



**Head Start Reauthorization:
A Section-by-Section Analysis of the Senate HELP Committee
Bill (S. 1940)**

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Introduction

In 2003, Congress was scheduled to reauthorize Head Start, a federal-to-local grant program for the provision of early childhood education and comprehensive services, including health, nutrition, parental involvement, social, and other services, for low-income preschool children and their families. The House of Representatives passed a bill to reauthorize Head Start, H.R. 2210, the “School Readiness Act of 2003,” on July 25th, with a one-vote majority, 217 to 216. On October 29th, the Senate Health, Education, Labor, and Pensions (HELP) Committee voted 21-0 to approve a Senate reauthorization bill. The “Head Start Improvements for School Readiness Act,” was filed on November 24th by Senator Judd Gregg (R-NH) on behalf of the HELP Committee. The Senate bill did not come to the Senate floor in 2003. The Senate may take up the matter in 2004, during the second year of the 108th Congress.

This document provides section-by-section analysis of the 117-page Senate bill. This document does not seek to provide a discussion of the pros and cons of the bill; rather, our comments seek to either explain provisions of the bill or highlight questions about the intent or effect of particular provisions.

This document includes:

- an overview summary of the provisions of the Senate HELP Committee bill (pages 2-5);
- a brief summary of key similarities with and differences from the House bill (pages 6-8);
- a table of contents for this analysis (page 9); and
- a section-by-section analysis of the bill (pages 10-44).

Overview of S.B. 1940

This bill would reauthorize Head Start through fiscal year (FY) 2009. The bill is significantly different from the bill passed by the House, although seems to share some similar goals. The bill would:

Authorize increased funding, although actual funding levels will be determined later. The bill would authorize increased funding for Head Start of \$400 million per year in FYs 2005, 2006, and 2007, and such sums as are necessary in the succeeding years; however, actual appropriations depend on a separate appropriations process.

Require that new educational standards be developed by the Secretary of Health and Human Services (HHS) based on the recommendations of a National Academy of Science (NAS) panel and other experts, after reviewing a detailed list of child development outcomes to consider as potential measures of program performance. The bill would direct the Secretary of HHS to revise the program's educational standards "to ensure that the curriculum involved addresses, and that the children participating in the program show appropriate progress toward developing and applying, the recommended educational outcomes." These revised standards would be developed by the Secretary based on the recommendations of an NAS panel and other experts. Members of the panel would be selected by the NAS after consultation with the Secretary. The panel report would be required within one year of establishment of the panel. The bill includes a specific list of potential standards and would require that the NAS panel consider the appropriateness of these standards. The Secretary would be prohibited from implementing the standards until the panel report is submitted.

Increase educational requirements for center-based staff. Current law requires that 50 percent of center-based Head Start teachers have at least an associate degree in early childhood education or in a related field with experience in teaching young children by September 30, 2003. The bill would provide that:

- **Center-Based Teachers:** By September 30, 2009, all center-based teachers have at least:
 - either an associate degree or equivalent coursework relating to early childhood, or an associate degree in a related field with, to the extent practicable, coursework relating to early childhood; and
 - demonstrated teaching competencies, as determined by the program director involved (including, at minimum, an appropriate level of literacy, a demonstrated capacity to be highly engaged with children, and a demonstrated ability to effectively implement an early childhood curriculum);By September 30, 2010, at least 50 percent of Head Start teachers in each individual center-based program have a baccalaureate degree relating to early childhood or a related educational area (or equivalent coursework) and demonstrated teacher competencies (as determined by the program director involved) including, at minimum, an appropriate level of literacy, a demonstrated capacity to be highly

engaged with children, and a demonstrated ability to effectively implement an early childhood curriculum;

- **Curriculum Specialists and Education Coordinators:** By September 30, 2007, all curriculum specialists and education coordinators in center-based programs have:
 - the capacity to offer assistance to other teachers in the implementation and adaptation of curricula to the group and individual needs of a class, and
 - either a baccalaureate or advanced degree relating to early childhood, or a baccalaureate or advanced degree and coursework equivalent to a major relating to early childhood;
- **Teaching Assistants:** By September 30, 2007, all Head Start teaching assistants in center-based programs have at least a child development associate (CDA) credential, or be enrolled in a program leading to an associate or baccalaureate degree, or be enrolled in a CDA credential program to be completed within two years.

Each Head Start agency must demonstrate continuing progress each year toward these goals and provide the Secretary a report indicating the number and percentage of classroom instructors and their level of education. The Secretary must compile these reports and make them available to the relevant Congressional committees.

The bill would also provide that:

- **Early Head Start Teachers:** By September 30, 2009, all teachers providing direct services to children and families in Early Head Start centers have a minimum of a child development associate credential (CDA) or an associate degree, and been trained (or have equivalent coursework) in early childhood development; and,
- **Standards for Early Head Start Home Visitors:** The Secretary would be required to establish standards for training and qualifications of home visitors and the conduct of home visits.

