  
8 fect under this subchapter and with the applica-  
9 ble performance measures established by the  
10 Secretary under section 644.

11 “(B) To establish 2 or more standing com-  
12 mittees to facilitate governance of the Head  
13 Start agency which shall include both of the fol-  
14 lowing:

15 “(i) An audit and finance committee  
16 whose primary responsibility shall be—

17 “(I) to approve annually the op-  
18 erating budget of the Head Start  
19 agency;

20 “(II) to review and recommend  
21 to the board the selection of inde-  
22 pendent auditors who shall report all  
23 critical accounting policies and prac-  
24 tices to the finance and audit com-  
25 mittee;

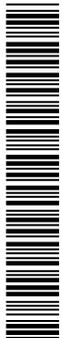


1                   “(III) to review and recommend  
2                   to the board the termination or exten-  
3                   sion of the existing audit firm at least  
4                   once every 5 years;

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

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

16                   “(ii) A policy committee, a majority of  
17                   whose representatives shall be parents of  
18                   children participating in a Head Start pro-  
19                   gram or in an Early Head Start program,  
20                   or of children who participated in a Head  
21                   Start program or in an Early Head Start  
22                   program in the then most recent 5-year pe-  
23                   riod preceding the selection of the par-  
24                   ticular representative involved, and whose  
25                   primary responsibility shall be to serve as



1 a link between parents and the board of di-  
2 rectors and to make and submit rec-  
3 ommendations on the following activities  
4 that shall be carried out by such agency at  
5 the direction of the executive director:

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

10 “(II) Program operation policies,  
11 including standards of conduct for  
12 program staff and volunteers.

13 “(III) Activities to support the  
14 active involvement of parents in sup-  
15 porting program operations.

16 “(IV) classroom activities and  
17 staffing;

18 “(V) program responsiveness to  
19 community and parent needs; and

20 “(VI) other areas the committee  
21 identifies as necessary to improve pro-  
22 gram operations.

23 “(C) To consult, on a regular basis, with  
24 the policy committee and to take actions on rec-  
25 ommendations submitted by such committee.



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

9           “(E) To ensure that the Head Start agen-  
10          cy is operated in compliance with applicable  
11          Federal, State, and local laws (including regula-  
12          tions), and to monitor agency implementation of  
13          any corrective action necessary to comply with  
14          applicable laws (including regulations);

15          “(F) To oversee the program planning of  
16          the Head Start agency, including adoption of  
17          the Head Start agency philosophy and mission  
18          statement, adoption of policies for determining  
19          community needs, setting long- and short-range  
20          goals and objectives, establishment of criteria  
21          for selecting families in Head Start programs  
22          or Early Head Start programs, and to oversee  
23          and approve the agency’s applications to receive  
24          funds made available under this subchapter;  
25          and



1           “(G) To establish, to adopt, and to periodically  
2           cally update written standards of conduct that  
3           establish standards and formal procedures for  
4           disclosing, addressing, and resolving—

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

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

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

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

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



1        participate in the development and overall conduct of  
2        the program at the local level.

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

11            “(9) To offer (directly or through referral to  
12        local entities, such as entities carrying out Even  
13        Start programs under subpart 3 of part B of title  
14        I of the Elementary and Secondary Education Act  
15        of 1965 (20 U.S.C. 2741 et seq.)), to parents of  
16        participating children, family literacy services and  
17        parenting skills training.

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

23            “(11) At the option of such agency, to offer (di-  
24        rectly or through referral to local entities), to such  
25        parents—



1           “(A) training in basic child development  
2           (including cognitive development);

3           “(B) assistance in developing literacy and  
4           communication skills;

5           “(C) opportunities to share experiences  
6           with other parents (including parent-mentor re-  
7           lationships);

8           “(D) regular in-home visitation; or

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

12          “(12) To provide, with respect to each partici-  
13          pating family, a family needs assessment that in-  
14          cludes consultation with such parents about the ben-  
15          efits of parent involvement and about the activities  
16          described in paragraphs (5) through (8) in which  
17          such parents may choose to be involved (taking into  
18          consideration their specific family needs, work sched-  
19          ules, and other responsibilities).

20          “(13) To consider providing services to assist  
21          younger siblings of children participating in its Head  
22          Start program to obtain health services from other  
23          sources.

24          “(14) To perform community outreach to en-  
25          courage individuals previously unaffiliated with Head



1 Start programs to participate in its Head Start pro-  
2 gram as volunteers.

3 “(15)(A) To inform custodial parents in single-  
4 parent families that participate in programs, activi-  
5 ties, or services carried out or provided under this  
6 subchapter about the availability of child support  
7 services for purposes of establishing paternity and  
8 acquiring child support; and

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

11 “(16) To the extent practicable, to commu-  
12 nicate in the language that parents can under-  
13 stand.”.

