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AN ACT

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

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

3 SECTION 1. SHORT TITLE.

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

6 SEC. 2. PURPOSE.

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

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

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

12 **SEC. 3. DEFINITIONS.**

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

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

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

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

21 (4) by redesignating paragraphs (11) through
22 (14) as paragraphs (16) through (19), respectively;

23 (5) by redesignating paragraph (10) as para-
24 graph (14);

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

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

3 (8) by inserting after paragraph (1) the fol-
4 lowing:

5 “(2) The term ‘challenging State developed aca-
6 demic content standards’ has the meaning given
7 such term in paragraphs (1) and (5) of section
8 1111(b) of the Elementary and Secondary Edu-
9 cation Act of 1965.

10 “(3) The term ‘deficiency’ means—

6 “(B) failure of the board of directors of a
7 Head Start agency to fully exercise its legal and
8 fiduciary responsibilities;

9 “(C) failure of a Head Start agency to
10 meet the administrative requirements of section
11 644(b); or

12 “(D) failure of a Head Start agency to
13 meet the integration requirements of section
14 642B(a).”;

15 (9) by inserting after paragraph (4), as so re-
16 designated, the following:

17 “(5) The term ‘eligible entities’ means an insti-
18 tution of higher education or other agency with ex-
19 pertise in delivering training in early childhood de-
20 velopment, family support, and other assistance de-
21 signed to improve the quality of early childhood edu-
22 cation programs.”;

23 (10) by inserting after paragraph (12), as so
24 redesignated, the following:

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

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

7 “(15) LIMITED ENGLISH PROFICIENT; LIMITED
8 ENGLISH PROFICIENCY.—The terms ‘limited English
9 proficient’ and ‘limited English proficiency’ mean
10 with respect to an individual, that such individual—

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

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

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

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

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

4 “(i) the ability to successfully achieve
5 in classrooms in which the language of in-
6 struction is English; or

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

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

11 “(20) PROFESSIONAL DEVELOPMENT.—The
12 term ‘professional development’ means high quality
13 activities that will enhance the school readiness of el-
14 igible children and prevent such children from en-
15 countering difficulties once they enter school by im-
16 proving the knowledge and skills of Head Start
17 teachers and staff, as relevant to their roles and
18 functions, including activities that—

19 “(A) provide teachers with the content
20 knowledge and teaching strategies needed to
21 provide effective instruction and other school
22 readiness services in early language and lit-
23 eracy, early mathematics, cognitive skills, ap-
24 proaches to learning, creative arts, science,
25 physical health and development, and social and

1 emotional development linked to school ready-
2 ness;

3 “(B) assist teachers in meeting the re-
4 quirements in paragraphs (1) and (2) of section
5 648A(a), as appropriate;

6 “(C) improve teachers’ classroom manage-
7 ment skills, as appropriate;

8 “(D) for teachers, are sustained, intensive,
9 and classroom-focused in order to have a posi-
10 tive and lasting impact on classroom instruction
11 and teachers’ performance in the classroom;

12 “(E) are not primarily 1-day or short-term
13 workshops or conferences, and attendance at
14 activities that are 1-day or short-term work-
15 shops or conferences must be as part of the
16 professional development plan defined in section
17 648A(f);

18 “(F) assist teachers and staff in increasing
19 their knowledge and skills in program adminis-
20 tration, program quality, and the provision of
21 services and instruction, as appropriate, in a
22 manner that improves service delivery to eligible
23 children and families;

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

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

6 “(i) based on scientifically based re-
7 search; and

8 “(ii) strategies for improving school
9 readiness or substantially increasing the
10 knowledge and teaching skills of teachers;

11 “(I) are, where applicable, aligned with
12 and directly related to—

13 “(i) challenging State academic con-
14 tent standards, student academic achieve-
15 ment standards, assessments, and the
16 Head Start Child Outcomes Framework
17 developed by the Secretary; and

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

22 “(J) are developed or selected with exten-
23 sive participation of administrators and teach-
24 ers from Head Start programs;

1 “(K) are developmentally appropriate for
2 the children being served;

3 “(L) are designed to give teachers of lim-
4 ited English proficient children, and other
5 teachers and instructional staff, the knowledge
6 and skills to provide instruction and appro-
7 priate language and support services to increase
8 the English language skills of such children, as
9 appropriate;

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

17 “(N) provide instruction in methods of
18 teaching children with special needs, as appro-
19 priate;

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

23 “(P) are designed to give teachers and
24 staff the knowledge and skills to provide in-
25 struction and appropriate support services to

1 children of diverse backgrounds, as appropriate.”;

3 (13) by inserting after paragraph (21), as so
4 redesignated, the following:

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

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

11 “(B) includes research that—

12 “(i) employs systematic, empirical
13 methods that draw on observation or ex-
14 periment;

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

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

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

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

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

21 (14) by inserting after paragraph (24), as so
22 redesignated, the following:

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

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

7 “(27) The term ‘auditor’ means a certified pub-
8 lic accountant or a Federal, State, or local govern-
9 ment audit organization, which meets the general
10 standards specified in generally accepted government
11 auditing standards.”.

12 SEC. 4. FINANCIAL ASSISTANCE FOR HEAD START PRO-
13 GBAMS.

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

17 SEC. 5. AUTHORIZATION.

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

20 "SEC. 639. AUTHORIZATION OF APPROPRIATIONS

21 “(a) IN GENERAL.—There are authorized to be ap-
22 propriated for carrying out the provisions of this sub-
23 chapter \$6,899,000,000 for the fiscal year 2006 and such
24 sums as may be necessary for the fiscal years 2007
25 through 2011.

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

10 **SEC. 6. ALLOTMENT OF FUNDS; LIMITATIONS ON ASSIST-
11 ANCE.**

12 (a) ALLOTMENTS.—Section 640(a) of the Head Start
13 Act (42 U.S.C. 9835(a)) is amended—
14 (1) in paragraph (2)—
15 (A) by amending subparagraph (A) to read
16 as follows:

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

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

1 Start programs and by migrant and sea-
2 sonal Head Start programs for fiscal year
3 2005 (including under any decision made
4 by the Secretary under clause (ii) or (iv));
5 “(ii) migrant and seasonal Head Start
6 programs shall receive at least 5 percent of
7 the amount appropriated for such fiscal
8 year until such time as the Secretary can
9 make funding decisions to ensure access to
10 funding for eligible children of migrant and
11 seasonal farmworkers is comparable to ac-
12 cess to funding for other eligible children
13 based on the data collected and reported
14 pursuant to section 648(i), except that no
15 future reduction in funding shall result in
16 the termination of Head Start services pro-
17 vided to any eligible child 3 years of age or
18 older who is participating in any such pro-
19 gram on the date a reduction in funding
20 occurs, and shall, to the extent possible,
21 continue participation for children less
22 than 3 years of age receiving services prior
23 to such reduction in funding; and
24 “(iii) Indian Head Start programs
25 shall receive at least 3.5 percent of the

amount appropriated for such fiscal year until such time as the Secretary can make funding decisions to ensure access to funding for eligible Indian children is comparable to access to funding for other eligible children based on the data collected, and in accordance with the requirements of, section 648(i), except that no future reduction in funding shall result in the termination of Head Start services provided to any eligible child 3 years of age or older who is participating in any such program on the date a reduction in funding occurs, and shall, to the extent possible, continue participation for children less than 3 years of age receiving services prior to such reduction in funding;”; and

18 (B) by amending subparagraph (B) to read
19 as follows:
20 “(B) payments, subject to paragraph (7) to
21 Guam, American Samoa, the Commonwealth of the
22 Northern Mariana Islands, and the Virgin Islands of
23 the United States, and subject to the requirements
24 of section 105(f)(1)(B)(ix) of Public Law 108–188
25 to Palau;”;

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

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

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

1 toring activities conducted by the Secretary
2 under section 641A(c); and

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

7 (D) by striking the last sentence.

8 (2) in paragraph (3)—

9 (A) in subparagraph (A)—

10 (i) in clause (i)(I) by striking “year
11 1999” and all that follows down to the
12 semicolon and inserting “years 2006
13 through 2011”; and

14 (ii) by adding at the end the fol-
15 lowing:

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

20 “(I) to expand services to underserved popu-
21 lations, such as children receiving services under
22 Early Head Start programs and under migrant and
23 seasonal Head Start programs; and

24 “(II) to increase funding to grantees with full
25 enrollment and whose aggregate amount of financial

1 assistance provides funding per child that is below
2 the national average.”;

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

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

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

10 “(ii) Ensuring that such programs have ade-
11 quate numbers of qualified staff, and that such staff
12 is furnished adequate training, including developing
13 skills to promote the development of language skills,
14 premathematic skills, and prereading in young chil-
15 dren and in working with children with limited
16 English proficiency, children referred by child wel-
17 fare services, and children with disabilities, when ap-
18 propiate.

19 “(iii) Developing and financing the salary scales
20 described under section 644(a)(3) and section 653,
21 in order to ensure that salary levels and benefits are
22 adequate to attract and retain qualified staff for
23 such programs.

24 “(iv) Using salary increases—

1 “(I) to assist with the implementation of
2 quality programs and improve staff qualifica-
3 tions;

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

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

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

20 “(vi) Ensuring that the physical environments
21 of Head Start programs are conducive to providing
22 effective program services to children and families,
23 and are accessible to children with disabilities and
24 their parents.

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

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

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

18 “(x) Promoting the regular attendance and sta-
19 bility of all children participating in Head Start pro-
20 grams, with particular attention to highly mobile
21 children, including children from migrant and sea-
22 sonal farm worker families (if appropriate), homeless
23 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 limited English proficient
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 children who experience substance abuse in
14 their families, and children with emotional and
15 behavioral problems.

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

23 “(iv) To pay costs incurred by Head Start
24 agencies to purchase insurance (other than employee

1 benefits) and thereby maintain or expand Head
2 Start services.