Require each Governor to establish or designate a state Advisory Council on collaboration on early care and education activities for children from birth to school entry. The Council would work with Head Start State Collaboration offices to promote collaborative planning between Head Start programs and other programs in the state. The bill would substantially modify the collaboration grant provisions of current law to make grants mandatory, specify a set of purposes, and establish a set of responsibilities for state collaboration directors and councils. It would require grants to be used for specific purposes, including planning to better meet the needs of low-income families and children from birth to school entry, promoting alignment with state early learning and school readiness goals and standards, documenting needs of Head Start agencies with respect to collaborating and coordinating services, and implementing state early learning and school readiness goals and standards.

Raise income eligibility limit to 130 percent of the poverty line, up from the current 100 percent level. Current law says that the Secretary shall prescribe eligibility for participation, and such criteria may provide that children from low-income families shall be eligible if their family incomes are below the poverty line, or if their families are eligible for public assistance (or would potentially be in the absence of child care). The bill would change the income language to 130 percent of the poverty line.

Change how expansion funds would be allotted, by directing the Secretary to prioritize grants to states serving the smallest percentages of eligible children and by authorizing the Secretary to allocate a portion of funds competitively. Current law requires that expansion funds be allotted according to a formula based on the number of children living in poverty and under age five in each state. The bill would provide that the Secretary: a) first make grants equal to FY 2003 amounts; b) then award funds to allow the same number of children to be served as are served in Head Start programs in each state at the time of enactment, “taking into consideration an appropriate adjustment for inflation;” and c) with any remaining balance, distribute 65 percent of funds by giving priority to states serving the smallest percentage of eligible children (as determined by the Secretary), and 35 percent on a competitive basis.

Change conditions under which programs are eligible for or qualified to receive priority for continued grantee status; provides for increased competition by reducing circumstances in which programs are eligible for priority. To receive continued funding after five years, an entity would need to demonstrate that it had “met or is making progress toward” its established goals for school readiness, including goals for meeting the revised education standards under the bill. The Secretary, in consultation with the chief executive officer of the state involved, must give priority in the designation and redesignation of Head Start agencies to any “high-performing” agency that met other specific conditions, including having no unresolved programmatic deficiencies or findings of deficiencies during the last triennial review and being able to demonstrate, through agreements such as memoranda of understanding, active collaboration with the state in the provision of services for children (such as the provision of extended day services, education, professional development and training for staff, and other types of cooperative endeavors). An agency eligible for continued funding but not entitled to priority could still compete with other applicants to be the Head Start grantee.

Increase authorized share of funding for Early Head Start. Under current law, the amount of Head Start funds used for provision of Early Head Start programs for infants and toddlers and their families grew from 7.5 percent in 1999 to 10 percent in 2003. This provision would keep the set-aside at 10 percent in FY 2004, and increase it to 11 percent in FY 2005, 13 percent in FY 2006, 15 percent in FY 2007, 17 percent in FY 2008, and 18 percent in FY 2009. This language is still subject to current law provisions, which specify that the increases may only occur if sufficient appropriations are made to not reduce the number of children served in Head Start or reduce the quality of programs.

Authorize a new Centers of Excellence program to recognize Head Start centers that excel, and provide them additional grant funds, opportunities, and

requirements. The Secretary would designate not more than 200 exemplary agencies (including Early Head Start agencies) from applicants nominated by state governors, to receive no less than \$100,000 per year for a period of five years to engage in a menu of activities to improve school readiness and coordination and disseminate best practices in local communities. The program is subject to available funding separate from Head Start funding in the appropriations process.

Increase focus on the needs of special populations of children. In various ways, the bill encourages and directs Head Start programs to address the needs of limited English proficient children, children eligible for Indian Head Start and migrant and seasonal programs, homeless children, and children receiving child welfare services. Among these provisions, the bill would:

- include among allowable uses of quality improvement funds: efforts to promote regular attendance by highly mobile children (including migrant and seasonal farmworking families, homeless children, and children in foster care) and to conduct outreach to homeless families, migrant and seasonal farm-working families, and families with children with limited English proficiency;
- require the Secretary to promulgate regulations to establish policies and procedures to remove barriers to the enrollment and participation of homeless children eligible for Head Start;
- include among selection factors for grantees: the applicant's plan to identify limited English proficient children, provide trained personnel, and provide services, and the applicant's plan to meet the needs of homeless children and children in foster care;
- specify that program monitoring shall include whether programs have adequately addressed population and community needs, including needs of limited English proficient children and children of migrant and seasonal farm-working families;
- direct the Secretary to use Head Start technical assistance and training funds for training for personnel providing services to children determined to be abused or neglected and for personnel providing services to children referred by or receiving child welfare services, and to improve services for migrant and seasonal workers and their children and homeless families; and
- require the Secretary to conduct a study on the status of limited English proficient children and their families in Head Start.