14 (b) COORDINATION AND COLLABORATION.—Section  
15 642(e) of the Head Start Act (42 U.S.C. 9837(e)) is  
16 amended to read as follows:

17 “(c) The head of each Head Start agency shall co-  
18 ordinate and collaborate with the State agency responsible  
19 for administering the State program carried out under the  
20 Child Care and Development Block Grant Act of 1990 (42  
21 U.S.C. 9858 et seq.), and other early childhood education  
22 and development programs, including programs under  
23 subtitle B of title VII of the McKinney-Vento Homeless  
24 Assistance Act (42 U.S.C. 11431–11435), Even Start pro-  
25 grams under subpart 3 of part B of title I of the Elemen-



1 tary and Secondary Education Act of 1965 (20 U.S.C.  
2 2741 et seq.), and programs under Part C and section  
3 619 of the Individuals with Disabilities Education Act (20  
4 U.S.C. 1431–1445, 1419), and the Child Abuse Preven-  
5 tion and Treatment Act (42 U.S.C. 5106a), serving the  
6 children and families served by the Head Start agency to  
7 carry out the provisions of this subchapter.”.

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

10 (1) by redesignating paragraphs (2) through  
11 (4) as paragraph (5) through (7), respectively;

12 (2) by inserting after paragraph (1) the fol-  
13 lowing:

14 “(2) COORDINATION.—

15 “(A) LOCAL EDUCATIONAL AGENCY.—In  
16 communities where both public prekindergarten  
17 programs and Head Start programs operate, a  
18 Head Start agency shall collaborate and coordi-  
19 nate activities with the local educational agency  
20 or other public agency responsible for the oper-  
21 ation of the prekindergarten program and pro-  
22 viders of prekindergarten, including outreach  
23 activities to identify eligible children.

24 “(B) ELEMENTARY SCHOOLS.—Head Start  
25 staff shall, with the permission of the parents



1 of children enrolled in Head Start programs,  
2 regularly communicate with the elementary  
3 schools such children will be attending—

4 “(i) to share information about such  
5 children;

6 “(ii) to receive advice and support  
7 from the teachers in such elementary  
8 schools participating in Early Reading  
9 First programs funded under subpart 1 of  
10 part B of title I of the Elementary and  
11 Secondary Education Act of 1965 regard-  
12 ing scientifically based teaching strategies  
13 and options; and

14 “(iii) to ensure a smooth transition to  
15 elementary school for such children.

16 “(C) OTHER PROGRAMS.—The head of  
17 each Head Start agency shall coordinate activi-  
18 ties and collaborate with the State agency re-  
19 sponsible for administering the State program  
20 carried out under the Child Care and Develop-  
21 ment Block Grant Act of 1990 (42 U.S.C. 9858  
22 et seq.), and other entities carrying out early  
23 childhood education and development programs,  
24 programs under subtitle B of title VII of the  
25 McKinney-Vento Homeless Assistance Act (42



1 U.S.C. 11431–11435), Even Start programs  
2 under subpart 3 of part B of title I of the Ele-  
3 mentary and Secondary Education Act of 1965  
4 (20 U.S.C. 6381 et seq.), and programs under  
5 section 619 and part C of the Individuals with  
6 Disabilities Education Act (20 U.S.C 1419,  
7 1431 et seq.), serving the children and families  
8 served by the Head Start agency.

9 “(3) COLLABORATION.—A Head Start agency  
10 shall take steps to coordinate activities with the local  
11 educational agency serving the community involved  
12 and with schools in which children participating in  
13 a Head Start program operated by such agency will  
14 enroll following such program, including—

15 “(A) collaborating on the shared use of  
16 transportation and facilities;

17 “(B) collaborating to enhance the effi-  
18 ciency of services while increasing the program  
19 participation of underserved populations of eli-  
20 gible children; and

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

23 “(4) PARENTAL INVOLVEMENT.—In order to  
24 promote the continued involvement of the parents  
25 (including grandparents and kinship caregivers, as



1 appropriate) of children that participate in Head  
2 Start programs in the education of their children  
3 upon transition to school, the Head Start agency  
4 shall work with the local educational agency—

5 “(A) to provide training to the parents—

6 “(i) to inform the parents about their  
7 rights and responsibilities concerning the  
8 education of their children; and

9 “(ii) to enable the parents—

10 “(I) to understand and work with  
11 schools in order to communicate with  
12 teachers and other school personnel;

13 “(II) to support the schoolwork  
14 of their children; and

15 “(III) to participate as appro-  
16 priate in decisions relating to the edu-  
17 cation of their children; and

18 “(B) to take other actions, as appropriate  
19 and feasible, to support the active involvement  
20 of the parents with schools, school personnel,  
21 and school-related organizations.”;