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

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

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

19 “(viii) Such other activities as the Secretary
20 may designate.”;

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

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

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

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

20 “(C) In order to improve results for children, a State
21 that receives a grant under subparagraph (B) shall ap-
22 point an individual to serve as the State Director of Head
23 Start Collaboration to be a liaison between the appropriate
24 regional office of the Administration for Children and

1 Families and agencies carrying out Head Start programs
2 in the State. The State shall—

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

8 “(I) the State educational agency;
9 “(II) the State Department of Health and
10 Human Services;

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

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

15 “(V) the State Head Start Association;

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

18 “(VII) local educational agencies;

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

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

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

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

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

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

19 “(iii) ensure that the collaboration described in
20 subparagraph (B) involves coordination of Head
21 Start services with health care, welfare, child care,
22 child protective services, education, community serv-
23 ice activities, family literacy services, activities relat-
24 ing to children with disabilities (including coordina-
25 tion of services with those State officials who are re-

1 responsible for administering part C and section 619
2 of the Individuals with Disabilities Education Act
3 (20 U.S.C. 1419, 1431 et seq.)), and services for
4 homeless children (including coordination of services
5 with the Office of Coordinator for Education of
6 Homeless Children and Youth designated under sec-
7 tion 722(g)(1)(J)(ii) of the McKinney-Vento Home-
8 less Assistance Act of 2001 (42 U.S.C.
9 11432(g)(1)(J)(ii));

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

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

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

23 “(III) consult with the chief State school
24 officer, local educational agencies, State child
25 care administrators, State human services ad-

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

10 “(IV) consult with the chief State school
11 officer, local educational agencies, other State
12 and local agencies administering the State pre-
13 kindergarten program, as applicable, and Head
14 Start agencies to improve alignment between
15 Head Start programs and State-funded pre-
16 kindergarten activities to meet shared goals of
17 school readiness; and

18 “(V) establish improved linkages between
19 Head Start agencies and other children and
20 family agencies, including agencies that provide
21 health, mental health or family services or other
22 child and family support services.”;

23 (C) in subparagraph (D)(i) by inserting
24 "and providers of services supporting early

1 childhood education and child care" after "As-
2 sociations"; and

3 (D) by amending paragraph (6)(A) to read
4 as follows:

5 "(A) From amounts reserved and allotted pursuant
6 to paragraphs (2) and (4), the Secretary shall use, for
7 grants for programs described in section 645A(a) of this
8 subchapter, a portion of the combined total of such
9 amounts equal to at least 10 percent for each of the fiscal
10 years 2006 through 2011, of the amount appropriated
11 pursuant to section 639(a), except as provided in subpara-
12 graph (B).".

13 (b) SERVICE DELIVERY MODELS.—Section 640(f) of
14 the Head Start Act (42 U.S.C. 9835(f)) is amended by
15 inserting before the period at the end the following: "in-
16 cluding models that leverage the existing capacity and ca-
17 pabilities of the delivery system of early childhood edu-
18 cation and child care".

19 (c) MAINTENANCE OF SERVICE LEVELS.—Section
20 640(g)(2) of the Head Start Act (42 U.S.C. 9835(g)(2))
21 is amended—

22 (1) by striking "For the purpose of expanding
23 Head Start programs, in" and inserting "In";

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

1 “(C) the extent to which the applicant has un-
2 dertaken community-wide strategic planning and
3 needs assessments involving other community orga-
4 nizations and Federal, State, and local public agen-
5 cies serving children and families (including organi-
6 zations and agencies providing family support serv-
7 ices and protective services to children and families
8 and organizations serving families in whose homes
9 English is not the language customarily spoken),
10 and individuals, organizations, and public entities
11 serving children with disabilities and homeless chil-
12 dren including the local educational agency liaison
13 designated under section 722(g)(1)(J)(ii) of the
14 McKinney-Veto Homeless Assistance Act (42 U.S.C.
15 11432(g)(1)(J)(ii));”;

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

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

20 (5) in subparagraph (G)—

21 (A) by inserting “leverage the existing de-
22 livery systems of such services and” after
23 “manner that will”; and

24 (B) by striking “and” at the end;

25 (6) in subparagraph (H)—

7 (B) by striking “plans to coordinate” and
8 inserting “successfully coordinated its activi-
9 ties”; and

10 (C) by striking the period at the end and
11 inserting “; and”; and

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

13 “(I) the amount of funds used by such agency
14 to pay administrative expenses and the amount of
15 available funds received by such agency under this
16 section to serve each enrolled child.”.

17 (d) VEHICLE SAFETY REQUIREMENTS.—Section
18 640(i) of the Head Start Act (42 U.S.C. 9835(i)) is
19 amended—

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

22 "(i) TRANSPORTATION SAFETY.—

23 “(1) REGULATIONS.—The”;

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

25 “(2) WAIVER AUTHORITY.—

1 “(A) IN GENERAL.—The Secretary may
2 waive for a period of up to one year the require-
3 ments of regulations promulgated under para-
4 graph (1) for one or more vehicles used by the
5 agency or its designee in transporting children
6 enrolled in a Head Start program or an Early
7 Head Start program if—

8 “(i) such requirements pertain to
9 child restraint systems and bus monitors;

10 “(ii) the agency demonstrates that
11 compliance with such requirements will re-
12 sult in a significant disruption to the Head
13 Start program or the Early Head Start
14 program; and

15 “(iii) is in the best interest of the
16 child.

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

19 (e) MIGRANT AND SEASONAL HEAD START PRO-
20 GRAMS.—Section 640(l) of the Head Start Act (42 U.S.C.
21 9835(l)) is amended—

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

24 “(3) In carrying out this subchapter, the Secretary
25 shall continue the administrative arrangement at the na-

1 tional level for meeting the needs of Indian children and
2 children of migrant and seasonal farmworkers and shall
3 ensure that appropriate funding is provided to meet such
4 needs, including training and technical assistance and the
5 appointment of a national migrant and seasonal Head
6 Start collaboration director and a national Indian Head
7 Start collaboration director.”; and

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

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

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

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

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

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

7 “(m) ENROLLMENT OF HOMELESS CHILDREN.—The
8 Secretary shall by regulation prescribe policies and proce-
9 dures to remove barriers to the enrollment and participa-
10 tion of homeless children in Head Start programs. Such
11 regulations shall require Head Start agencies—

12 “(1) to implement policies and procedures to
13 ensure that homeless children are identified and
14 prioritized for enrollment;

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

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

1 “(n) RULE OF CONSTRUCTION.—Nothing in this sub-
2 chapter shall be construed to require a State to establish
3 a program of early education for children in the State,
4 to require any child to participate in a program of early
5 education, to attend school, or to participate in any initial
6 screening prior to participation in such program, except
7 as provided under section 612(a)(3), (consistent with sec-
8 tion 614(a)(1)(C)), of the Individuals with Disabilities
9 Education Act.

10 “(o) MATERIALS.—All curricula and instructional
11 materials funded under this subchapter shall be scientif-
12 ically based and age and developmentally appropriate.
13 Parents shall have the ability to inspect, upon request, any
14 curricula or instructional materials.”.

15 SEC. 7. DESIGNATION OF AGENCIES.

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

19 “(a) AUTHORITY TO DESIGNATE.—

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

1 “(A) has power and authority to carry out
2 the purpose of this subchapter and perform the
3 functions set forth in section 642 within a
4 State; and

5 “(B) is determined to be capable of plan-
6 ning, conducting, administering, and evaluating,
7 either directly or by other arrangements, a
8 Head Start program.

9 “(2) DESIGNATION REQUIREMENTS.—To be
10 designated as a Head Start agency and to receive fi-
11 nancial assistance under this subparagraph, an enti-
12 ty described in sub paragraph (1) shall—

13 “(A) establish measurable objectives for—

14 “(i) the school readiness of children
15 participating in the program under this
16 subchapter;

17 “(ii) meeting the performance stand-
18 ards described in section 641A;

19 “(iii) educational instruction in
20 prereading, premathematics, and language
21 skills; and

22 “(iv) the provision of health, edu-
23 cational, nutritional, social and other serv-
24 ices related to school readiness; and

1 “(B) align curricula to challenging State
2 developed academic content standards and the
3 Head Start Child Outcomes Framework devel-
4 oped by the Secretary.

5 “(3) ELIGIBILITY FOR SUBSEQUENT FINANCIAL
6 ASSISTANCE.—In order to receive financial assist-
7 ance under this subchapter subsequent to the initial
8 financial assistance provided following the effective
9 date of this subsection, an entity described in para-
10 graph (1) shall demonstrate that the entity has met
11 the measurable objectives described in paragraph
12 (2);

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

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

20 “(c) CONSULTATION.—In the administration of this
21 section, the Secretary shall, in consultation with the chief
22 executive officer of the State involved, give priority in the
23 designation of Head Start agencies to Head Start agencies
24 that—

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

3 “(2) meet or exceed program and financial
4 management requirements, standards described in
5 section 641A(a);

6 “(3) meet or exceed the education standards
7 and requirements described in section
8 641A(a)(1)(B);

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

10 “(5) have not been deemed to have a deficiency
11 since the then most recent designation;

12 “(6) employ qualified staff (including in center-
13 based programs, a teaching staff of whom at least
14 50 percent have an associate, baccalaureate, or ad-
15 vanced degree in early child education or a related
16 field), except that the Secretary may waive the appli-
17 cation of this paragraph, for a period not to exceed
18 3 years, for Head Start programs operating in rural
19 areas, for migrant and seasonal Head Start pro-
20 grams, and for Indian Head Start programs, on a
21 case-by-case basis, if the program demonstrates
22 progress in increasing the qualifications of teaching
23 staff and demonstrates adequate instructional super-
24 vision by qualified staff;

1 “(7) were not deemed by the Secretary as
2 chronically under-enrolled since the then most recent
3 designation;

4 “(8) utilize curricula based on scientifically
5 based research that are aligned with challenging
6 State developed academic content standards and the
7 Head Start Child Outcomes Framework developed
8 by the Secretary;

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

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

16 “(11) demonstrate success in improving child
17 outcomes across all domains of development, includ-
18 ing measurable progress in language skills,
19 prereading knowledge, and premathematics knowl-
20 edge;

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

23 “(13) demonstrate strong parental involvement
24 and activities to develop parent skills to support
25 their children’s educational development and ability

1 to participate effectively in decisions relating to the
2 education of their children;

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

6 “(15) document strong fiscal controls, includ-
7 ing—

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

11 “(B) having no reportable material weak-
12 nesses with applicable laws and regulations on
13 all annual financial audits performed since the
14 most recent designation;

15 “(C) meeting or exceeding annual require-
16 ments for financial support under section
17 640(b); and

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

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

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

1 “(18) have developed strong community part-
2 nerships with public and private organizations, such
3 as businesses, health, providers of early childhood
4 education, and social service providers; and

5 “(19) provide opportunities for ongoing profes-
6 sional development.”.

7 (c) DESIGNATION WHEN NO ENTITY HAS PRI-
8 ORITY.—Section 641(d) of the Head Start Act (43 U.S.C.
9 9836(d)) is amended to read as follows:

10 “(d) DESIGNATION WHEN NO ENTITY HAS PRI-
11 ORITY.—

12 “(1) IN GENERAL.—If no entity in a commu-
13 nity is entitled to the priority specified in subsection
14 (c), the Secretary shall, after conducting an open
15 competition, designate for a 5-year period a Head
16 Start agency from among qualified applicants in
17 such community.