Senate and House Bills: Some Key Similarities and Differences

The Senate HELP Committee bill differs from the bill passed in the House in provisions both large and small. Both bills address the role of states and governors in Head Start, teacher qualifications, the conditions for continuing to receive federal funds, a focus on educational child outcomes standards, and attention to assuring certain disadvantaged populations have access to high-quality Head Start services. However, their provisions often differ in the details, and some of the differences are quite substantial:

- **The Role of States and Governors:** The House bill would: a) authorize the Secretary of HHS to award up to 8 states with broad demonstration authority to integrate Head Start with state early education programs using federal Head Start dollars without explicitly referencing that current Performance Standards be maintained; b) expand the role of currently operating federal Head Start-State Collaboration offices to include a collaboration board; and c) require the Secretary to establish state-based systems of training and technical assistance and choose vendors in consultation with the state collaboration board. The Senate bill does not include the state demonstration project but does include provisions to expand the role of the Collaboration offices, including new provisions to require each governor to establish state Advisory Councils on early childhood education from birth to school entry. The Senate bill would also provide authority for creating state or regional training and technical assistance capacity, but would leave to the Secretary discretion as to how to implement this. In addition, the Senate bill would involve governors in submitting nominees for selection into a new “centers of excellence” bonus program for exemplary Head Start programs.
- **Educational Performance and Outcomes Measures:** The House bill would replace the current law’s list of areas for which the Secretary must establish educational performance standards with a new list of general areas of child development. It would also require the Secretary to contract with the NAS to make recommendations within 18 months concerning appropriate Head Start academic requirements and assessment for the purposes of improving program instruction, services, and program quality. The Senate bill would also replace the current law’s list, but it provides a more detailed list of specific skills and knowledge areas beyond general areas of child development, directs the Secretary to contract with the NAS to review and make recommendations on the list within one year, and then directs the Secretary to issue revised standards “based on” recommendations of the NAS and other experts, after receiving the report of the NAS.
- **Conditions for Continuing to Receive Funds:** Both bills would modify the terms under which grantees could be eligible for continued funding and qualify for priority for refunding.
 - Under the House bill, programs would need to establish goals for educational instruction in prereading, premathematical, and language skills, and provision of health, educational, nutritional, social, and other services. In order to receive a subsequent grant, a grantee would need to demonstrate that it had met its goals.

- Under the Senate bill, the grantee would need to specify goals for improving the school readiness of children (including goals for meeting Head Start educational standards and results-based school readiness goals that are aligned with requirements and expectations for local public schools). To receive a subsequent grant after five years, the grantee would need to show it had met or was making progress toward these goals.
- Under the House, bill, in order to qualify for priority for continued funding, programs would be required to “fulfill” program and financial requirements, performance standards, results-based performance standards, or other requirements established by the Secretary. Under the Senate bill, an agency eligible for continued funding would be eligible for priority if it met a standard of being a “high-performing” agency and met other specific conditions.
- **Teacher Education Requirements:** The main provision of the House bill would provide that 50 percent of center-based teachers have at least a baccalaureate degree in early childhood education or a related field and experience in teaching young children by September 30, 2008, and that within three years of enactment all new teacher hires would have at least an associate degree in early childhood. The Senate bill would require that the 50 percent standard be applied to each center-based program by September 30, 2010, and that, by September 30, 2009, all center-based teachers have at least an associate degree level education. The Senate bill also would require all center-based Early Head Start teachers to have a minimum of a child development associate credential (CDA) or an associate degree by September 30, 2009.
 - **Discrimination in Hiring in Faith-Based Programs:** The House bill would exempt religious organizations receiving Head Start funds from compliance with the non-discrimination provisions of the Head Start Act with respect to employment and hiring of individuals. The Senate bill does not include this provision.
 - **Eligibility for Head Start:** The House bill would maintain the current requirements for income eligibility, while the Senate bill would raise the family income limit from 100 percent to 130 percent of the federal poverty level. The House bill also would have put in statute that no more than 10 percent of enrollment may exceed the definition of a low-income family.
 - **Authorized Funding Levels:** The House bill would set the following authorization levels for the Head Start program: \$6,870,000,000 in FY 2004, \$6,988,750,000 in FY 2005, \$7,106,500,000 in FY 2006, \$7,245,000,000 in FY 2007, and \$7,427,000,000 in FY 2008. The Senate bill would authorize \$7,215,000,000 for FY 2005, \$7,615,000,000 for FY 2006, \$8,015,000,000 for FY 2007, and such sums as may be necessary for FY 2008 and FY 2009. Under current law, the authorization language is “such sums as are necessary” for Head Start for each fiscal year. The Senate bill would also increase the proportion of funds that could be set aside for Early Head Start. The federal appropriation for Head Start in FY 2003 is \$6.67 billion. Note that

the actual annual funding for Head Start would depend on decisions made in the annual appropriations process.