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

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

24 (B) by striking “may” and inserting  
25 “shall”;



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

3 (D) by redesignating subparagraph (B) as  
4 subparagraph (C); and

5 (E) by inserting after subparagraph (A)  
6 the following:

7 “(B) collaborating to increase the program par-  
8 ticipation of underserved populations of eligible chil-  
9 dren; and”; and

10 (4) by adding at the end the following:

11 “(8) Head Start agencies shall implement a research-  
12 based early childhood curricula that promotes young chil-  
13 dren’s school readiness in the areas of language and cog-  
14 nitive development, early reading and premathematics  
15 skills, socio-emotional skills, physical development, and ap-  
16 proaches to learning. Such curricula shall be—

17 “(A) based on scientifically based research and  
18 have standardized training procedures and published  
19 curriculum materials to support implementation; and

20 “(B) comprehensive, outcomes based, and  
21 linked to ongoing assessment with instructional  
22 goals and measurable objectives.

23 “(9) Head Start agencies shall use ongoing, research-  
24 based assessment methods that are developmentally ap-  
25 propriate, culturally and linguistically responsive, and tied



1 to children’s daily activities in order to support the edu-  
2 cational instruction of children in the program, including  
3 language skills, prereading knowledge and premathematics  
4 knowledge. Assessment instruments shall be those de-  
5 signed and validated for making decisions about teaching  
6 and learning and aligned with the program’s curricula and  
7 Section 641A(a)(1).

8 “(10) For the purpose of meeting the performance  
9 standards, Head Start agencies shall use high-quality re-  
10 search-based developmental screening tools that have been  
11 demonstrated to be standardized, reliable, valid, and accu-  
12 rate for children from a range of racial, ethnic, linguistic,  
13 and cultural backgrounds.”.

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

17 “(e) ASSESSMENT.—Each Head Start agency shall  
18 adopt, in consultation with experts in child development  
19 and with classroom teachers, an assessment to be used  
20 when hiring or evaluating any classroom teacher in a cen-  
21 ter-based Head Start program. Such assessment shall  
22 measure whether such teacher has mastered the functions  
23 described in section 648A(a)(1) and attained a level of lit-  
24 eracy appropriate to implement Head Start curricula.



1 “(f) FUNDED ENROLLMENT; WAITING LIST.—Each  
2 Head Start agency shall enroll 100 percent of its funded  
3 enrollment and maintain an active waiting list at all times  
4 with ongoing outreach to the community and activities to  
5 identify underserved populations.”.

6 **SEC. 10. LOCAL AND STATE INTEGRATION OF EARLY**  
7 **CHILDHOOD EDUCATION.**

8 The Head Start Act (42 U.S.C. 9831 et. seq.) is  
9 amended by inserting after section 642A the following:

10 **“SEC. 642B. LOCAL AND STATE INTEGRATION OF EARLY**  
11 **CHILDHOOD EDUCATION.**

12 “(a) LOCAL INTEGRATION.—In general, Head Start  
13 agencies shall enter into ongoing partnerships with local  
14 educational agencies, State-funded preschool and other  
15 early childhood programs. Head Start agencies shall oper-  
16 ate in a manner consistent with the goal of creating and  
17 expanding an efficient and effective system of early child-  
18 hood and school readiness services in each State and com-  
19 munity, while maintaining compliance with Standards  
20 under section 641A(a).

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



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

6 “(A) Educational activities, curricula, and  
7 instruction aligned to challenging State devel-  
8 oped K-12 academic standards, as defined by  
9 paragraphs (1) and (5) of section 1111(b) of  
10 the Elementary and Secondary Education Act  
11 of 1965.

12 “(B) Public information dissemination and  
13 access to programs for families contacting any  
14 of the early childhood programs.

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

17 “(D) Service delivery areas.

18 “(E) Staff training, including opportunities  
19 for joint staff training on topics such as aca-  
20 demic content standards and instructional  
21 methods.

22 “(F) Program technical assistance.

23 “(G) Provision of additional services to  
24 meet the child care needs of working parents.



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

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

6           “(J) Other elements mutually agreed to by  
7           the parties to such memorandum.

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

12          “(3) SECRETARIAL REVIEW.—Each memo-  
13          randum of understanding entered into under para-  
14          graph (1) shall be submitted to the Secretary not  
15          later than 30 days after entering into such memo-  
16          randum.

