

109TH CONGRESS  
1ST SESSION

# S. 1101

To amend the Head Start Act to address the needs of victims of child abuse and neglect, children in foster care, children in kinship care, and homeless children.

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## IN THE SENATE OF THE UNITED STATES

MAY 23, 2005

Mrs. MURRAY (for herself and Mr. DEWINE) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

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## A BILL

To amend the Head Start Act to address the needs of victims of child abuse and neglect, children in foster care, children in kinship care, and homeless children.

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

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Improving Head Start  
5       Access for Homeless and Foster Children Act of 2005”.

6       **SEC. 2. DEFINITIONS.**

7       Section 637 of the Head Start Act (42 U.S.C. 9832)  
8       is amended by adding at the end the following:

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

3 “(A) supported by the income of at least 1  
 4 parent or guardian (including any relative act-  
 5 ing in place of a parent, such as a grandparent)  
 6 of a child enrolling or participating in the Head  
 7 Start program; and

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

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

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

15 **SEC. 3. ALLOTMENT OF FUNDS; LIMITATIONS ON ASSIST-**  
 16 **ANCE.**

17 (a) **QUALITY IMPROVEMENT.**—Section 640(a)(3) of  
 18 the Head Start Act (42 U.S.C. 9835(a)(3)) is amended—

19 (1) in subparagraph (B)—

20 (A) in clause (ii), by inserting “children in  
 21 foster care, children referred to Head Start pro-  
 22 grams by child welfare agencies, ” after “back-  
 23 ground”; and

24 (B) in clause (v), by inserting “, including  
 25 collaboration to increase program participation

1 by underserved populations, including homeless  
2 children, children in foster care, and children  
3 referred to Head Start programs by child wel-  
4 fare agencies” before the period; and

5 (2) in subparagraph (C)—

6 (A) in clause (ii)(IV)—

7 (i) by inserting “homeless children,  
8 children in foster care, children referred to  
9 Head Start programs by child welfare  
10 agencies, ” after “dysfunctional families”;  
11 and

12 (ii) by inserting “and families” after  
13 “communities”;

14 (B) in clause (v)—

15 (i) by inserting “homeless children,  
16 children in foster care, children referred to  
17 Head Start programs by child welfare  
18 agencies,” after “dysfunctional families”;  
19 and

20 (ii) by inserting “and families” after  
21 “communities”;

22 (C) by redesignating clause (vi) as clause  
23 (viii); and

24 (D) by inserting after clause (v) the fol-  
25 lowing:

1 “(vi) To conduct outreach to homeless  
 2 families and to increase Head Start pro-  
 3 gram participation by homeless children.”.

4 (b) COLLABORATION GRANTS.—Section  
 5 640(a)(5)(C)(iv) of the Head Start Act (42 U.S.C.  
 6 9835(a)(5)(C)(iv)) is amended—

7 (1) by inserting “child welfare (including child  
 8 protective services),” after “child care,”;

9 (2) by inserting “home-based services (including  
 10 home visiting services),” after “family literacy serv-  
 11 ices”; and

12 (3) by striking “and services for homeless chil-  
 13 dren” and inserting “services provided through  
 14 grants under section 106 of the Child Abuse Preven-  
 15 tion and Treatment Act (42 U.S.C. 5106a) and  
 16 parts B and E of title IV of the Social Security Act  
 17 (42 U.S.C. 620 et seq. and 670 et seq.), and services  
 18 for homeless children (including coordination of serv-  
 19 ices with the Coordinator for Education of Homeless  
 20 Children and Youth designated under section 722 of  
 21 the McKinney-Vento Homeless Assistance Act (42  
 22 U.S.C. 11432)), children in foster care, and children  
 23 referred to Head Start programs by child welfare  
 24 agencies”.

1 (c) ALLOCATION OF FUNDS.—Section 640(g)(2) of  
 2 the Head Start Act (42 U.S.C. 9835(g)(2)) is amended—

3 (1) in subparagraph (C)—

4 (A) by inserting “organizations and agen-  
 5 cies providing family support services, child  
 6 abuse prevention services, protective services,  
 7 and foster care, and” after “(including”; and

8 (B) by striking “and public entities serving  
 9 children with disabilities” and inserting “, pub-  
 10 lic entities, and individuals serving children  
 11 with disabilities and homeless children (includ-  
 12 ing local educational agency liaisons designated  
 13 under section 722(g)(1)(J)(ii) of the McKinney-  
 14 Vento Homeless Assistance Act (42 U.S.C.  
 15 11432(g)(1)(J)(ii)))”;

16 (2) in subparagraph (F), by inserting “and  
 17 homeless families” after “low-income families”; and

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

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

1 “(m) The Secretary shall issue regulations to remove  
 2 barriers to the enrollment and participation of homeless  
 3 children in Head Start programs. Such regulations shall  
 4 require Head Start agencies to—

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

8 “(2) allow homeless children to apply to, enroll  
 9 in, and attend Head Start programs while required  
 10 documents, such as proof of residency, immunization  
 11 and other medical records, birth certificates, and  
 12 other documents, are obtained; and

13 “(3) coordinate individual Head Start programs  
 14 with programs for homeless children (including ef-  
 15 forts to implement subtitle B of title VII of the  
 16 McKinney-Vento Homeless Assistance Act (42  
 17 U.S.C. 11431 et seq.)).”.