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Purpose of Head Start (Sec. 2, page 1):

Would amend the purpose of Head Start to read: “It is the purpose of this subchapter to promote school readiness by enhancing the social and cognitive development of low-income children, through educational instruction in prereading skills, premathematics skills, and language, and through the provision to low-income children and their families of health, educational, nutritional, social and other services that are determined, based on family needs assessments, to be necessary.” [Underlined text is a change from current law.]

Definitions in Head Start Act (Sec. 3, page 2):

Clarifies that community-based organizations may act as delegate agencies: In the list of types of agencies eligible to be delegate Head Start agencies, would insert the words “including a community-based organization” after the word “nonprofit.”

Narrows definition of state to exclude certain territories: Would amend the definition of “State” by deleting references that included, for a limited time period during the current reauthorization period, the Federated State of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau.

Adds a definition of homeless child: Would add a definition of homeless child, using the definition in section 725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. §11434(a)(2)).

Adds a definition of limited English proficient: Would define “limited English proficient” child, for purposes of the Head Start program, as a child who:

- Meets at least one of the following:
 - was not born in the United States or whose native language is a language other than English;
 - is Indian (including an Alaskan Native) or a native resident of a United States territory and who comes from an environment where a language other than English has had a significant impact on the child’s level of English language proficiency; or
 - is migratory, with a native language other than English and who comes from an environment where a language other than English is dominant; and
- Has difficulty in speaking or understanding English sufficient to “deny such child—(i) the ability to successfully achieve in a classroom in which the language of instruction is English; or (ii) the opportunity to participate fully in society.”

***Technical Comment:** A number of subsequent provisions of the bill make reference to homeless and limited-English-proficient children.*

Financial Assistance for Head Start Programs (Sec. 4, page 3):

Limits Head Start agency grant period to five years: Would add a limitation on the number of years a Head Start agency may be awarded a grant to five years, after which a program would need to meet certain conditions for renewal of funding (see **Designation of Head Start Agencies**, page 22).

Technical Comment: The intent of this language is apparently to limit a grantee's period of eligibility if the grantee does not meet specified standards, but the actual language seems to authorize the Secretary to provide five-year grants to grantees.

Authorization of Head Start Appropriations (Sec. 5, page 4):

Sets authorized funding level: Would authorize \$7,215,000,000 for FY 2005, \$7,615,000,000 for FY 2006, \$8,015,000,000 for FY 2007, and such sums as may be necessary for FY 2008 and FY 2009. Under current law, the authorization language is such sums as are necessary for Head Start for each fiscal year. The federal appropriation for Head Start in FY 2003 is \$6.67 billion.

Since Head Start is a federal discretionary program, the Head Start Act authorizes a funding level, but the actual determination of Head Start funding is made each year through the annual appropriations process.

Sets funding levels for Head Start research activities, including the National Impact Study currently underway: Would authorize the Secretary to use up to \$20 million in 2004, and such sums are needed in subsequent years, to carry out research, demonstration, and evaluation activities, including longitudinal studies as described in Sec. 649 of current law. The Secretary would be required to use not more than \$7 million of these funds each year to carry out the National Head Start Impact research authorized in 1998. In current law, not more than \$12 million was made available in FY 1995 and then such sums as may be necessary for subsequent years for research, and also not more than \$5 million per year for the impact study.

Discontinues funding for transition activities: The bill would discontinue current law authorization of up to \$35 million per fiscal year for the Secretary to make available to assist Head Start programs to coordinate services with local education agencies serving their communities and with schools in which participating Head Start children would subsequently enroll.

Allotment and Allowable Uses of Head Start Funds (Sec. 6, pages 4-30):

Indian Head Start, services for children with disabilities, and migrant and seasonal Head Start programs (pages 5-7): Under current law, funding for Indian Head Start programs, services for children with disabilities, and migrant and seasonal Head Start

programs is provided as part of a 13 percent set-aside. This set-aside also funds a range of other activities:

- payments to specified territories;
- training and technical assistance of at least 2 percent;
- payments for the costs of reviews of Head Start agencies, and payments relating to correcting deficiencies and proceedings to terminate designations; and
- payments for research, demonstration, and evaluation activities.