17          “(A) If a Head Start agency is unable to  
18          comply with the requirement in (1) the Head  
19          Start agency shall notify the Secretary and the  
20          chief executive officer of the State not later  
21          than 30 days after determining that they are  
22          unable to enter into such memorandum. The  
23          Secretary, in cooperation with the State Early  
24          Learning Council and the State Director of  
25          Head Start Collaboration, shall evaluate the



1 causes of failure to enter into a memorandum  
2 of understanding under paragraph (1). With  
3 the assistance of the State Early Learning  
4 Council and the State Director of Head Start  
5 Collaboration, all parties shall again attempt to  
6 enter into a memorandum of understanding  
7 under paragraph (1). Then if no such memo-  
8 randum of understanding is entered into, the  
9 Secretary shall make 1 of the following deter-  
10 minations:

11 “(i) The local educational agency,  
12 local council, or other appropriate entity is  
13 unable or unwilling to enter into such a  
14 memorandum despite reasonable efforts on  
15 the part of the Head Start agency; or

16 “(ii) The Head Start agency has not  
17 engaged in reasonable efforts to success-  
18 fully negotiate and enter into a memo-  
19 randum of understanding pursuant to  
20 paragraph (1).

21 “(iii) There is an absence of publicly  
22 funded prekindergarten in the service area  
23 of the Head Start agency.

24 “(B) If the Secretary determines the Head  
25 Start agency is not making reasonable efforts



1 to enter into a memorandum of understanding  
2 pursuant to paragraph (1), the Head Start  
3 agency shall be found deficient and shall be  
4 considered by the Secretary in the same manner  
5 as other deficiency findings.

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

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

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

24 “(b) STATEWIDE INTEGRATION.—From the amounts  
25 reserved under section 640(a)(2)(C)(ii), the Secretary



1 shall award an early learning collaboration grant to each  
2 State for the purposes of supporting a State Early Learn-  
3 ing Council responsible for advancing the development of  
4 a coordinated early childhood services delivery system in  
5 the State. A State that receives a grant under this sub-  
6 paragraph shall—

7           “(1) establish a State Early Learning Council,  
8           which shall include the State Director of Head Start  
9           Collaboration, representatives from the State pre-  
10          school programs, representatives of local educational  
11          agencies, the State official who oversees child care  
12          programs, the State official who oversees section 619  
13          and part C of the Individuals with Disabilities Edu-  
14          cation Act (20 U.S.C. 1419, 1431 et seq.), the State  
15          official who oversees the State educational agency,  
16          and representatives from Head Start agencies lo-  
17          cated in the State, including migrant and seasonal  
18          Head Start programs and Indian Head Start pro-  
19          grams. The chief executive officer of the State may  
20          designate an existing entity to serve as the Early  
21          Learning Council if such entity includes representa-  
22          tives described in this paragraph;

23           “(2) ensure that allotted funds distributed to a  
24          State for a fiscal year to carry out this subsection



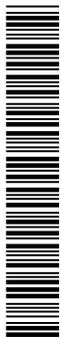
1        may be used by the State to pay not more than 30  
2        percent of the cost of carrying out this subsection;

3            “(3) direct the Early Learning Council—

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

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

24                   “(C) to conduct periodic statewide needs  
25                   assessments concerning early care and edu-



1 cation programs for children from birth to  
2 school entry;

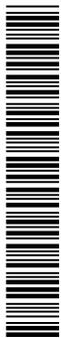
3 “(D) to work to identify and address bar-  
4 riers to and opportunities for integration be-  
5 tween entities carrying out Federal and State  
6 child development, child care, and early child-  
7 hood education programs;

8 “(E) to develop recommendations regard-  
9 ing means of establishing a unified data collec-  
10 tion system for early care and education pro-  
11 grams operating throughout the State;

12 “(F) to address coordination of early  
13 learning programs with health care, welfare,  
14 family literacy and services for homeless chil-  
15 dren;

16 “(G) to support a State system of early  
17 childhood education, and training and technical  
18 assistance that improves the quality of early  
19 learning programs and the capacity of such pro-  
20 grams to deliver services pursuant to section  
21 648(b)

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





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

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

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

10 “(7) developing and implementing a family out-  
11 reach and support program in cooperation with enti-  
12 ties carrying out parental involvement efforts under  
13 title I of the Elementary and Secondary Education  
14 Act of 1965 and family outreach and support efforts  
15 under subtitle B of title VII of the McKinney-Vento  
16 Homeless Assistance Act (42 U.S.C. 11431-  
17 11435);”;

18 (6) in paragraph (8), as so redesignated—

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

22 (B) by striking “and” at the end of para-  
23 graph (8), as so redesignated;

24 (7) by amending paragraph (9), as so redesign-  
25 nated, to read as follows:



1           “(9) linking the services provided in such Head  
2 Start program with the education services, including  
3 services relating to language, literacy, and  
4 numeracy, provided by such local educational agen-  
5 cy;”; and

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

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

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

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

19           “(A) State early learning standards with  
20 regard to cognitive, social, emotional, and phys-  
21 ical competencies that children entering kinder-  
22 garten are expected to demonstrate; or

23           “(B) in States in which such standards do  
24 not exist, with the Head Start Child Outcomes  
25 Framework.”.