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

23 “(A) any past performance of such appli-
24 cant in providing services comparable to Head

1 Start services, including how effectively such
2 applicant provided such comparable services;

3 “(B) the plan of such applicant to provide
4 comprehensive health (including mental and be-
5 havioral health), educational, nutritional, social,
6 and other services needed to prepare children to
7 succeed in school;

8 “(C) the capacity of such applicant to
9 serve eligible children with curriculum and
10 teaching practices based on scientifically based
11 research that promote the school readiness of
12 children participating in the program;

13 “(D) the plan of such applicant to meet
14 standards set forth in section 641A(a)(1), with
15 particular attention to the standards set forth
16 in subparagraphs (A) and (B) of such section;

17 “(E) the proposed budget and plan of such
18 applicant to maintain strong fiscal controls and
19 cost effective fiscal management;

20 “(F) the plan of such applicant to coordi-
21 nate the Head Start program the applicant pro-
22 poses to carry out with other educational pro-
23 grams for young children, including—

24 “(i) the Early Reading First and
25 Even Start programs under subparts 2

1 and 3 of part B of title I of the Elementary and Secondary Education Act of 1965
2 (20 U.S.C. 6371 et seq., 6381 et seq.);
3

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

8 “(iii) State prekindergarten programs;

9 “(iv) child care programs;

10 “(v) the educational programs that
11 the children participating in the Head
12 Start program involved will enter at the
13 age of compulsory school attendance; and

14 “(vi) reading readiness programs such
15 as those conducted by public and school li-
16 braries;

17 “(G) the plan of such applicant to coordi-
18 nate the Head Start program that the applicant
19 proposes to carry out, with public and private
20 entities that are willing to commit resources to
21 assist the Head Start program in meeting its
22 program needs;

23 “(H) the plan of such applicant—

24 “(i) to seek the involvement of parents
25 (including grandparents and kinship care-

1 givers, as appropriate) of children participating
2 in the proposed Head Start program, in activities (at home and, if practicable,
3 at the location of the Head Start program) designed to help such parents become full partners in the education of their
4 children;

5 “(ii) to afford such parents the opportunity to participate in the development
6 and overall conduct of the program at the local level;

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

8 “(I) family literacy services; and

9 “(II) parenting skills training;

10 “(iv) to offer to parents of participating children, substance abuse counseling (either directly or through referral to local entities), including information on

1 the effect of drug exposure on infants and
2 fetal alcohol syndrome;

6 “(I) training in basic child devel-
7 opment (including cognitive develop-
8 ment);

9 “(II) assistance in developing lit-
10 eracy and communication skills;

1 parents may choose to become involved
2 (taking into consideration their specific
3 family needs, work schedules, and other re-
4 sponsibilities); and

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

12 “(I) in appropriate cases, includ-
13 ing fathers in home visits and pro-
14 viding opportunities for direct father-
15 child interactions; and

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

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

22 “(J) the plan of such applicant to meet the
23 needs of limited English proficient children and
24 their families, including procedures to identify
25 such children, plans to provide trained per-

1 sonnel, and plans to provide services to assist
2 the children in making progress toward the ac-
3 quisition of the English language, while making
4 meaningful progress in attaining the knowledge,
5 skills, abilities, and development described in
6 section 641A(a)(1)(B);

7 “(K) the plan of such applicant to meet
8 the diverse cultural needs of the population
9 served;

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

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

16 “(N) the plan of such applicant to collabor-
17 ate with other entities carrying out early child-
18 hood education and child care programs in the
19 community, including private entities and char-
20 ter schools offering pre-kindergarten;

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

24 “(P) the plan of such applicant to main-
25 tain a qualified staff, including a teaching staff

1 qualified to implement research-based educational curricula aligned with challenging
2 State-developed academic content standards,
3 the Head Start Child Outcomes Framework developed by the Secretary, and the State early
4 learning standards in States in which such
5 standards are developed;

8 “(Q) the plan of such applicant to enter
9 into memoranda of understanding with local
10 educational agencies, child care providers, and
11 other entities within the service area; and

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

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

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

20 SEC. 8. QUALITY STANDARDS; MONITORING OF HEAD
21 START AGENCIES AND PROGRAMS.

22 (a) QUALITY STANDARDS.—Section 641A(a) of the
23 Head Start Act (42 U.S.C. 9836a(a)) is amended—
24 (1) by amending paragraph (1)(B)—
25 (A) in clause (i)—

11 “(I) language knowledge and skills,
12 including oral language and listening com-
13 prehension;

19 “(III) premathematics knowledge and
20 skills, including aspects of classification,
21 seriation, number, spatial relations, and
22 time;

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

1 “(V) social and emotional development
2 related to early learning, school success,
3 and sustained academic gains;

4 “(VI) approaches to learning related
5 to child development and early learning;
6 and

7 “(VII) in the case of limited-English
8 proficient children, progress toward acqui-
9 sition of the English language while mak-
10 ing meaningful progress in attaining the
11 knowledge, skills, abilities, and develop-
12 ment described in subclauses (I) through
13 (IV);”;

14 (2) in paragraph (2)—

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

17 “(B) take into consideration—

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

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

1 “(iii) developments concerning re-
2 search based practices with respect to early
3 childhood education and development, chil-
4 dren with disabilities, family services, pro-
5 gram administration, and financial man-
6 agement;

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

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

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

20 “(vii) scientifically based research to
21 ensure that children participating in Head
22 Start programs make a successful transi-
23 tion to schools that the children will be at-
24 tending; and

1 “(viii) the unique challenges faced by
2 individual programs, including those that
3 are seasonal or short term, and those that
4 serve rural populations; and”;

5 (B) in subparagraph (C)(ii) by striking
6 “the date” and all that follows through “Act of
7 1998”, and inserting “October 27, 1998”; and
8 (3) by adding at the end the following:

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

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

14 “(i) procedures for evaluating delegate
15 agencies;

16 “(ii) procedures for defunding dele-
17 gate agencies; and

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

21 “(B) EVALUATIONS.—Each Head Start
22 agency—

23 “(i) shall evaluate its delegate agen-
24 cies using the procedures established pur-

1 suant to this section, including subparagraph (A); and

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

6 “(C) REMEDIES TO ENSURE CORRECTIVE
7 ACTIONS.—If the Head Start agency identifies
8 a deficiency for a delegate agency through the
9 evaluation, the Head Start agency may—

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

13 “(ii) conduct monthly monitoring visits to such delegate agency until all deficiencies are corrected or the Head Start
14 agency decides to defund such delegate agency;
15 and

16 “(iii) release funds to such delegate agency only as reimbursements until all deficiencies are corrected or the Head Start
17 agency decides to defund such delegate agency.

18 “(D) RULE OF CONSTRUCTION.—Nothing
19 in this paragraph shall be construed to impact
20 or obviate the responsibilities of the Secretary

1 with respect to Head Start agencies or delegate
2 agencies receiving funding under this sub-
3 chapter.”.

4 (b) RESULTS-BASED PERFORMANCE MEASURES.—
5 Section 641A(b) of the Head Start Act (42 U.S.C.
6 9836a(b)) is amended—

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

9 “(2) CHARACTERISTICS OF MEASURES.—The
10 performance measures developed under this sub-
11 section shall—

12 “(A) be used to assess the impact of the
13 various services provided by Head Start pro-
14 grams and, to the extent the Secretary finds
15 appropriate, administrative and financial man-
16 agement practices of such programs;

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

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

22 “(D) be appropriate for the population
23 served; and

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

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

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

9 “(3) USE OF MEASURES.—

10 “(A) The Secretary shall use the perform-
11 ance measures pursuant to this subsection to
12 identify—

13 “(i) strengths and weaknesses in the
14 operation of Head Start programs nation-
15 ally, regionally, and locally as appropriate;
16 and

17 “(ii) program areas that may require
18 additional training and technical assistance
19 resources.

20 “(B) The Secretary shall provide a detailed
21 justification to the Congress regarding the
22 planned uses of the data collected by the Na-
23 tional Reporting System developed by the Sec-
24 retary and shall demonstrate its scientific valid-
25 ity and reliability for such purposes, including

1 its scientific validity and reliability with chil-
2 dren with limited English proficiency for such
3 purposes;

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

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

13 (3) by amending paragraph (4) to read as fol-
14 lows:

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

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

1 (1) in paragraph (1)—

2 (A) in the matter preceding subparagraph

3 (A) by inserting “develop and utilize a risk-
4 based assessment system to” after “shall”;

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

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

11 and

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

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

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

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

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

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

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

18 “(D) seek information from the commu-
19 nities and the States involved about the per-
20 formance of the programs and the efforts of the
21 Head Start agencies to collaborate with other
22 entities carrying out early childhood education
23 and child care programs in the community;

24 “(E) seek information from the commu-
25 nities where Head Start programs exist about

1 innovative or effective collaborative efforts, bar-
2 riers to collaboration, and the efforts of the
3 Head Start agencies and programs to collabo-
4 rate with the entities carrying out early child-
5 hood education and child care programs in the
6 community;

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

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

19 “(H) include as part of the review the ex-
20 tent to which the program addresses the com-
21 munity needs and strategic plan identified in
22 section 640(g)(2)(C); and

23 “(I) are conducted in a manner that eval-
24 uates program performance, quality, and overall
25 operations with consistency and objectivity, and

1 based on a transparent and reliable system of
2 review.”.

3 (d) CORRECTIVE ACTION; TERMINATION.—Section
4 641A(d) of the Head Start Act (42 U.S.C. 9836a(d)) is
5 amended—

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

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

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

19 “(2) QUALITY IMPROVEMENT PLAN.—

20 “(A) AGENCY AND PROGRAM RESPONSIBIL-
21 ITIES.—In order to retain a designation as a
22 Head Start agency under this subchapter, or in
23 the case of a Head Start program, in order to
24 continue to receive funds from such agency, a
25 Head Start agency, or Head Start program

1 that is the subject of a determination described
2 in paragraph (1) (other than an agency or pro-
3 gram required to correct a deficiency imme-
4 diately or during a 90-day period under clause
5 (i) or (ii) of paragraph (1)(B)) shall—

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

11 “(I) the deficiencies to be cor-
12 rected;

13 “(II) the actions to be taken to
14 correct such deficiencies; and

15 “(III) the timetable for accom-
16 plishment of the corrective actions
17 specified; and

18 “(ii) eliminate each deficiency identi-
19 fied, not later than the date for elimination
20 of such deficiency specified in such plan
21 (which shall not be later than 1 year after
22 the date the agency or program received
23 notice of the determination and of the spe-
24 cific deficiency to be corrected).

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

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

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

18 (4) by amending subsection (e) to read as fol-
19 lows:

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

1 shall be made available to all parents with children receiv-
2 ing assistance under this subchapter in an understandable
3 and uniform format, and to the extent practicable, pro-
4 vided in a language that the parents can understand, and
5 in addition, make the information widely available through
6 public means such as distribution through public agencies,
7 and at a minimum posting such information on the Inter-
8 net immediately upon publication.”; and

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

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

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

13 “(A) ACTUAL ENROLLMENT.—The term
14 ‘actual enrollment’ means, with respect to a
15 Head Start program, the actual number of chil-
16 dren enrolled in such program in a given
17 month.

18 “(B) BASE GRANT.—The term ‘base grant’
19 means, with respect to a Head Start agency for
20 a fiscal year, that portion of the grant de-
21 rived—

22 “(i) from amounts reserved for use in
23 accordance with section 640(a)(2)(A), for a
24 Head Start agency administering an In-

1 dian Head Start program or migrant and
2 seasonal Head Start program;

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

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

8 “(C) FUNDED ENROLLMENT.—The term
9 ‘funded enrollment’ means, with respect to the
10 program of a Head Start agency in a fiscal
11 year, the number of children that the agency is
12 funded to serve through a grant for the pro-
13 gram during such fiscal year, as indicated in
14 the grant agreement.

15 “(2) ENROLLMENT REPORTING REQUIREMENT
16 FOR CURRENT FISCAL YEAR.—Each entity carrying
17 out a Head Start program shall report on a monthly
18 basis to the Secretary and the relevant Head Start
19 agency—

20 “(A) the actual enrollment in such pro-
21 gram; and

22 “(B) if such actual enrollment is less than
23 the funded enrollment, any apparent reason for
24 such enrollment shortfall.