Current law specifies that Indian Head Start, services for children with disabilities, and migrant and seasonal programs must be funded at no less than their FY 1998 levels. The Senate bill:

- **Specifies percentages for Indian Head Start and migrant and seasonal programs, depending on appropriation levels:** The bill would specify that, subject to the availability of appropriations, Indian and Head Start programs receive not less than 4 percent of the Head Start appropriation, and migrant and seasonal programs not less than 5 percent. However, if doing so would reduce the number of Head Start children served on the date of enactment, and adjusting appropriately for inflation, then the Secretary would be required to reserve percentages that “approach, as closely as practicable” these percentages.
- **Provides a formula for expansion funds distribution:** Would specify how to treat funds available after current Indian Head Start and migrant and seasonal programs to received “an amount sufficient to enable the grant recipient to serve the same number of children” as were served at the point of enactment of the bill, taking into consideration an appropriate adjustment for inflation, and other expansion provisions. Of funds available to expand Indian Head Start and migrant and seasonal programs, after these conditions were met:
 - 65 percent must be distributed by the Secretary to grant recipients in the states serving the smallest percentages of eligible children (as determined by the Secretary); and
 - 35 percent must be distributed on a competitive basis.

***Technical Comment:** The bill makes reference to making “an appropriate adjustment for inflation.” Several provisions of current law—Secs. 640(a)(3)(A)(ii) and Sec.640(g)(1)—specify that in calculating funds needed to maintain current levels of services, funds must be allocated to programs taking into consideration the percentage change in the Consumer Price Index for All Urban Consumers, as published by the Bureau of Labor Statistics. Since there is no similar reference here, it is unclear if the bill intends to provide the Secretary with discretion in determining a relevant adjustment for inflation.*

The bill would appear to leave to the Secretary’s discretion the criteria for allocating competitive funds.

Training and Technical Assistance (TA) (pages 7-8): Would change the proportion of funds to be reserved by the Secretary for training and TA, and add more specific provisions for allowable uses of those funds than in current law.

- **Limits funding for training and technical assistance:** Current law states that no less than 2 percent of the Head Start appropriation be used for training and TA. The bill would change the provision to say the amount would be 2 percent.
- **Provides that half the training and TA funds be made available to programs to meet standards:** Would specify that at least 50 percent of training and TA funds must be made available to agencies to comply with program, educational, administrative, and financial standards described in Section 641A(a)(1) of the Act, with transportation safety regulations, and for developing and financing salary scales and benefits standards, increasing salaries, and providing assistance for postsecondary coursework for Head Start teachers.
- **Makes half of the training and TA funds available to the Secretary to establish a regional or state system and to assist local programs in meeting standards:** This would be a new provision giving the Secretary the ability to determine what regional or state system should be developed (see **Technical Assistance and Training** section, page 37).
- **Maintains current set aside for family literacy activities:** Current law sets aside \$3 million from the training and technical assistance funds for programs to carry out family literacy activities; the bill would maintain that provision as a subset of the 50 percent of the funds that go directly to the Secretary in the previous bullet.

Quality Improvement Funds (pages 8-13): Would change the proportion of any new Head Start funding set aside for improving quality of programs and for other allowable uses.

- **Raises percentage of any new funds targeted for quality improvement, but not to original level:** Current law sets aside a portion of any new funding over prior year appropriation amounts adjusted for inflation for use in promoting the quality of Head Start programs; the percentage for the quality improvement set-aside was 60 percent in FY 1999 and fell gradually to 25 percent for FY 2003. The bill would increase the set-aside to 50 percent for FY 2005 through FY 2009. Implementation of this provision would be subject to whether the appropriation process provides higher levels of funding as compared to the prior fiscal year.
- **Rewrites goals for which quality improvement fund reserve may be used:** Current law provides that quality improvement funds be used “to accomplish any or all” of a list of goals. The bill would amend and add to the list of goals as follows:
 - **Broadens goals to include meeting a range of program standards:** Section 641A(a)(1)(A) of current law contains the authority for the program’s “comprehensive services,” which are described as performance standards with respect to services including health, parental involvement, nutritional, social, transition activities, and other services. Section 641A also provides the authority for education performance standards; administrative and financial management standards; standards relating to the condition and location of facilities for such agencies, programs, and projects; and other standards established by the

Secretary. Under current law, quality improvement funds may be used to ensure programs meet or exceed Head Start Performance Standards for comprehensive services. The bill would change the reference to “standards and measures pursuant to section 641A,” thus seemingly broadening the allowable uses to any of the standards authorized by Section 641A.

- **Specifies that training for staff include certain topics:** In a provision allowing funds to be used to ensure programs have adequate numbers of qualified staff and are furnished with adequate training, the bill would:
 - add “including training to promote the development of language skills, premathematic skills, and prereading in young children;”
 - change a current reference to training to work with “non English language background” to “limited English proficient children;” and
 - add preparation for working with children referred by child welfare services to the list of training subjects.
- **Defines how funds to address salaries be used:** Current law says quality improvement funds may be used for the goal of “ensuring that salary levels and benefits are adequate to attract and retain qualified staff for such programs.” The bill would substitute language making the goal one of developing and financing salary scales and benefits standards under Sections 644(a) and 653 in order to ensure that salary levels and benefits are adequate to attract and retain qualified staff for such programs.