1 **SEC. 12. ADMINISTRATIVE REQUIREMENTS AND STAND-**  
2 **ARDS.**

3 Section 644 of the Head Start Act (42 U.S.C.  
4 9839(f)(2)) is amended—

5 (1) in subsection (a)—

6 (A) by inserting “(1) STANDARDS.—”

7 after “(a)”; and

8 (B) by inserting after the 3d sentence the  
9 following:

10 “(2) ANNUAL REPORT.—Each Head Start agency  
11 shall make available to the public a report published at  
12 least once in each fiscal year that discloses the following  
13 information from the then most recently concluded fiscal  
14 year, except that reporting such information shall not re-  
15 veal personally identifiable information about an indi-  
16 vidual child:

17 “(A) The total amount of public and private  
18 funds received and the amount from each source.

19 “(B) An explanation of budgetary expenditures  
20 and proposed budget for the following fiscal year.

21 “(C) The total number of children and families  
22 served and percent of average monthly enrollment,  
23 including the percent of eligible children served.

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



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

3           “(F) Information about parent involvement ac-  
4           tivities.

5           “(G) The agency’s efforts to prepare children  
6           for kindergarten.

7           “(H) Any other information that describes the  
8           activities of the agency.

9           “(3) PROCEDURAL CONDUCT.—”; and  
10           (2) in subsection (f)(2)

11           (A) by redesignating subparagraphs (A)  
12           through (E) as subparagraphs (B) through (F),  
13           respectively; and

14           (B) by inserting before subparagraph (B),  
15           as so redesignated, the following:

16           “(A) a description of the consultation conducted  
17           by the Head Start agency with the providers in the  
18           community demonstrating capacity and capability to  
19           provide services under this subchapter, and of the  
20           potential for collaboration with such providers and  
21           the cost effectiveness of such collaboration as op-  
22           posed to the cost effectiveness of the purchase of a  
23           facility;”.



1 **SEC. 13. ELIGIBILITY.**

2 Section 645(a) of the Head Start Act (42 U.S.C.  
3 9840) is amended—

4 (1) in paragraph (1)—

5 (A) in subparagraph (B)(i)—

6 (i) by striking “to a reasonable ex-  
7 tent” and inserting “not to exceed 10 per-  
8 cent of the total enrollment”;

9 (ii) by striking “benefit from such  
10 programs” and inserting “benefit from  
11 such programs, including children referred  
12 by child welfare services,”; and

13 (iii) by inserting “(a homeless child  
14 shall be deemed to meet the low-income  
15 criteria)” before the semicolon; and

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

17 “(3) The amount of a basic allowance provided under  
18 section 403 of title 37, United States Code, on behalf of  
19 an individual who is a member of the uniformed services  
20 for housing that is acquired or constructed under the au-  
21 thority of subchapter IV of chapter 169 of title 10, United  
22 States Code, or any other related provision of law, shall  
23 not be considered to be income for purposes of deter-  
24 mining the eligibility of a child of the individual for pro-  
25 grams assisted under this subchapter.”.



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

2 (a) IN GENERAL.—Section 645A(b) of the Head  
3 Start Act (42 U.S.C. 9640a(b)) is amended—

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

6 “(4) provide services to parents to support their  
7 role as parents (including parenting skills training  
8 and training in basic child development) and to help  
9 the families move toward self-sufficiency (including  
10 educational and employment services as appro-  
11 priate);

12 “(5) coordinate services with services (including  
13 home-based services) provided by programs in the  
14 State and programs in the community (including  
15 programs for infants and toddlers with disabilities  
16 and programs for homeless infants and toddlers) to  
17 ensure a comprehensive array of services (such as  
18 health and mental health services, and family sup-  
19 port services);”;

20 (2) by amending paragraph (8) to read as fol-  
21 lows:

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



1 Individuals with Disabilities Education Act (20  
2 U.S.C. 1400 et seq.) and the agency responsible for  
3 administering section 106 of the Child Abuse Pre-  
4 vention and Treatment Act (42 U.S.C. 5106a);”.

5 (3) by redesignating paragraph (9) as para-  
6 graph (11);

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

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

14 “(10) establish channels of communication be-  
15 tween staff of Early Head Start programs and staff  
16 of Head Start programs or other local early child-  
17 hood education programs, to facilitate the coordina-  
18 tion of programs; and”.