1 “(3) SECRETARIAL REVIEW AND PLAN.—The
2 Secretary shall—

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

8 “(B) for each such Head Start agency op-
9 erating a program with an actual enrollment
10 that is less than 95 percent of its funded enroll-
11 ment, as determined under subparagraph (A),
12 develop, in collaboration with such agency, a
13 plan and timetable for reducing or eliminating
14 under-enrollment taking into consideration—

15 “(i) the quality and extent of the out-
16 reach, recruitment, and community needs
17 assessment conducted by such agency;

18 “(ii) changing demographics, mobility
19 of populations, and the identification of
20 new underserved low-income populations;

21 “(iii) facilities-related issues that may
22 impact enrollment;

23 “(iv) the ability to provide full-day
24 programs, where needed, through Head
25 Start funds or through collaboration with

1 entities carrying out other preschool or
2 child care programs, or programs with
3 other funding sources (where available);

4 “(v) the availability and use by fami-
5 lies of other preschool and child care op-
6 tions (including parental care) in the local
7 catchment area; and

8 “(vi) agency management procedures
9 that may impact enrollment; and

10 “(C) provide timely and ongoing technical
11 assistance to each agency described in subpara-
12 graph (B) for the purpose of implementing the
13 plan described in such subparagraph.

14 “(4) IMPLEMENTATION.—Upon receipt of the
15 technical assistance described in paragraph (3)(C), a
16 Head Start agency shall immediately implement the
17 plan described in paragraph (3)(B).

18 “(5) SECRETARIAL ACTION FOR CONVERSION
19 TO SERVE YOUNGER CHILDREN.—If, after imple-
20 menting the plan described in paragraph (3)(B), the
21 grantee continues to operate a program at less than
22 full enrollment, the grantee may, upon approval by
23 the Secretary, be permitted to use a portion of the
24 base grant equal to the percentage difference be-
25 tween funded enrollment and actual enrollment for

1 the most then recent year, to serve persons described
2 in section 645A(c) if such agency currently operates
3 a grant described in section 645A and submits an
4 application containing—

5 “(A) evidence of community need for such
6 services;

7 “(B) a description of how the needs of
8 pregnant women, infants, and toddlers will be
9 addressed in accordance with section 645A(b)
10 and with regulations prescribed by the Sec-
11 retary pursuant to section 641A in areas in-
12 cluding—

13 “(i) the approach to childhood devel-
14 opment and health services; and

15 “(ii) the approach to family and com-
16 munity partnerships; and approach to pro-
17 gram design and management;

18 “(C) assurances that the agency will par-
19 ticipate in technical assistance activities for
20 newly funded and existing grantees under sec-
21 tion 654A; and

22 “(D) evidence that the agency meets the
23 eligibility criteria as grantees under section
24 645A.

1 Any grantee permitted to serve children under this
2 paragraph shall be subject to the rules, regulations,
3 and conditions under section 645A.

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

11 “(7) SECRETARIAL REVIEW AND ADJUSTMENT
12 FOR CHRONIC UNDER-ENROLLMENT.—

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

21 “(i) designate such agency as chron-
22 ically under-enrolled; and

23 “(ii) recapture, withhold, or reduce
24 the base grant for the program by a per-
25 centage equal to the percentage difference

6 “(B) WAIVER OR LIMITATION OF REDUC-
7 TIONS.—If the Secretary, after the implemen-
8 tation of the plan described in paragraph (3)(B),
9 finds that—

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

“(C) PROCEDURAL REQUIREMENTS; EFFECTIVE DATE.—The actions taken by the Secretary under this paragraph with respect to a Head Start agency shall take effect 1 day after the date on which—

1 “(i) the time allowed for appeal under
2 section 646(a) expires without an appeal
3 by the agency; or

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

6 “(8) REDISTRIBUTION OF FUNDS.—

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

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

21 “(ii) If such funds are attributable to
22 the portion of a base grant derived from
23 amounts specified in paragraph (1)(B)(i)
24 payable, but for the operation of this para-
25 graph, to carry out a migrant and seasonal

1 Head Start program, then such funds shall
2 be redistributed to increase enrollment in
3 such fiscal year in 1 or more migrant and
4 seasonal Head Start programs.

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

16 “(I) other Head Start programs
17 (excluding Indian Head Start pro-
18 grams and migrant and seasonal
19 Head Start programs) that are car-
20 ried out in such State; or

21 “(II) if the Secretary determines
22 that children eligible under section
23 641 are being adequately served with-
24 in such State, 1 or more Early Head
25 Start programs (excluding Indian

1 Head Start programs and migrant
2 and seasonal Head Start programs) or
3 1 or more Head Start programs for
4 the purpose of becoming a grantee
5 pursuant to section 645A.

6 “(B) ADJUSTMENT TO FUNDED ENROLL-
7 MENT.—The Secretary shall adjust as necessary
8 the requirements relating to funded enrollment
9 indicated in the grant agreement of a Head
10 Start agency receiving funds redistributed
11 under this paragraph.”.

12 SEC. 9. POWERS AND FUNCTIONS OF HEAD START AGEN- 13 CIES.

14 (a) **QUALIFICATIONS FOR DESIGNATION.**—Section
15 642(b) of the Head Start Act (42 U.S.C. 9837(b)) is
16 amended to read as follows:

17 "(b) In order to be so designated, a Head Start agen-
18 cy shall do all of the following:

19 “(1) Establish a program with standards set
20 forth in section 641A(a)(1), with particular atten-
21 tion to the standards set forth in subparagraphs (A)
22 and (B) of such section.

23 “(2) Demonstrate capacity to serve eligible chil-
24 dren with scientifically-based curricula and other

1 interventions that help promote the school readiness
2 of children participating in the program.

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

7 “(4) Establish an independent board of direc-
8 tors selected from among eligible individuals who
9 shall serve on the board (or may designate an exist-
10 ing entity whose members are eligible individuals,
11 that shall be such board) for a period not to exceed
12 5 years, except that board members who oversee a
13 public entity and who are selected by election (or
14 members of a board of a local educational agency or
15 a local council, appointed by an elected official or an
16 official of a general purpose local government), may
17 serve for such period as may be determined by the
18 electing or appointing authority, as the case may be.
19 An individual who has a conflict of interest is ineli-
20 gible to serve as a member of the board. Members
21 of the board of all nonpublic entities shall include
22 representatives of the local community (including at
23 least 1 member with significant financial manage-
24 ment or accounting experience and the chair of (or
25 the designee of the chair, approved by) the council

1 described in section 642(b)(4)(B)(ii)). Additional
2 members shall be selected for their expertise in edu-
3 cation, business administration, community affairs,
4 government, legal affairs, and such other areas of
5 expertise as may contribute to effective governance
6 of the Head Start agency. All members of the board
7 shall receive training in the management responsibil-
8 ities and obligations, ethics, and financial literacy
9 and management, and shall adopt practices that as-
10 sure active, independent and informed governance of
11 the Head Start agency, including independent over-
12 sight of the financial and management practices of
13 such agency. The board shall provide direction to the
14 executive director of the Head Start agency and
15 shall operate as an entity independent of staff em-
16 ployed by the Head start agency, entity, or applicant
17 and have the following duties and responsibilities:

18 “(A) To provide independent oversight to
19 ensure that the Head Start agency under the
20 direction of the executive director is delivering
21 high quality services to children and families in
22 compliance with all applicable standards in ef-
23 fect under this subchapter and with the applica-
24 ble performance measures established by the
25 Secretary under section 644.

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

5 “(i) An audit and finance committee
6 whose primary responsibility shall be—

7 “(I) to approve annually the op-
8 erating budget of the Head Start
9 agency;

10 “(II) to review and recommend
11 to the board the selection of inde-
12 pendent auditors who shall report all
13 critical accounting policies and prac-
14 tices to the finance and audit com-
15 mittee except when the auditor is as-
16 signed by the State under State law;

17 “(III) to review and recommend
18 to the board the termination or exten-
19 sion of the existing audit firm at least
20 once every 5 years;

21 “(IV) to review and advise the
22 board of the audit management letter
23 provided pursuant to the chapter 75
24 of title 31 of the United States Code,
25 and of any audit findings; and

1 “(V) to monitor agency actions to
2 correct any such audit findings or
3 other actions necessary to comply with
4 applicable laws (including regulations)
5 governing financial statements and ac-
6 counting practices.

7 “(ii) A policy council, a majority of
8 whose representatives shall be parents of
9 children participating in a Head Start pro-
10 gram or in an Early Head Start program,
11 or of children who participated in a Head
12 Start program or in an Early Head Start
13 program in the then most recent 5-year pe-
14 riod preceding the selection of the par-
15 ticular representative involved, and whose
16 primary responsibility shall be to serve as
17 a link between parents and the board of di-
18 rectors and to make and submit rec-
19 ommendations on the following activities to
20 the Board:

21 “(I) The strategic direction of
22 the program, including long and
23 short-term planning goals and objec-
24 tives.

1 “(II) Program operation policies,
2 including standards of conduct for
3 program staff and volunteers.

4 “(III) Activities to support the
5 active involvement of parents in sup-
6 porting program operations.

7 “(IV) Classroom activities and
8 staffing.

9 “(V) Program responsiveness to
10 community and parent needs.

11 “(VI) Other areas the committee
12 identifies as necessary to improve pro-
13 gram operations.

14 “(C) To approve the selection and dis-
15 missal of the Head Start director, and to review
16 annually the human resources available to en-
17 sure the effective operation of the Head Start
18 agency.

19 “(D) To consult, on a regular basis, with
20 the policy council and to take actions on rec-
21 ommendations submitted by such council.

22 “(E) To review and approve the major
23 operational policies of the Head Start agency,
24 including policies addressing accounting, finan-
25 cial management, procurement, record confiden-

1 tiality, and personnel (including specific stand-
2 ards governing salaries, salary adjustments,
3 travel and per diem allowances, and other em-
4 ployee benefits).

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

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

22 “(H) To establish, to adopt, and to peri-
23 odically update written standards of conduct
24 that establish standards and formal procedures
25 for disclosing, addressing, and resolving—

1 “(i) any conflict of interest, and any
2 appearance of a conflict of interest, by
3 board members, officers, employees, con-
4 sultants, and agents who provide services
5 or furnish goods to the Head Start agency;
6 and

7 “(ii) complaints, including investiga-
8 tions, when appropriate.

9 “(5) To seek the involvement of parents, area
10 residents, and local business in the design and im-
11 plementation of the program.

12 “(6) To provide technical and other support
13 needed to enable parents and area residents to se-
14 cure on their own behalf available assistance from
15 public and private sources.

16 “(7) To establish effective procedures to facil-
17 itate the involvement of parents of participating chil-
18 dren in activities designed to help such parents be-
19 come full partners in the education of their children,
20 and to afford such parents the opportunity to par-
21 ticipate in the development and overall conduct of
22 the program at the local level, including a process
23 through which parents of children currently partici-
24 pating in a Head Start program or an Early Head

1 Start program select the parent representatives to
2 serve on the council under section 642(b)(4)(B)(ii).

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) mental and behavioral health serv-
9 ices;

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

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

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

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

1 “(14) To perform community outreach to en-
2 courage individuals previously unaffiliated with Head
3 Start programs to participate in its Head Start pro-
4 gram as volunteers.