Technical Comment: It is not clear what, if any, substantive effect this change is intended to have. Sec. 644(a) directs agencies to establish specific standards governing salaries, salary increases, and other benefits, and Sec. 653 seeks to prevent both inadequate and excessive compensation. It may be that the reason for this modification is to ensure that salaries are consistent with salary scales.

- **Inserts a focus on promoting language and literacy skills connected to use of funds for salary increases:** Would add to a list of ways quality funds should be used to enhance salaries the following: “ensure that staff can promote language skills and literacy growth of children and can provide children with a variety of skills that have been identified, through scientifically based reading research, as predictive of later reading achievement.”

Technical Comment: This is an allowable use of quality funds under current law, but the bill would delete the separate reference and instead tie the provision to salary increases.

- **Includes collaboration to increase participation by underserved populations:** In a provision allowing quality funds to be used to improve community collaboration, would add language that says: “including collaborations to increase program participation by underserved populations of eligible children.”
- **Adds a new allowable goal of helping staff complete postsecondary education:** Would add to the list of allowable activities: “Providing assistance to complete postsecondary course work including scholarships or other financial

- incentives, such as differential or merit pay, to enable Head Start teachers to improve competencies and the resulting child outcomes.”
- **Adds a new allowable goal of promoting regular attendance of children:** Would add to the list of allowable activities: “To promote the regular attendance and stability of all Head Start children with particular attention to highly mobile children, including migrant and seasonal farmworking families (where appropriate), homeless children, and children in foster care.”
 - **Modifies activities for which quality improvement funds shall be used:** Current law further specifies that quality improvement funds shall be used for “any and all” of a list of activities with not less than one half of these funds used to improve compensation of classroom teachers and other staff. The bill would modify the allowable uses of funds as follows:
 - **Maintains requirement that not less than half of quality improvement funds be used for improved compensation and benefits; requires that salary increases provided with the funds be governed by salary scales established by agencies:** Would require that salary increases, beyond cost-of-living allowances, be subject to the scales that agencies are required to establish under Sec. 644(a). Current law says preference for salary increases shall go to teachers and staff who have increased their education or training related to their job responsibilities.
 - **Of the remaining quality improvement funds, prioritizes training for teachers and staff to meet the “additional educational standards,” which the bill would authorize the Secretary to revise:** Current law says that the Secretary shall prioritize use of the non-salary enhancement funds for “training for classroom teachers and other staff to meet the education performance standards as described in Sec. 641A(a)(1)(B). That section of current law references two components of education performance standards:
 - “education performance standards” that relate to the child development program characteristics (e.g., under the Secretary’s regulations, a Head Start agency’s approach must be developmentally and linguistically appropriate, recognizing that children have individual rates of development, as well as individual interests, temperaments, languages, cultural backgrounds, and learning styles); and
 - “additional education performance standards” that relate to specified child outcomes (e.g., that children develop phonemic, print, and numeracy awareness).

The bill would strike “education” and insert “additional educational” standards in the prioritization language. As described below, the bill authorizes the Secretary to substantially modify the “additional educational performance standards” after receiving a report and recommendations from a panel of the National Academy of Sciences (see **Quality Standards**, page 25).

***Technical Comment:** It appears that the intent of this change is to prioritize the use of these funds for activities to improve child outcomes under the “additional educational standards” developed by the Secretary under the bill.*

- **Adds specificity to activities for training for teachers and staff to work with limited-English-proficient children:** Under current law, one activity involves training of teachers and staff to promote the acquisition of the English language for non-English-background children and families. Instead, this activity would be defined as helping limited-English-proficient children attain the knowledge, skills, and development under the bill’s revised education performance standards and promoting the acquisition of the English language by such children and families (see **Quality Standards**, page 25).
- **Specifically allows use of training funds to help teachers “to be fully competent and to meet the degree requirements” added in this bill:** Would specify that funds, which currently may be used for training to improve qualifications of staff, could be used for education to improve qualifications (see **Staff Qualifications and Development**, page 39).
- **Adds more areas of allowable training, child counseling, and services with quality dollars:** Would change language of current law to add: “to support staff training, child counseling, and other services necessary to address the challenges of children participating in Head Start programs, including children from immigrant, refugee, and asylee families, children from families in crisis, children who experience chronic violence in their communities, and children who experience substance abuse in their families.”
- **Allows funds to be used to hire additional staff meeting educational qualifications that would be raised in the bill** (see **Staff Qualifications and Development**, page 38).
- **Allows quality funds to be used for outreach to homeless families to increase participation of homeless children.**
- **Allows quality funds to be used for outreach to migrant and seasonal farm-working families and families with children with limited English proficiency.**

Allotments of Head Start Funds Among the States (pages 13-14): Would require the Secretary to award grants so that each state receives the same total amount as allotted in FY 2003 (rather than current language of FY 1998) and modifies how expansion funds are allotted.