19 (b) MIGRANT AND SEASONAL PROGRAMS;  
20 COMMUNITY- AND FAITH-BASED ORGANIZATIONS.—Sec-  
21 tion 645A(d) of the Head Start Act (42 U.S.C. 9640a(d))  
22 is amended—

23 (1) by amending paragraph (1) to read as fol-  
24 lows:



1           “(1) entities operating Head Start programs  
2           under this subpart, including migrant and seasonal  
3           Head Start programs; and”;

4           (2) in paragraph (2) of the Head Start Act (42  
5           U.S.C. 9643(d)(2)) is amended by inserting “, in-  
6           cluding community- and faith-based organizations”  
7           after “entities” the 2d place it appears.

8           (c) TRAINING AND TECHNICAL ASSISTANCE AC-  
9           COUNT.—Section 645A(g)(2)(B) of the Head Start Act  
10          (42 U.S.C. 9640a(g)(2)(B)) is amended—

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

12           (2) in clause (iv) by striking the period at the  
13           end and inserting “; and”;

14           (3) by adding at the end the following:

15                   “(v) providing professional develop-  
16                   ment designed to increase program partici-  
17                   pation for underserved populations of eligi-  
18                   ble children.”.

19           (d) CENTER-BASED STAFF.—Section 645A of the  
20          Head Start Act (42 U.S.C. 9640a) is amended by adding  
21          at the end the following:

22           “(h) CENTER-BASED STAFF.—The Secretary shall  
23          ensure that, not later than September 30, 2008, all teach-  
24          ers providing direct services to children and families par-  
25          ticipating in Early Head Start programs located in Early



1 Head Start centers have a minimum of a child develop-  
2 ment associate credential or an associate degree, and have  
3 been trained (or have equivalent course work) in early  
4 childhood development.”.

5 **SEC. 15. PARENTAL CONSENT REQUIREMENT FOR NON-**  
6 **EMERGENCY INTRUSIVE PHYSICAL EXAMINA-**  
7 **TIONS.**

8 The Head Start Act (42 U.S.C. 9831 et seq.) is  
9 amended by inserting after section 645A the following:

10 **“SEC. 645B. PARENTAL CONSENT REQUIREMENT FOR NON-**  
11 **EMERGENCY INTRUSIVE PHYSICAL EXAMINA-**  
12 **TIONS.**

13 “(a) DEFINITION.—The term ‘nonemergency intru-  
14 sive physical examination’ means, with respect to a child,  
15 a physical examination that—

16 “(1) is not immediately necessary to protect the  
17 health or safety of such child, or the health or safety  
18 of another individual; and

19 “(2) includes incision or is otherwise invasive,  
20 or includes exposure of private body parts.

21 “(b) REQUIREMENT.—Before administering any  
22 health care service (including any nonemergency intrusive  
23 physical examination) to a child (or referring such child  
24 to obtain such service) in connection with participation in  
25 a program under this subchapter, a Head Start agency



1 and an entity that receives assistance under section 645A  
2 shall obtain the written consent of a parent of such child.

3 “(c) **RULE OF CONSTRUCTION.**—Nothing in this sec-  
4 tion shall be construed to prohibit a Head Start agency  
5 or an entity that receives assistance under section 645A  
6 from using established methods, for handling cases of sus-  
7 pected or known child abuse and neglect, that are in com-  
8 pliance with applicable Federal, State, or tribal law.”.

9 **SEC. 16. RIGHT TO APPEAL.**

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

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



1 **SEC. 17. AUDITS.**

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

4 “(c)(1) Not later than 180 days after the end of each  
5 fiscal year, each Head Start agency, and each entity that  
6 receives assistance under section 645A, shall submit to the  
7 Secretary an independent financial audit of the Head  
8 Start program carried out with financial assistance pro-  
9 vided under this subchapter. Such audit shall be carried  
10 out by a certified public accountant selected through a  
11 competitive process from among qualified certified ac-  
12 countants by the local oversight board established in ac-  
13 cordance with section 642(b)(4) by such agency, except  
14 that no accountant may perform audits of such program  
15 for a period exceeding 5 consecutive fiscal years.

16 “(2) Not later than 60 days after receiving such  
17 audit, the Secretary shall provide to such agency or such  
18 entity, and to the chief executive officer of the State in  
19 which such program is operated, a notice identifying the  
20 actions such agency or such entity is required to take to  
21 correct all deficiencies identified in such audit.

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

24 “(1) maintain, and annually submit to the Sec-  
25 retary, a complete accounting of its administrative  
26 expenses (including a detailed statement identifying



1 the amount of financial assistance provided under  
2 this subchapter used to pay expenses for salaries  
3 and compensation and the amount (if any) of other  
4 funds used to pay such expenses); and  
5 “(2) provide such additional documentation as  
6 the Secretary may require.”.