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

11 “(B) To refer eligible parents to the child sup-
12 port offices of State and local governments.

13 “(16) To provide parents of limited English
14 proficient children outreach and services under this
15 subchapter, in an understandable and uniform for-
16 mat and, to the extent practicable, in a language
17 that such parents can understand.”.

18 (b) COORDINATION AND COLLABORATION.—Section
19 642(c) of the Head Start Act (42 U.S.C. 9837(c)) is
20 amended to read as follows:

21 “(c) The head of each Head Start agency shall co-
22 ordinate and collaborate with the State agency responsible
23 for administering the State program carried out under the
24 Child Care and Development Block Grant Act of 1990 (42
25 U.S.C. 9858 et seq.), and other early childhood education

1 and development programs, including programs under
2 subtitle B of title VII of the McKinney-Vento Homeless
3 Assistance Act (42 U.S.C. 11431–11435), Even Start pro-
4 grams under subpart 3 of part B of title I of the Elemen-
5 tary and Secondary Education Act of 1965 (20 U.S.C.
6 2741 et seq.), and programs under Part C and section
7 619 of the Individuals with Disabilities Education Act (20
8 U.S.C. 1431–1445, 1419), and the Child Abuse Preven-
9 tion and Treatment Act (42 U.S.C. 5106a), serving the
10 children and families served by the Head Start agency to
11 carry out the provisions of this subchapter.”.

12 (c) OTHER COORDINATION.—Section 642(d) of the
13 Head Start Act (42 U.S.C. 9837(d)) is amended—
14 (1) by redesignating paragraphs (2) through
15 (4) as paragraph (5) through (7), respectively;
16 (2) by inserting after paragraph (1) the fol-
17 lowing:

18 “(2) COORDINATION.—

19 “(A) LOCAL EDUCATIONAL AGENCY.—In
20 communities where both public prekindergarten
21 programs and Head Start programs operate, a
22 Head Start agency shall collaborate and coordi-
23 nate activities with the local educational agency
24 or other public agency responsible for the oper-
25 ation of the prekindergarten program and pro-

1 providers of prekindergarten, including outreach
2 activities to identify eligible children.

ment Block Grant Act of 1990 (42 U.S.C. 9858 et seq.), and other entities carrying out early childhood education and development programs, programs under subtitle B of title VII of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11431–11435), Even Start programs under subpart 3 of part B of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6381 et seq.), and programs under section 619 and part C of the Individuals with Disabilities Education Act (20 U.S.C. 1419, 1431 et seq.), serving the children and families served by the Head Start agency.

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

21 “(3) COLLABORATION.—A Head Start agency
22 shall take steps to coordinate activities with the local
23 educational agency serving the community involved
24 and with schools in which children participating in

1 a Head Start program operated by such agency will
2 enroll following such program, including—

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

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

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

11 “(4) PARENTAL INVOLVEMENT.—In order to
12 promote the continued involvement of the parents
13 (including grandparents and kinship caregivers, as
14 appropriate) of children that participate in Head
15 Start programs in the education of their children
16 upon transition to school, the Head Start agency
17 shall work with the local educational agency—

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

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

22 “(ii) to enable the parents—

23 “(I) to understand and work with
24 schools in order to communicate with
25 teachers and other school personnel;

1 “(II) to support the schoolwork
2 of their children; and
3 “(III) to participate, as appro-
4 priate, in decisions relating to the
5 education of their children; and
6 “(B) to take other actions, as appropriate
7 and feasible, to support the active involvement
8 of the parents with schools, school personnel,
9 and school-related organizations.”;

10 (3) in paragraph (5), as so redesignated—
11 (A) by striking “A” and inserting “Each”;
12 (B) by striking “may” and inserting
13 “shall”;
14 (C) by striking “and” at the end of sub-
15 paragraph (A);
16 (D) by redesignating subparagraph (B) as
17 subparagraph (C); and
18 (E) by inserting after subparagraph (A)
19 the following:
20 “(B) collaborating to increase the program par-
21 ticipation of underserved populations of eligible chil-
22 dren; and”; and
23 (4) by adding at the end the following:
24 “(8) Head Start agencies shall implement a research-
25 based early childhood curricula that promotes young chil-

1 dren's school readiness in the areas of language and cog-
2 nitive development, early reading and premathematics
3 skills, socio-emotional development, physical development,
4 and approaches to learning. Such curricula shall be—

5 “(A) based on scientifically based research and
6 have standardized training procedures and published
7 curriculum materials to support implementation; and

8 “(B) comprehensive, outcomes based, and
9 linked to ongoing assessment with instructional
10 goals and measurable objectives.

11 “(9) Head Start agencies shall use ongoing, research-
12 based assessment methods that are developmentally ap-
13 propriate, culturally and linguistically responsive, and tied
14 to children's daily activities in order to support the edu-
15 cational instruction of children in the program, including
16 language skills, prereading knowledge and premathematics
17 knowledge. Assessment instruments shall be those de-
18 signed and validated for making decisions about teaching
19 and learning and aligned with the program's curricula and
20 Section 641A(a)(1).

21 “(10) For the purpose of meeting the performance
22 standards, Head Start agencies shall use high-quality re-
23 search-based developmental screening tools that have been
24 demonstrated to be standardized, reliable, valid, and accu-

1 rate for children from a range of racial, ethnic, linguistic,
2 and cultural backgrounds.

3 “(11) Head Start agencies may develop or maintain
4 partnerships with institutions of higher education and
5 non-profit organizations that recruit, train, place, and
6 support college students to serve as mentors and reading
7 coaches to preschool children in Head Start programs.”.

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

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

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

1 **SEC. 10. HEAD START ALIGNMENT WITH K-12 EDUCATION.**

2 Section 642A of the Head Start Act (42 U.S.C.

3 9837a) is amended—

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

5 **“SEC. 642A. HEAD START ALIGNMENT WITH K-12 EDU-**

6 **CATION.”;**

7 (2) in paragraph (2)—

8 (A) by inserting “ongoing” after “estab-
9 lishing”; and

10 (B) by inserting “McKinney-Vento liaisons
11 as established under section 722 (g)(1)(J)(ii) of
12 the McKinney-Vento Homeless Assistance Act
13 (42 U.S.C. 11432(g)(1)(J)(ii)),” after “social
14 workers.”;

15 (3) by redesignating paragraphs (3) through
16 (7) as paragraphs (5) through (9), respectively; and

17 (4) by inserting the following after paragraph
18 (2):

19 “(3) developing continuity of developmentally
20 appropriate curricula between Head Start and local
21 educational agencies to ensure an effective transition
22 and appropriate shared expectations for children’s
23 learning and development as they make such transi-
24 tion to school;

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

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

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

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

15 (A) by inserting “and continuity in paren-
16 tal involvement activities” after “developmental
17 continuity”; and

18 (B) by striking “and” at the end;

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

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

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

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

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

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

20 SEC. 11. LOCAL AND STATE INTEGRATION OF EARLY
21 CHILDHOOD EDUCATION.

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

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

3 “(a) LOCAL INTEGRATION.—In general, Head Start
4 agencies shall enter into ongoing partnerships with local
5 educational agencies, State-funded preschool and other
6 early childhood programs. Head Start agencies shall oper-
7 ate in a manner consistent with the goal of creating and
8 expanding an efficient and effective system of early child-
9 hood and school readiness services in each State and com-
10 munity, while maintaining compliance with standards
11 under section 641A(a).

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

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

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

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

6 “(D) Service delivery areas.

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

11 “(F) Program technical assistance.

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

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

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

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

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

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

6 “(A) If a Head Start agency is unable to
7 comply with the requirement in (1) the Head
8 Start agency shall notify the Secretary and the
9 chief executive officer of the State not later
10 than 30 days after determining that they are
11 unable to enter into such memorandum. The
12 Secretary, in cooperation with the State Early
13 Learning Council and the State Director of
14 Head Start Collaboration, shall evaluate the
15 causes of failure to enter into a memorandum
16 of understanding under paragraph (1). With
17 the assistance of the State Early Learning
18 Council and the State Director of Head Start
19 Collaboration, all parties shall again attempt to
20 enter into a memorandum of understanding
21 under paragraph (1). Then if no such memo-
22 randum of understanding is entered into within
23 30 days, the Secretary shall make 1 of the fol-
24 lowing determinations:

1 “(i) The local educational agency,
2 local council, or other appropriate entity is
3 unable or unwilling to enter into such a
4 memorandum despite reasonable efforts on
5 the part of the Head Start agency.

6 “(ii) The Head Start agency has not
7 engaged in reasonable efforts to success-
8 fully negotiate and enter into a memo-
9 randum of understanding pursuant to
10 paragraph (1).

11 “(iii) There is an absence of publicly
12 funded prekindergarten in the service area
13 of the Head Start agency.

14 “(B) If the Secretary determines the Head
15 Start agency is not making reasonable efforts
16 to enter into a memorandum of understanding
17 pursuant to paragraph (1), the Head Start
18 agency shall be found to have a deficiency and
19 shall be considered by the Secretary in the
20 same manner as other deficiency findings.

21 “(C) If the Secretary concludes that the
22 local educational agency, local council, or other
23 appropriate entity is not making reasonable ef-
24 forts to reach such a memorandum of under-

1 standing, the Head Start agency shall not be
2 found out of compliance with paragraph (1).

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

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

15 “(b) STATEWIDE INTEGRATION.—From the amounts
16 reserved under section 640(a)(2)(C)(ii), the Secretary
17 shall award an early learning collaboration grant to each
18 State for the purposes of supporting a State Early Learn-
19 ing Council responsible for advancing the development of
20 a coordinated early childhood services delivery system in
21 the State. A State that receives a grant under this sub-
22 paragraph shall—

23 “(1) establish a State Early Learning Council,
24 which shall include the State Director of Head Start
25 Collaboration, representatives from the State pre-

1 school programs, representatives of local educational
2 agencies, the State official who oversees child care
3 programs, the State official who oversees section 619
4 and part C of the Individuals with Disabilities Edu-
5 cation Act (20 U.S.C. 1419, 1431 et seq.), the State
6 official who oversees the State educational agency,
7 and representatives from Head Start agencies lo-
8 cated in the State, including migrant and seasonal
9 Head Start programs and Indian Head Start pro-
10 grams. The chief executive officer of the State may
11 designate an existing entity to serve as the Early
12 Learning Council if such entity includes representa-
13 tives described in this paragraph;

14 “(2) ensure that allotted funds distributed to a
15 State for a fiscal year to carry out this subsection
16 may be used by the State to pay not more than 30
17 percent of the cost of carrying out this subsection;

18 “(3) direct the Early Learning Council—

19 “(A) to increase coordination and collabo-
20 ration among State preschool, Head Start pro-
21 grams, child care programs, early childhood
22 special education, and other early childhood
23 programs, including in the areas of outcomes
24 and standards, technical assistance, coordina-
25 tion of services, cross-sector professional devel-

1 opment and training, community outreach, com-
2 munication, and better serving the needs of
3 working families through provision of full-day
4 and full-year early education services;

5 “(B) to work with State agencies respon-
6 sible for education, child care, and early inter-
7 vention to provide leadership and assistance to
8 local Head Start programs, school districts, and
9 State and locally funded preschool and child
10 care programs to increase integration among
11 early childhood programs through adoption of
12 local memoranda of understanding described in
13 subparagraph (A) and other means;

14 “(C) to work with State agencies respon-
15 sible for education, child care, and early inter-
16 vention to provide leadership and assistance to
17 develop a coherent sequence of standards for
18 children age 3 through the early elementary
19 grades to effect a smooth transition to and suc-
20 cess in the early elementary grades;

21 “(D) to conduct periodic statewide needs
22 assessments concerning early care and edu-
23 cation programs for children from birth to
24 school entry;

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

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

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

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

21 “(I) to develop a plan for increasing the
22 participation of children underrepresented in
23 State early childhood education and child care
24 programs, including Head Start, State pre-
25 school programs, and programs carried out

1 under the Child Care and Development Block
2 Grant Act of 1990 (42 U.S.C. 9858 et seq.).