18 **SEC. 4. DESIGNATION OF HEAD START AGENCIES.**

19 Section 641(d)(4) of the Head Start Act (42 U.S.C.  
 20 9836(d)(4)) is amended—

21 (1) in subparagraph (B), by inserting “includ-  
 22 ing providing services, to the extent practicable, such  
 23 as transportation, to enable such parents to partici-  
 24 pate” after “level”;

1 (2) in subparagraph (E)(iv), by striking “; and”  
 2 and inserting a semicolon;

3 (3) in subparagraph (F), by inserting “and”  
 4 after the semicolon; and

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

6 “(G) to meet the needs of homeless chil-  
 7 dren (including, to the extent practicable, the  
 8 transportation needs of such children), children  
 9 in foster care, and children referred to Head  
 10 Start programs by child welfare agencies;”.

11 **SEC. 5. QUALITY STANDARDS; MONITORING OF HEAD**  
 12 **START AGENCIES AND PROGRAMS.**

13 Section 641A of the Head Start Act (42 U.S.C.  
 14 9836a) is amended—

15 (1) in subsection (a)(2)(B)—

16 (A) in clause (iii), by inserting “homeless  
 17 children, children being raised by grandparents  
 18 or other relatives, children in foster care, chil-  
 19 dren referred to Head Start Programs by child  
 20 welfare agencies,” after “children with disabil-  
 21 ities,”; and

22 (B) in clause (vi), by striking “background  
 23 and family structure of such children” and in-  
 24 serting “background, family structure of such  
 25 children (including the number of children

1 being raised by grandparents and other rel-  
 2 atives and the number of children in foster  
 3 care), and the number of homeless children”;  
 4 and

5 (2) in subsection (c)(2)(C), by striking “disabil-  
 6 ities)” and inserting “disabilities, homeless children,  
 7 children being raised by grandparents or other rel-  
 8 atives, children in foster care, and children referred  
 9 to Head Start programs by child welfare agencies”).

10 **SEC. 6. POWERS AND FUNCTIONS OF HEAD START AGEN-**  
 11 **CIES.**

12 Section 642 of the Head Start Act (42 U.S.C. 9837)  
 13 is amended—

14 (1) in subsection (b)—

15 (A) in paragraph (6), by inserting “mental  
 16 health services and treatment, domestic violence  
 17 services, and” after “participating children”;

18 (B) in paragraph (10), by striking “; and”  
 19 and inserting a semicolon;

20 (C) in paragraph (11)(B), by striking the  
 21 period and inserting “; and”; and

22 (D) by adding at the end the following:

23 “(12) inform foster parents or grandparents or  
 24 other relatives raising children enrolled in the Head  
 25 Start program, that they have a right to participate



in programs, activities, or services carried out or provided under this subchapter.”;

(2) in subsection (c), by inserting “, the agencies responsible for administering section 106 of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5106a), parts B and E of title IV of the Social Security Act (42 U.S.C. 620 et seq. and 670 et seq.), and programs under subtitle B of title VII of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11431 et seq.), homeless shelters, other social service agencies serving homeless children and families,” after “(42 U.S.C. 9858 et seq.)”; and

(3) in subsection (d)(2)—

(A) in subparagraph (A), by striking “; and” and inserting a semicolon;

(B) in subparagraph (B), by striking the period and inserting “; and”; and

(C) by adding at the end the following:

“(C) collaborating to increase the program participation of homeless children.”.

**SEC. 7. HEAD START TRANSITION.**

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

(1) in paragraph (2), by inserting “local educational agency liaisons designated under section

1       722(g)(1)(J)(ii) of the McKinney-Vento Homeless  
 2       Assistance Act (42 U.S.C. 11432(g)(1)(J)(ii)),”  
 3       after “social workers”;

4           (2) in paragraph (5), by inserting “and family  
 5       outreach and support efforts under subtitle B of title  
 6       VII of the McKinney-Vento Homeless Assistance Act  
 7       (42 U.S.C. 11431 et seq.)” before the semicolon;

8           (3) in paragraph (6), by striking “; and ” and  
 9       inserting a semicolon;

10          (4) in paragraph (7), by striking the period and  
 11       inserting “; and”; and

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

13           “(8) developing and implementing a system to  
 14       increase program participation of underserved popu-  
 15       lations, including homeless children.”.