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

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

10 (1) in paragraph (2) by inserting “and for ac-  
11 tivities described in section 1221(b)(3) of the Ele-  
12 mentary and Secondary Education Act of 1965”  
13 after “disabilities” ; and

14 (2) in paragraph (5) by inserting “, including  
15 the needs of homeless children and their families”  
16 after “assessment”;

17 (3) in paragraph (10) by striking “and” at the  
18 end;

19 (4) in paragraph (11) by striking the period at  
20 the end and inserting “; and”; and

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

22 “(12) assist Head Start agencies and programs  
23 in increasing program participation of homeless chil-  
24 dren.”.



1 (b) TRAINING IN USE OF MEDIA.—Section 648(e) of  
2 the Head Start Act (42 U.S.C. 9843(e)), as so redesign-  
3 nated, is amended by inserting “, including community-  
4 and faith-based organizations” after “entities”.

5 (c) CHILD DEVELOPMENT AND NATIONAL ASSESS-  
6 MENT PROGRAM.—Section 648(f) of the Head Start Act  
7 (42 U.S.C. 9843(f)), as so redesignated, is amended to  
8 read as follows:

9 “(f) The Secretary shall provide, either directly or  
10 through grants or other arrangements, funds from pro-  
11 grams authorized under this subchapter to support an or-  
12 ganization to administer a centralized child development  
13 and national assessment program leading to recognized  
14 credentials for personnel working in early childhood devel-  
15 opment and child care programs, training for personnel  
16 providing services to non-English language background  
17 children (including services to promote the acquisition of  
18 the English language), training for personnel providing  
19 services to children determined to be abused or neglected,  
20 training for personnel providing services to children re-  
21 ferred by or receiving child welfare services, training for  
22 personnel in helping children cope with community vio-  
23 lence, and resource access projects for personnel working  
24 with disabled children.”.



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

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

9 “(h) More than 50 percent of funds expended under  
10 this section shall be used to provide high quality, sus-  
11 tained, intensive, and classroom-focused training and tech-  
12 nical assistance in order to have a positive and lasting im-  
13 pact on classroom instruction. Funds shall be used to  
14 carry out activities related to any or all of the following:

15 “(1) Education and early childhood develop-  
16 ment.

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

18 “(3) Family and community partnerships.

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

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



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

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

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

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

14 “(C) to the extent practicable, to ensure that  
15 access to migrant and seasonal Head Start pro-  
16 grams for eligible children is comparable to access to  
17 other Head Start programs for other eligible chil-  
18 dren;

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

24 “(3) Not later than 9 months after the effective date  
25 of this subsection, the Secretary shall publish in the Fed-



1 eral Register a notice of how the Secretary plans to carry  
2 out paragraph (1) and shall provide a period for public  
3 comment. To the extent practicable, the Secretary shall  
4 consider comments received before submitting a report to  
5 the Congress.

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

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

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



1 ration Project Director, and by other appropriate entities  
2 pursuant to this subsection.

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

8 “(k) For purposes of this section, the term ‘eligible  
9 entities’ means an institution of higher education or other  
10 entity with expertise in delivering training in early child-  
11 hood development, family support, and other assistance  
12 designed to improve the delivery of Head Start services.”.

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

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

17 “(2) DEGREE REQUIREMENTS.—

18 “(A) IN GENERAL.—The Secretary shall  
19 ensure that not later than September 30, 2010,  
20 at least 50 percent of all Head Start teachers  
21 nationwide in center-based programs have—

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

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



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

3 “(B) PROGRESS.—Each Head Start agen-  
4 cy shall provide to the Secretary a report indi-  
5 cating the number and percentage of classroom  
6 instructors with child development associate  
7 credentials and associate, baccalaureate, or ad-  
8 vanced degrees. The Secretary shall compile all  
9 program reports and make them available to  
10 the Committee on Education and the Workforce  
11 of the United States House of Representatives  
12 and the Committee on Health, Education,  
13 Labor, and Pensions of the United States Sen-  
14 ate.

15 “(C) REQUIREMENT FOR NEW HEAD  
16 START TEACHERS.—Within 3 years after the ef-  
17 fective date of this subparagraph, the Secretary  
18 shall require that all Head Start teachers na-  
19 tionwide in center-based programs hired fol-  
20 lowing the effective date of this subparagraph—

21 “(i) have an associate, baccalaureate,  
22 or advanced degree in early childhood edu-  
23 cation or a related field; or

24 “(ii) be currently enrolled in a pro-  
25 gram of study leading to an associate de-



1           gree in early childhood education and  
2           agree to complete degree requirements  
3           within 3 years from the date of hire.

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

13          “(E) LIMITATION.—The Secretary  
14          shall require that any Federal funds pro-  
15          vided directly or indirectly to comply with  
16          subparagraph (A) shall be used toward de-  
17          grees awarded by an institution of higher  
18          education, as defined by sections 101 or  
19          102 of the Higher Education Act (20  
20          U.S.C. 1001–1002).”.