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

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

11 **SEC. 12. ADMINISTRATIVE REQUIREMENTS AND STAND-
12 ARDS.**

13 Section 644 of the Head Start Act (42 U.S.C.
14 9839(f)(2)) is amended—

15 (1) in subsection (a)—

16 (A) by inserting “(1) STANDARDS.”
17 after “(a)”; and

18 (B) by inserting after the 3d sentence the
19 following:

20 “(2) ANNUAL REPORT.—Each Head Start agency
21 shall make available to the public a report published at
22 least once in each fiscal year that discloses the following
23 information from the then most recently concluded fiscal
24 year, except that reporting such information shall not re-

1 veal personally identifiable information about an indi-
2 vidual child:

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

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

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

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

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

14 “(F) Information about parent involvement ac-
15 tivities.

16 “(G) The agency’s efforts to prepare children
17 for kindergarten.

18 “(H) Any other information that describes the
19 activities of the agency.

20 “(3) PROCEDURAL CONDUCT.—”; and

21 (2) in subsection (f)(2)

22 (A) by redesignating subparagraphs (A)
23 through (E) as subparagraphs (B) through (F),
24 respectively; and

1 (B) by inserting before subparagraph (B),
2 as so redesignated, the following:

3 “(A) a description of the consultation conducted
4 by the Head Start agency with the providers in the
5 community demonstrating capacity and capability to
6 provide services under this subchapter, and of the
7 potential for collaboration with such providers and
8 the cost effectiveness of such collaboration as op-
9 posed to the cost effectiveness of the purchase of a
10 facility;”.

11 SEC. 13. ELIGIBILITY.

12 Section 645(a) of the Head Start Act (42 U.S.C.
13 9840) is amended—

14 (1) in paragraph (1)—

15 (A) in subparagraph (B)(i)—

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

19 (ii) by striking “benefit from such
20 programs” and inserting “benefit from
21 such programs, including children referred
22 by child welfare services.”; and

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

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

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

11 SEC. 14. EARLY HEAD START PROGRAMS.

12 (a) IN GENERAL.—Section 645A(b) of the Head

13 Start Act (42 U.S.C. 9840a(b)) is amended—

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

16 “(4) provide services to parents to support their
17 role as parents (including parenting skills training
18 and training in basic child development) and to help
19 the families move toward self-sufficiency (including
20 educational and employment services as appro-
21 priate);

22 “(5) coordinate services with services (including
23 home-based services) provided by programs in the
24 State and programs in the community (including
25 programs for infants and toddlers with disabilities

1 and programs for homeless infants and toddlers) to
2 ensure a comprehensive array of services (such as
3 health and mental health services, and family sup-
4 port services);”;

5 (2) by amending paragraph (8) to read as fol-
6 lows:

7 “(8) ensure formal linkages with the agencies
8 and entities described in section 644(b) of the Indi-
9 viduals with Disabilities Education Act (20 U.S.C.
10 1444(b)) and providers of early intervention services
11 for infants and toddlers with disabilities under the
12 Individuals with Disabilities Education Act (20
13 U.S.C. 1400 et seq.) and the agency responsible for
14 administering section 106 of the Child Abuse Pre-
15 vention and Treatment Act (42 U.S.C. 5106a);”;

16 (3) by redesignating paragraph (9) as para-
17 graph (11); and

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

20 “(9) develop and implement a systematic proce-
21 dure for transitioning children and parents from an
22 Early Head Start program into a Head Start pro-
23 gram or another local early childhood education pro-
24 gram;

1 “(10) establish channels of communication be-
2 tween staff of Early Head Start programs and staff
3 of Head Start programs or other local early child-
4 hood education programs, to facilitate the coordina-
5 tion of programs; and”.

6 (b) MIGRANT AND SEASONAL PROGRAMS;

7 COMMUNITY- AND FAITH-BASED ORGANIZATIONS.—Sec-
8 tion 645A(d) of the Head Start Act (42 U.S.C. 9840a(d))
9 is amended—

10 (1) by amending paragraph (1) to read as fol-
11 lows:

12 “(1) entities operating Head Start programs
13 under this subpart, including migrant and seasonal
14 Head Start programs; and”;

15 (2) in paragraph (2) by inserting “, including
16 community- and faith-based organizations” after
17 “entities” the 2d place it appears.

18 (c) TRAINING AND TECHNICAL ASSISTANCE AC-
19 COUNT.—Section 645A(g)(2)(B) of the Head Start Act
20 (42 U.S.C. 9640a(g)(2)(B)) is amended—

21 (1) in clause (iii) by striking “and” at the end;
22 (2) in clause (iv) by striking the period at the
23 end and inserting “; and”; and

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

1 “(v) providing professional development designed to increase program participation for underserved populations of eligible children.”.

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

8 “(h) CENTER-BASED STAFF.—The Secretary shall
9 ensure that, not later than September 30, 2008, all teachers providing direct services to children and families participating in Early Head Start programs located in Early Head Start centers have a minimum of a child development associate credential or an associate degree, and have been trained (or have equivalent course work) in early childhood development.”.

16 **SEC. 15. PARENTAL CONSENT REQUIREMENT FOR NON-
17 EMERGENCY INTRUSIVE PHYSICAL EXAMINA-
18 TIONS.**

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

21 **“SEC. 645B. PARENTAL CONSENT REQUIREMENT FOR
22 HEALTH CARE SERVICES, INCLUDING NON-
23 EMERGENCY INTRUSIVE PHYSICAL EXAMINA-
24 TIONS.**

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

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

2 “(A) any nonemergency intrusive physical
3 examination; and

4 “(B) any screening, included but not lim-
5 ited to, a medical, dental, developmental, men-
6 tal health, social, or behavioral screening.

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

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

13 “(B) includes incision or is otherwise
14 invasive, or includes exposure of private body
15 parts.

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

24 “(c) RULES OF CONSTRUCTION.—

1 “(1) Nothing in this section shall be construed
2 to prohibit a Head Start agency or an entity that re-
3 ceives assistance under section 645A from using es-
4 tablished methods for handling cases of suspected or
5 known child abuse or neglect that are in compliance
6 with applicable Federal, State, or tribal law.

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

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

20 **SEC. 16. RIGHT TO APPEAL.**

21 Section 646(a)(3) of the Head Start Act (42 U.S.C.
22 9841(a)(3)) is amended to read as follows:

23 “(3) if financial assistance under this sub-
24 chapter is terminated or reduced, an application for
25 a noncompeting continuation award is denied based

1 on a previous failure to comply with terms applicable
2 to financial assistance previously provided this sub-
3 chapter, or suspension of financial assistance is con-
4 tinued for more than 30 days, the recipient with re-
5 spect to whom such action is taken shall have the
6 opportunity to appeal such action in accordance with
7 such procedures, except that no funds made avail-
8 able under this subchapter may be used to reimburse
9 any such recipient for legal fees and other costs in-
10 curred in pursuing such an appeal;”.

11 **SEC. 17. AUDITS.**

12 Section 647 of the Head Start Act (42 U.S.C. 9842)

13 is amended by adding at the end the following:

14 “(c)(1) Not later than 270 days after the end of each
15 fiscal year, each Head Start agency and each entity that
16 receives assistance under section 645A shall, with finan-
17 cial assistance provided by this subchapter—

18 “(A) undergo a single audit under the require-
19 ments of the Single Audit Act and submit its finan-
20 cial statement audit and compliance audit of Federal
21 assistance to the Secretary and to the Federal Audit
22 Clearinghouse an independent financial audit of the
23 Head Start program if subject to the Single Audit
24 Act Amendments of 1996; or

1 “(B) undergo a financial statement audit in ac-
2 cordance with the generally accepted government au-
3 diting standards issued by the American Institute of
4 Certified Public Accountants and Government Audit-
5 ing Standards issued by the Comptroller General of
6 the United States, if not subject to the Single Audit
7 Act.

8 “(2) Audits described in subparagraph (A) and (B)
9 shall be carried out by an auditor selected through a com-
10 petitive process by the board described in section
11 642(b)(4) except when conducted by the State auditor as
12 required by State law.

13 “(3) No audit partner shall perform audits of such
14 agency for a period exceeding 5 consecutive fiscal years
15 except when such agency notifies the Secretary that rota-
16 tion is not possible because an alternate audit partner is
17 not available or would present a significant challenge to
18 the agency.

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

1 “(d) Each recipient of financial assistance under this
2 subchapter shall—

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

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

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

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

15 (1) in paragraph (2) by inserting “and for ac-
16 tivities described in section 1221(b)(3) of the Ele-
17 mentary and Secondary Education Act of 1965”
18 after “disabilities” ; and

19 (2) in paragraph (5) by inserting “, including
20 the needs of homeless children and their families”
21 after “assessment”;

22 (3) in paragraph (10) by striking “and” at the
23 end;

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

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

2 “(12) assist Head Start agencies and programs
3 in increasing program participation of homeless chil-
4 dren; and

5 “(13) assist Head Start agencies and Head
6 Start programs in improving outreach to, and the
7 quality of services available to, limited English pro-
8 ficient children and their families, particularly in
9 communities that have experienced a large percent-
10 age increase in the population of limited English
11 proficient individuals, as measured by the Bureau of
12 the Census.”.

(b) TRAINING IN USE OF MEDIA.—Section 648(d) of the Head Start Act (42 U.S.C. 9843(d)) is amended by inserting “, including community- and faith-based organizations” after “entities” the first place such term appears.

17 (c) CHILD DEVELOPMENT AND NATIONAL ASSESS-
18 MENT PROGRAM.—Section 648(e) of the Head Start Act
19 (42 U.S.C. 9843(e)) is amended to read as follows:

20 “(e) The Secretary shall provide, either directly or
21 through grants or other arrangements, funds from pro-
22 grams authorized under this subchapter to support an or-
23 ganization to administer a centralized child development
24 and national assessment program leading to recognized
25 credentials for personnel working in early childhood devel-

1 opment and child care programs, training for personnel
2 providing services to limited English proficient children
3 (including services to promote the acquisition of the
4 English language), training for personnel providing serv-
5 ices to children determined to be abused or neglected,
6 training for personnel providing services to children re-
7 ferred by or receiving child welfare services, training for
8 personnel in helping children cope with community vio-
9 lence, and resource access projects for personnel working
10 with disabled children.”.