16   **SEC. 8. PARTICIPATION IN HEAD START PROGRAMS.**

17       Section 645(a)(1) of the Head Start Act (42 U.S.C.  
 18       9840(a)(1)) is amended—

19           (1) in subparagraph (B), by striking clause (i)  
 20       and inserting the following:

21           “(i) programs assisted under this sub-  
 22       chapter may include—

23           “(I) participation of homeless chil-  
 24       dren, children whose families are receiving  
 25       public assistance, children in foster care,

1                   and children who have been referred to a  
 2                   Head Start program by a child welfare  
 3                   agency; or

4                   “(II) to a reasonable extent, participa-  
 5                   tion of other children in the area served  
 6                   who would benefit from such programs,  
 7                   whose families do not meet the low-income cri-  
 8                   teria prescribed pursuant to subparagraph (A);  
 9                   and”; and

10                  (2) in the flush matter following subparagraph  
 11                  (B), by adding at the end the following: “A homeless  
 12                  child shall automatically be deemed to meet the low-  
 13                  income criteria.”.

14 **SEC. 9. EARLY HEAD START PROGRAMS FOR FAMILIES**  
 15 **WITH INFANTS AND TODDLERS.**

16                  Section 645A of the Head Start Act (42 U.S.C.  
 17                  9840a) is amended—

18                  (1) in subsection (b)—

19                         (A) in paragraph (4), by inserting “(in-  
 20                         cluding parenting skills training, training in  
 21                         basic child development, and training to meet  
 22                         the special needs of their children)” after “role  
 23                         as parents”;

24                         (B) in paragraph (5)—

1 (i) by inserting “(including home vis-  
 2 iting and other home-based services)” after  
 3 “with services”;

4 (ii) by striking “disabilities)” and in-  
 5 serting “disabilities and homeless infants  
 6 and toddlers (including homeless infants  
 7 and toddlers with disabilities)); and

8 (iii) by striking “services);” and in-  
 9 serting “services, housing services, family  
 10 support services, and other child welfare  
 11 services);”; and

12 (C) in paragraph (8), by inserting “, and  
 13 the agencies responsible for administering sec-  
 14 tion 106 of the Child Abuse Prevention and  
 15 Treatment Act (42 U.S.C. 5106a) and parts B  
 16 and E of title IV of the Social Security Act (42  
 17 U.S.C. 620 et seq. and 670 et seq.)” before the  
 18 semicolon; and

19 (2) in subsection (g)(2)(B)—

20 (A) in clause (iii), by striking “; and” and  
 21 inserting a semicolon;

22 (B) in clause (iv), by striking the period  
 23 and inserting “; and”; and

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

1 “(v) providing professional develop-  
 2 ment designed to increase the program  
 3 participation of underserved populations,  
 4 including homeless infants and toddlers,  
 5 infants and toddlers in foster care, and in-  
 6 fants and toddlers referred by child welfare  
 7 agencies.”.

8 **SEC. 10. TECHNICAL ASSISTANCE AND TRAINING.**

9 Section 648 of the Head Start Act (42 U.S.C. 9843)  
 10 is amended—

11 (1) in subsection (c)—

12 (A) in paragraph (2), by striking “disabil-  
 13 ities)” and inserting “disabilities, children in  
 14 foster care, and children referred by child wel-  
 15 fare agencies)”;

16 (B) in paragraph (5), by inserting “, in-  
 17 cluding the needs of homeless children and their  
 18 families” before the semicolon;

19 (C) in paragraph (10), by striking “; and”  
 20 and inserting a semicolon;

21 (D) in paragraph (11) by striking the pe-  
 22 riod and inserting “; and”; and

23 (E) by adding at the end the following:

1 “(12) assist Head Start agencies and programs  
 2 in increasing the program participation of homeless  
 3 children.”; and

4 (2) in subsection (e)—

5 (A) by inserting “training for personnel  
 6 providing services to children determined to be  
 7 abused or neglected, children receiving child  
 8 welfare services, and children referred by child  
 9 welfare agencies,” after “language,”; and

10 (B) by inserting “and family” after “com-  
 11 munity”.

12 **SEC. 11. RESEARCH, DEMONSTRATIONS, AND EVALUATION.**

13 Section 649 of the Head Start Act (42 U.S.C. 9844)  
 14 is amended—

15 (1) in subsection (a)(1)(B), by striking “disabil-  
 16 ities)” and inserting “disabilities, homeless children,  
 17 children who have been abused or neglected, and  
 18 children in foster care”; and

19 (2) in subsection (c)(1)(B) by inserting “, in-  
 20 cluding those that work with children with disabil-  
 21 ities, children who have been abused and neglected,  
 22 children in foster care, children and adults who have  
 23 been exposed to domestic violence, children and  
 24 adults facing mental health and substance abuse

1 problems, and homeless children and families” be-  
2 fore the semicolon.

3 **SEC. 12. REPORTS.**

4 Section 650(a) of the Head Start Act (42 U.S.C.  
5 9846(a)) is amended—

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

10 (2) in paragraph (8), by inserting “homeless-  
11 ness, whether the child is in foster care or was re-  
12 ferred by a child welfare agency,” after “back-  
13 ground”; and

14 (3) in paragraph (12), by inserting “substance  
15 abuse treatment, housing services,” after “physical  
16 fitness”.

○