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

24          “(f) PROFESSIONAL DEVELOPMENT PLANS.—Each  
25          Head Start agency and program shall create, in consulta-



1 tion with an employee, a professional development plan for  
2 all full-time employees who provide direct services to chil-  
3 dren.”.

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

5 (a) NEW IDEAS AND APPROACHES.—Section  
6 649(a)(1)(B) of the Head Start Act (42 U.S.C.  
7 9844(a)(1)(B)) is amended to read as follows:

8 “(B) use the Head Start programs to de-  
9 velop, test, and disseminate new ideas and ap-  
10 proaches based on existing scientifically based  
11 research, for addressing the needs of low-in-  
12 come preschool children (including children with  
13 disabilities and children determined to be  
14 abused or neglected) and their families and  
15 communities (including demonstrations of inno-  
16 vative non-center based program models such as  
17 home-based and mobile programs), and other-  
18 wise to further the purposes of this sub-  
19 chapter.”.

20 (b) STUDY.—Section 649(d) of the Head Start Act  
21 (42 U.S.C. 9844(d) is amended—

22 (1) in paragraph (7) by adding “and” at the  
23 end;

24 (2) in paragraph (8) by striking the semicolon  
25 and inserting a period;



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

2 (4) by striking the last sentence.

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

5 (1) in paragraph (1)—

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

7 (B) by redesignating clauses (ii) and (iii)

8 as clauses (i) and (ii), respectively; and

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

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

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

17 “(h) NAS STUDY.—

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



1 early childhood pedagogy with regard to each of the  
2 following:

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

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

13 “(C) Appropriate assessments of young  
14 children (including systematic observation as-  
15 sessment in a child’s natural environment, and  
16 parent and provider interviews) for purposes of  
17 improving instruction, services, and program  
18 quality, and accommodations for children with  
19 disabilities and appropriate assessments for  
20 children with special needs (including needs re-  
21 lated to the acquisition of the English lan-  
22 guage).

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



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

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

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

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

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



1 **SEC. 21. REPORTS.**

2 Section 650(a) of the Head Start Act (42 U.S.C.  
3 9845) is amended—

4 (1) by amending the first sentence to read as  
5 follows:

6 “At least once during every 2-year period, the Secretary  
7 shall prepare and submit, to the Committee on Education  
8 and the Workforce of the House of Representatives and  
9 the Committee on Health, Education, Labor and Pensions  
10 of the Senate, a report concerning the status of children  
11 (including disabled, homeless, and limited English pro-  
12 ficient children) in Head Start programs, including the  
13 number of children and the services being provided to such  
14 children.”; and

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

17 **SEC. 22. LIMITATION ON RATE OF FEDERAL FUNDING FOR**  
18 **COMPENSATION.**

19 Section 653 of the Head Start Act (42 U.S.C. 9848)  
20 is amended—

21 (1) by striking the heading;

22 (2) by striking “SEC. 653. The” and inserting  
23 the following:

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

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

26 (3) by adding at the end the following:



1           “(b) FEDERAL RATE LIMITATION.—Notwithstanding  
2 any other provision of law, no Federal funds shall be used  
3 to pay all or any part of the compensation of an individual  
4 employed by a Head Start agency in carrying out pro-  
5 grams under this subchapter, either as direct or indirect  
6 costs or any proration thereof, at a rate in excess of the  
7 rate then payable for level II of the Executive Schedule  
8 under section 5316 of title 5, United State Code.”.

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

10           The Head Start Act (42 U.S.C. 9831 et seq.) is  
11 amended by inserting after section 656 the following:

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

13           “No funds made available to carry out this sub-  
14 chapter may be used—

15                   “(1) for publicity or propaganda purposes not  
16 heretofore authorized by the Congress; or

17                   “(2) unless authorized by law in effect on the effec-  
18 tive date of this section, to produce any prepackaged news  
19 story intended for broadcast or distribution unless such  
20 story includes a clear notification contained within the text  
21 or audio of such story stating that the prepackaged news  
22 story was prepared or funded by the Department of  
23 Health and Human Services.”.



1 **SEC. 24. EFFECTIVE DATE; APPLICATION OF AMENDMENTS.**

2 (a) GENERAL EFFECTIVE DATE.—Except as pro-  
3 vided in subsection (b), this Act and the amendments  
4 made by this Act shall take effect on the date of the enact-  
5 ment of this Act.

6 (b) APPLICATION OF AMENDMENTS.—The amend-  
7 ments made by this Act shall not apply with respect to  
8 any fiscal year that begins before the date of the enact-  
9 ment of this Act.