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

14 “(f) The Secretary shall provide, either directly or
15 through grants, or other arrangements, funds for training
16 of Head Start personnel in addressing the unique needs
17 of migrant and seasonal working families, families with
18 one or more children with disabilities, families with a lim-
19 ited English proficiency, and homeless families.

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

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

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

4 “(3) Family and community partnerships.

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

7 “(h) The Secretary shall develop and implement an
8 outreach program to train and recruit African-American
9 and Latino-American men to become Head Start teachers
10 in order to increase the provision of quality services and
11 instruction to children with diverse backgrounds.

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

19 “(j)(1) The Secretary shall work in collaboration with
20 the Head Start agencies that carry out migrant and sea-
21 sonal Head Start programs and Indian Head Start pro-
22 grams, State Directors of Head Start Collaboration, the
23 Indian Head Start Collaboration Director, the migrant
24 and seasonal Head Start collaboration director, and other
25 appropriate entities, including tribal governments—

1 “(A) to accurately determine the number of
2 children nationwide who are eligible to participate in
3 migrant and seasonal Head Start programs and in
4 Indian Head Start programs each year;

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

7 “(C) to the extent practicable, to ensure that
8 access to migrant and seasonal Head Start pro-
9 grams and in Indian Head Start programs for eligi-
10 ble children is comparable to access to other Head
11 Start programs for other eligible children;

12 “(2) In carrying out paragraph (1)(A), the Secretary
13 shall consult with the Secretary of Education about the
14 Department of Education’s systems for collecting and re-
15 porting data about, and maintaining records on, students
16 from migrant and seasonal farmworker families and
17 American Indian and Alaska Native students.

18 “(3) Not later than 9 months after the effective date
19 of this subsection, the Secretary shall publish in the Fed-
20 eral Register a notice of how the Secretary plans to carry
21 out paragraph (1) and shall provide a period for public
22 comment. To the extent practicable, the Secretary shall
23 consider comments received before submitting a report to
24 the Congress.

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

8 “(5) The Secretary shall submit annually a report to
9 the Congress detailing the number of children of migrant
10 and seasonal farmworkers, American Indian and Alaska
11 Native children who are eligible to participate in Head
12 Start programs and the number of such children who are
13 enrolled in Head Start programs.

14 “(6) The Secretary shall take appropriate action, con-
15 sistent with section 444 of the General Education Prov-
16 sions Act, to ensure the protection of the confidentiality
17 of any personally identifiable data, information, and
18 records collected or maintained by the Secretary, by Head
19 Start agencies that carry out migrant and seasonal Head
20 Start programs and in Indian Head Start programs, by
21 State Directors of Head Start Collaboration, by the Mi-
22 grant and Seasonal Farmworker Collaboration Project Di-
23 rector, by the Indian Head Start Collaboration Project Di-
24 rector, and by other appropriate entities pursuant to this
25 subsection.

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

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

11 SEC. 19. STAFF QUALIFICATIONS AND DEVELOPMENT.

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

15 “(2) DEGREE REQUIREMENTS.—

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

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

22 “(ii) a baccalaureate or advanced de-
23 gree in a field related to early childhood
24 education, with experience in teaching pre-
25 school children.

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

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

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

22 “(ii) be currently enrolled in a pro-
23 gram of study leading to an associate de-
24 gree in early childhood education and

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

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

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

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

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

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

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

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

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

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

21 (1) in paragraph (8) by adding “and” at the
22 end;

23 (2) in paragraph (9) by striking the semicolon
24 and inserting a period;

25 (3) by striking paragraph (10); and

1 (4) by striking the last sentence.

2 (c) EXPERT PANEL.—Section 649(g) of the Head

3 Start Act (42 U.S.C. 9844(g)) is amended—

4 (1) in paragraph (1)(A)—

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

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

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

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

9 as follows:

14 (d) NAS STUDY.—Section 649(h) of the Head Start

15 Act (42 U.S.C. 9844(h)) is amended to read as follows:

16 “(h) NAS STUDY.—

17 “(1) IN GENERAL.—The Secretary shall use
18 funds allocated in section 640(a)(2)(C)(iii) to con-
19 tract with the National Academy of Sciences for the
20 Board on Children, Youth, and Families of the Na-
21 tional Research Council to establish an independent
22 panel of experts to review and synthesize research,
23 theory and applications in the social, behavioral and
24 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 essment 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 “(D) An evaluation of the current and ap-
24 propriate uses of the National Reporting Sys-
25 tem developed by the Secretary.

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

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

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

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

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

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

1 the assessments utilized in the Head Start pro-
2 gram.”.

3 (e) STUDY OF STATUS OF LIMITED ENGLISH PRO-
4 FICIENT CHILDREN.—Section 649 of the Head Start Act
5 (42 U.S.C. 9844) is amended by adding at the end the
6 following:

7 “(i) LIMITED ENGLISH PROFICIENT CHILDREN.—

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

14 “(2) REPORT.—The Secretary shall prepare
15 and submit to Congress, not later than September
16 2008, a report containing the results of such study,
17 including information on—

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

22 “(ii) the number of such children receiving
23 Head Start services and the number of such
24 children receiving Early Head Start services,

1 and the geographical distribution of such chil-
2 dren receiving such services;

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

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

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

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

24 “(i) the rate of progress made by lim-
25 ited English proficient children toward

1 meeting the additional educational stand-
2 ards described in section 641A(a)(1)(B)(ii)
3 while enrolled in Head Start programs;

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

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

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

19 (f) NATIONAL ASSESSMENET SYSTEM.—Section 649
20 of the Head Start Act (42 U.S.C. 9834), as amended by
21 subsection (d), is amended by adding at the end the fol-
22 lowing:

23 “(j) NATIONAL REPORTING SYSTEM.—The Secretary
24 shall temporarily suspend the implementation of the Na-
25 tional Reporting System pending the completion of the

1 recommendations required by subsection (h), and shall in-
2 tegrate such recommendations to develop a national as-
3 sessment system, as appropriate, that will inform improv-
4 ing Head Start program success.”.

5 **SEC. 21. REPORTS.**

6 (a) REPORT.—Section 650(a) of the Head Start Act
7 (42 U.S.C. 9845(a)) is amended—

8 (1) by amending the first sentence to read as
9 follows: “At least once during every 2-year period,
10 the Secretary shall prepare and submit, to the Com-
11 mittee on Education and the Workforce of the
12 House of Representatives and the Committee on
13 Health, Education, Labor and Pensions of the Sen-
14 ate, a report concerning the status of children (in-
15 cluding disabled, homeless, and limited English pro-
16 ficient children) in Head Start programs, including
17 the number of children and the services being pro-
18 vided to such children.”; and

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

21 (b) NATIONAL REPORTING SYSTEM.—Section 650 of
22 the Head Start Act (42 U.S.C. 9845) is amended by add-
23 ing at the end the following:

24 “(c) NATIONAL REPORTING SYSTEM.—The Secretary
25 shall submit annually to the Committee on Education and

1 the Workforce of the House of Representatives and the
2 Committee on Health, Education, Labor, and Pensions of
3 the Senate, a report on the status of the National Report-
4 ing System developed by the Secretary. Such report shall
5 include—

9 “(2) information described in section
10 641A(b)(3)(B); and

11 “(3) a description of the recommendations
12 made by the Technical Working Group, including
13 issues of the technical adequacy, purpose, and ad-
14 ministration of the System, and an explanation of
15 how the Secretary plans to address these rec-
16 ommendations.”.

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 st
22 (2) by s
23 the following:

24 "SEC. 653. WAGES AND COMPENSATION.

25 "(a) COMPARABILITY OF WAGES.—The"; and

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

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

10 SEC. 23. LIMITATION ON USE OF FUNDS.

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

13 "SEC. 656A. LIMITATION ON CERTAIN USES OF FUNDS.

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

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

18 “(2) unless authorized by law in effect on the
19 effective date of this section, to produce any pre-
20 packaged news story intended for broadcast or dis-
21 tribution unless such story includes a clear notifica-
22 tion contained within the text or audio of such story
23 stating that the prepackaged news story was pre-
24 pared or funded by the Department of Health and
25 Human Services.”.

1 **SEC. 24. CONFORMING AMENDMENT.**

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

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

7 (a) **GENERAL EFFECTIVE DATE.**—Except as pro-
8 vided in subsections (b) and (c), this Act and the amend-
9 ments made by this Act shall take effect on the date of
10 the enactment of this Act.

11 (b) **APPLICATION OF AMENDMENTS.**—The amend-
12 ments made by this Act shall not apply with respect to
13 any fiscal year that begins before the date of the enact-
14 ment of this Act.

15 (c) **PRIORITY IN THE DESIGNATION OF HEAD START**
16 **AGENCIES.**—

17 (1) **EFFECTIVE DATE.**—Section 641(c), as
18 amended by section 7(b) of this Act, shall take effect
19 exactly twelve months from the date of the enact-
20 ment of this Act, except for section 641(c)(5), which
21 shall take effect on the date of the enactment of this
22 Act.

23 (2) **IMPLEMENTATION RULE.**—For purposes of
24 carrying out section 641(c) of the Head Start Act,
25 as amended by section 7(b) of this Act, the Sec-
26 retary may only consider the performance of a Head

1 Start program in meeting the requirements de-
2 scribed in section 641(c) of the Head Start Act, as
3 amended by section 7(b) of this Act, from the date
4 of enactment of this Act, except any performance
5 that constitutes a deficiency since the then most re-
6 cent designation.

7 **SEC. 26. QUALITY STANDARDS; MONITORING OF HEAD**
8 **START AGENCIES AND PROGRAMS.**

9 Section 641A of the Head Start Act (42 U.S.C.
10 9836a) is further amended by adding at the end the fol-
11 lowing new subsection:

12 “(g) In carrying out the provisions of section 641A,
13 and in addition to the use of whatever other resources the
14 Secretary deems appropriate, the Secretary shall—

15 “(1) contract with an intermediary organization
16 which, in the determination of the Secretary, meets
17 each of the following criteria—

18 “(A) focuses on improving the performance
19 management and the use of technology for non-
20 profit, educational, and social service organiza-
21 tions;

22 “(B) has demonstrated experience in pro-
23 viding a range of assistance, including but not
24 limited to—

25 “(i) assessing performance metrics;

1 “(ii) the use of technology;

2 “(iii) improving financial management; and

3

4 “(iv) developing recommendations to

5 improve performance and the use of tech-

6 nology;

7 “(C) has a proven methodology for sys-

8 temic change in the not-for-profit sector, includ-

9 ing governmental and nongovernmental entities;

10 “(D) has demonstrated results in providing

11 performance management support to small-,

12 mid- and large-size not-for-profit organizations

13 annually on a pro bono basis;

14 “(E) has demonstrated the ability to iden-

15 tify areas for program improvement related

16 to—

17 “(i) accomplishing the goals and ob-

18 jectives as outlined in Head Start regula-

19 tions, reporting criteria and measurement

20 of program outcomes;

21 “(ii) meeting reporting requirements;

22 “(iii) using technology in classrooms

23 and enabling its use by administrators;

1 “(F) has demonstrated the ability to de-
2 velop an implementation plan for recommended
3 improvements by the organizations it assists;

4 “(G) has demonstrated the ability to assist
5 with and provide on-site, hands-on guidance
6 with the implementation of the recommenda-
7 tions;

8 “(H) has demonstrated the ability to tailor
9 the assessment and implementation process to
10 the children and communities served (where ap-
11 propriate); and

12 “(I) has demonstrated the ability to create
13 an online community that allows Head Start
14 administrators, teachers, service providers, par-
15 ents, policy makers, and other stakeholders to
16 communicate and provide support during and
17 following the assessment and subsequent imple-
18 mentation process;

19 “(2) utilize the intermediary organization se-
20 lected in paragraph (1) not later than 90 days from
21 the date of enactment of this Act to—

22 “(A) assess the performance of the Sec-
23 retary in overseeing the Head Start Bureau and
24 ensuring the effective management of the Head

1 Start program in the areas of finance, oper-
2 ations, human capital, and customer service;

3 “(B) evaluate the Department’s organiza-
4 tional structure, policies, and procedures for
5 managing Head Start grant recipients, make
6 recommendations to improve national program
7 quality and maximize the efficiency in the use
8 of program dollars, and support implementation
9 of the recommendations;

10 “(C) evaluate the Secretary’s administra-
11 tive resource allocations to determine if invest-
12 ment is properly targeted based on risk assess-
13 ment to address the program’s most significant
14 national and local challenges, and propose ad-
15 justments as appropriate;

16 “(D) evaluate and identify best practice
17 Head Start models and build process models to
18 enable their replication;

19 “(E) develop early warning systems to
20 identify Head Start programs that need inter-
21 vention;

22 “(F) evaluate processes to assist Head
23 Start programs that need intervention in imple-
24 menting necessary program improvements;

1 “(G) evaluate the effectiveness of the cur-
2 rent process for selecting Head Start organiza-
3 tions and develop and implement improvements
4 to ensure that performance metrics emerge as
5 a key criteria for evaluating successful Head
6 Start applicants, including the creation of eval-
7 uation criteria that ensure the selection of qual-
8 ity Head Start applicants;

9 “(H) evaluate how the Department targets
10 resources to remedy ongoing problems or defi-
11 iciencies in the program’s management or gov-
12 ernance, and propose solutions as appropriate;
13 and

14 “(I) conduct a detailed assessment of the
15 Secretary’s ability to monitor grantees.”.

16 **SEC. 27. ALLOTMENT OF FUNDS.**

17 Section 640(a)(2) of the Head Start Act (42 U.S.C.
18 9835) is further amended by adding at the end the fol-
19 lowing new clause:

20 “(v) not less than \$7,500,000 of the
21 amount in clause (iii) appropriated for fis-
22 cal years 2006 and 2007 shall be made
23 available to carry out activities described in
24 section 641A(g).”.

1 **SEC. 28. TEACHER RETENTION REPORT.**

2 Not later than one year after implementation of the
3 Head Start teacher qualifications and development under
4 amendments made by this Act, the Secretary of Health
5 and Human Services shall submit to Congress a report
6 on Head Start teacher retention levels.

7 **SEC. 29. IMPROVING HEAD START ACCESS FOR HOMELESS
8 AND FOSTER CHILDREN.**

9 (a) **DEFINITIONS.**—Section 637 of the Head Start
10 Act (42 U.S.C. 9832) is amended by adding at the end
11 the following:

12 “(18) The term ‘family’ means all persons liv-
13 ing in the same household who are—

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

19 “(B) related to the parent or guardian by
20 blood, marriage, or adoption.

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

24 “(20) The term ‘homeless family’ means the
25 family of a homeless child.”.

1 (b) ALLOTMENT OF FUNDS; LIMITATIONS ON AS-
2 SISTANCE.—

3 (1) QUALITY IMPROVEMENT.—Section
4 640(a)(3) of the Head Start Act (42 U.S.C.
5 9835(a)(3)) is amended—

6 (A) in subparagraph (B)—

7 (i) in clause (ii), by inserting “chil-
8 dren in foster care, children referred to
9 Head Start programs by child welfare
10 agencies,” after “background”; and

11 (ii) in clause (v), by inserting “, in-
12 cluding collaboration to increase program
13 participation by underserved populations,
14 including homeless children, eligible chil-
15 dren in foster care, and children referred
16 to Head Start programs by child welfare
17 agencies” before the period; and

18 (B) in subparagraph (C)—

19 (i) in clause (ii)(IV)—

20 (I) by inserting “homeless chil-
21 dren, children in foster care, children
22 referred to Head Start programs by
23 child welfare agencies, ” after “dys-
24 functional families”; and

(II) by inserting “and families”

2 after “communities”;

3 (ii) in clause (v)—

4 (I) by inserting “homeless chil-
5 dren, children in foster care, children
6 referred to Head Start programs by
7 child welfare agencies,” after “dys-
8 functional families”; and

9 (II) by inserting “and families”

10 after “communities”;

11 (iii) by redesignating clause (vi) as
12 clause (viii); and

13 (iv) by inserting after clause (v) the
14 following:

18 (2) COLLABORATION GRANTS.—Section
19 640(a)(5)(C)(iv) of the Head Start Act (42 U.S.C.
20 9835(a)(5)(C)(iv)) is amended—

(A) by inserting “child welfare (including child protective services),” after “child care,”;

23 (B) by inserting “home-based services (in-
24 cluding home visiting services),” after “family
25 literacy services”; and

4 (A) in subparagraph (C)—

5 (i) by inserting “organizations and
6 agencies providing family support services,
7 child abuse prevention services, protective
8 services, and foster care, and” after “(in-
9 cluding”; and

10 (ii) by striking “and public entities
11 serving children with disabilities” and in-
12 serting “, public entities, and individuals
13 serving children with disabilities and home-
14 less children (including local educational
15 agency liaisons designated under section
16 722(g)(1)(J)(ii) of the McKinney-Vento
17 Homeless Assistance Act (42 U.S.C.
18 11432(g)(1)(J)(ii)))”;

19 (B) in subparagraph (H), by inserting
20 “(including the local educational agency liaison
21 designated under section 722(g)(1)(J)(ii) of the
22 McKinney-Vento Homeless Assistance Act (42
23 U.S.C. 11432(g)(1)(J)(ii)))” after “community
24 involved”.

1 (c) RESEARCH, DEMONSTRATIONS, AND EVALUA-
2 TION.—Section 649 of the Head Start Act (42 U.S.C.
3 9844) is amended in subsection (a)(1)(B), by striking
4 “disabilities)” and inserting “disabilities, homeless chil-
5 dren, children who have been abused or neglected, and
6 children in foster care”.

7 (d) REPORTS.—Section 650(a) of the Head Start Act
8 (42 U.S.C. 9846(a)) is amended—

9 (1) in the matter preceding paragraph (1), by
10 striking “disabled and” and inserting “disabled chil-
11 dren, homeless children, children in foster care,
12 and”;

13 (2) in paragraph (8), by inserting “homeless-
14 ness, whether the child is in foster care or was re-
15 ferred by a child welfare agency,” after “back-
16 ground”.

17 **SEC. 30. CHILDREN AFFECTED BY HURRICANE KATRINA.**

18 (a) Definitions.—For the purposes of this section, the
19 following definitions apply:

20 (1) CHILDREN AFFECTED BY HURRICANE
21 KATRINA.—The term “children affected by Hurri-
22 cane Katrina” means a child who is not older than
23 5 and who resides or who resided on August 22,
24 2005, in an area in which the President has declared
25 that a major disaster exists.

11 (b) TECHNICAL ASSISTANCE, GUIDANCE, AND RE-
12 SOURCES.—The Secretary shall provide technical assist-
13 ance, guidance, and resources through the Region 4 and
14 Region 6 offices of the Administration for Children and
15 Families (and may provide technical assistance, guidance,
16 and resources, through other regional offices of the Ad-
17 ministration, at the request of such offices, that admin-
18 ister affected Head Start agencies) to Head Start agencies
19 in areas in which a major disaster has been declared, and
20 to affected Head Start agencies, to assist the agencies in-
21 volved in providing Head Start services to children af-
22 fected by Hurricane Katrina.

23 (c) WAIVER.—For such period up to March 31, 2006,
24 and to such extent as the Secretary considers appropriate,
25 the Secretary of Health and Human Services—

1 (1) may waive section 640(b) of the Head Start
2 Act; and

7 SEC. 31. DISCRIMINATION PROVISIONS.

8 Section 654 of the Head Start Act is amended to read
9 as follows:

10 “SEC. 654 NONDISCRIMINATION PROVISIONS.

11 "(a)(1) The Secretary shall not provide financial as-
12 sistance for any program, project, or activity under this
13 subchapter unless the grant or contract with respect there-
14 to specifically provides that no person with responsibilities
15 in the operation thereof will discriminate with respect to
16 any such program, project, or activity because of race,
17 creed, color, national origin, sex, political affiliation, or be-
18 liefs.

19 “(2) Paragraph (1) shall not apply to a recipient of
20 financial assistance under this subchapter that is a reli-
21 gious corporation, association, educational institution, or
22 society, with respect to the employment of individuals of
23 a particular religion to perform work connected with the
24 carrying on by such corporation, association, educational
25 institution, or society of its activities. Such recipients shall

1 comply with the other requirements contained in this sub-
2 section.

3 “(b) No person in the United States shall on the
4 ground of sex be excluded from participation in, be denied
5 the benefits of, be subjected to discrimination under, or
6 be denied employment in connection with any program or
7 activity receiving assistance under this subchapter. The
8 Secretary shall enforce the provisions of the preceding sen-
9 tence in accordance with section 602 of the Civil Rights
10 Act of 1964. Section 603 of such Act shall apply with re-
11 spect to any action taken by the Secretary to enforce such
12 sentence. This section shall not be construed as affecting
13 any other legal remedy that a person may have if such
14 person is excluded from participation in, denied the benefit
15 of, subjected to discrimination under, or denied employ-
16 ment (except as provided in subsection (a)(2)), in the ad-
17 ministration of any program, project, or activity receiving
18 assistance under this subchapter.

19 “(c) The Secretary shall not provide financial assist-
20 ance for any program, project, or activity under this sub-
21 chapter unless the grant or contract relating to the finan-
22 cial assistance specifically provides that no person with re-
23 sponsibilities in the operation of the program, project, or
24 activity will discriminate against any individual because of
25 a handicapping condition in violation of section 504 of the

1 Rehabilitation Act of 1973, except as provided in sub-
2 section (a)(2).”.

Passed the House of Representatives September 22,
2005.

Attest: JEFF TRANDAHL,
Clerk.

Calendar No. 258

109TH CONGRESS
1ST SESSION
H. R. 2123

AN ACT

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

OCTOBER 25, 2005

Read twice and placed on the calendar