- **In allotting expansion funds, directs the Secretary to prioritize grants to states serving the smallest percentages of eligible children and authorizes the Secretary to allocate a portion of funds competitively:** Current law requires that expansion funds be allotted according to a formula based on the most recent data available from the Department of Commerce on the number of children living in poverty and under age five in each state. The bill would change allotments so that the Secretary: a) first makes grants equal to FY 2003 amounts; b) then awards funds to allow the same number of children to be served as are served in Head Start programs in each state at the time of enactment, “taking into consideration an appropriate adjustment for inflation”; and c) with any remaining balance, distributes 65 percent of funds by giving priority to states serving the smallest percentage of eligible children (as determined by the Secretary) and 35 percent on a competitive basis.

***Technical Comment:** This language would significantly increase the extent of the Secretary’s discretion in allocating expansion funds. The Secretary would have broad discretion in determining the criteria and conditions under which competitive funds were allocated. And, it would be up to the Secretary to develop a methodology for determining the share of eligible children being served in states.*

The language may need clarification, because it refers to allocating these funds to states, rather than to grantees in states. Current law uses similar language, but has been construed as providing for allocating the funds to grantees, not to states. There is no indication that the Committee envisions that these funds be directly allocated to states, but the language itself is not clear.

Head Start State Collaboration Grants (pages 14-25): Would substantially modify the collaboration grant provisions of current law to make grants mandatory, specify a set of purposes, require the establishment of state early care and education advisory councils, and establish a set of responsibilities for state collaboration directors and councils.

- **Makes collaboration grants to states mandatory:** Would amend current law which says the Secretary “may” award grants to each state for collaboration activities to “shall” award. The purpose of grants would be to facilitate collaboration between Head Start agencies and entities that they carry out other activities designed to benefit low-income families from birth to school entry.
- **Eliminates authority for supplemental funding for states that have developed statewide, regional, or local unified plans for early childhood education and child care that include participation of Head Start agencies.**
- **Requires grants to be used for specific purposes, including new areas of planning to better meet the needs of low-income families and children from birth to school entry, and promoting alignment with state early learning and school readiness goals and standards:** Would also include language similar to current law about activities to encourage Head Start agencies to collaborate with entities involved in state and local planning processes, including the state child care agency and resource and referral agencies, and to promote better linkages between Head Start agencies and other child and family agencies.
- **Names the individual appointed by the state to manage the collaboration office the “state director of Head Start collaboration.”** This person would be appointed by the state and, as in current law, would hold “a position with sufficient authority and access” to ensure effective collaboration. The state Head Start Association would be required to be involved in selection of the director.
- **Requires the Governor to establish or designate a state Advisory Council on collaboration on early care and education activities for children from birth to school entry:** Would require the Governor either to identify a qualifying pre-existing body that could serve as the council or to establish one. The Council must include, to the maximum extent possible, the state director of Head Start collaboration, and representatives from: the appropriate regional office of the Administration for Children and Families; the state educational agency and local education agencies;

institutions of higher education; the state agency responsible for health or mental health care; the state agency responsible for teacher professional standards, certification, and licensing; the state agency responsible for child care; early childhood education professionals; kindergarten teachers and teachers in grades 1 through 3; health care professionals; child development specialists, including specialists in prenatal, infant, and toddler development; the state agency that assists children with developmental disabilities; the state agency responsible for programs under Part C of the Individuals with Disabilities Education Act (IDEA); the state interagency coordinating councils established in IDEA; the state Head Start Association (where appropriate) and other representatives of Head Start programs in the state; the state network of child care resource and referral agencies; community-based organizations; state and local providers of early childhood education and child care; migrant, seasonal, and Indian Head Start programs (where appropriate); parents; religious and business leaders; the head of the state library administrative agency; representatives of state and local organizations and other entities providing professional development to early care and education providers; and representatives of other entities as determined by the chief executive officer of the state.

***Technical Comment:** The language referring to “the agency overseeing child care” may be ambiguous because, in some states, one agency is responsible for administering the child care subsidy program while another is responsible for child care licensing. And, in some states, different agencies administer different parts of the child care subsidy system.*

- **Requires that the state director, after consultation with the state Advisory Council:**
 - **Do an annual assessment addressing the needs of Head Start agencies with respect to collaborating, coordinating services, and implementing state early learning and school readiness goals and standards:** The first such assessment would need to be completed within one year of the date of enactment; assessments would need to be made available to the general public within the state.
 - **Develop a strategic plan based on the above assessment:** The plan must be reviewed and approved by the state Advisory Council. The plan must:
 - Enhance collaboration and coordination of Head Start with other early childhood programs and services;
 - Assist Head Start agencies to develop a plan for the provision for full-working-day, full-calendar-year services for children enrolled in Head Start programs who need such care;
 - Assist Head Start agencies to align services with state early learning and school readiness goals and standards and to facilitate collaborative efforts to develop local school readiness standards; and
 - Enable agencies in the state to better coordinate professional development opportunities for Head Start staff, such as:

- Assisting two- and four-year public and private institutions of higher education to develop articulation agreements;
 - Awarding grants to institutions of higher education to develop model early childhood education programs, including practica or internships for students to spend time in a Head Start or pre-kindergarten program;
 - Working with local Head Start agencies to meet the bill's degree requirements, including distance learning; and
 - Enable the State Head Start agencies to coordinate outreach to eligible families.
- **Assess the availability of high quality prekindergarten services for low-income children in the state.**
 - **Promote partnerships between Head Start agencies, state governments, and the private sector to help ensure that preschool children from low-income families are receiving comprehensive services.**
 - **Consult with the chief state school officer, local educational agencies, and providers of early childhood education and care to conduct unified planning regarding early care and education services at both the state and local levels, including collaborative efforts to develop and make improvements in school readiness standards.**
 - **Promote partnerships (such as those involved with the Free to Grow program) between Head Start agencies, schools, law enforcement, substance abuse, and mental health treatment agencies to strengthen family and community environments and to reduce the impact on child development of substance abuse, child abuse, domestic violence, and other high-risk behaviors that compromise child development.**
 - **Promote partnerships between Head Start agencies and other organizations in order to enhance the Head Start curriculum, including partnerships to promote inclusion of more books in Head Start classrooms and promote coordination with Ready-to-Learn Television.**
 - **Identify other public and private resources and organizations for the provision of in-kind services to Head Start agencies in the state.**
- **Assigns responsibilities to the state Advisory Council, “in addition to those required by the chief executive officer of the state”:** Would require the state council to:
 - Conduct a periodic statewide needs assessment concerning early care and education programs from birth to school entry;
 - Identify barriers to, and opportunities for, collaboration and coordination between federal and state child development, child care, and early childhood education programs;
 - Develop recommendations on a means to establish a unified data collection system for early care and education programs throughout the state;
 - Develop a statewide professional development and career ladder plan for early care and education in the state; and

- Review and approve the strategic plan regarding collaboration and coordinating services to better service children in Head Start, developed by the director for Head Start Collaboration.
- **Would require the advisory council to hold public hearings and provide an opportunity for public comment on the needs assessment and recommendations:** The advisory council would submit a statewide strategic report containing the needs assessment and recommendations to the state director of head Start collaboration and the executive officer of the state. The advisory council would then meet periodically to review any implementation of the recommendations in the report and any changes in state and local needs.

***Technical Comment:** The bill seems to envision two different assessments and strategic plans or reports. First, the director for Head Start Collaboration would be responsible for conducting an annual assessment regarding collaboration, coordination, and implementation of estate early learning and school readiness goals and standards, and would develop a strategic plan based on that assessment; the Advisory Council would be responsible for reviewing and approving the strategic plan. Second, the Advisory Council would be responsible for conducting a periodic statewide needs assessment concerning early care and education programs and for making a statewide strategic report to the Director of Head Start Collaboration and chief executive officer of the state containing the assessment and recommendations. The bill also specifies that the director be responsible for an assessment of pre-kindergarten availability for low-income children but is not directly linked to any of the strategic planning. Note that the bill refers to “low-income” children, which could be viewed as a broader term than those children meeting Head Start income eligibility requirements.*

Increases Early Head Start Authorization for Allotment of Funds (page 25): Under current law, the amount of Head Start funds used for provision of Early Head Start program for infants and toddlers and their families, grew from 7.5 percent in 1999 to 10 percent in 2003. This provision would keep the set-aside at 10 percent in FY 2004, and increase it to 11 percent in FY 2005, 13 percent in FY 2006, 15 percent in FY 2007, 17 percent in FY 2008, and 18 percent in FY 2009. This language is still subject to current law provisions, which specify that the increases may only occur if sufficient appropriations are made to not reduce the number of children served in Head Start or the quality of programs. The bill would also strike a provision from the last reauthorization requiring reports on the Early Head Start impact study to be provided to Congress during the current reauthorization period.

Authorizes the Secretary to develop specific service delivery models to promote leverage of Head Start program capacity and to convert to full-day services (page 26): Would amend current law provision that gives the Secretary the authority to establish procedures to enable Head Start agencies to develop locally designed or specialized service delivery models to address local community needs to be expanded to

read: “including,-- (1) models that leverage the capacity and capabilities of the delivery system of early childhood education and child care; and (2) procedures to provide for the conversion of part-day programs to full-day programs or part-day slots to full-day slots.”

Priorities for Expansion Funds to Specific Head Start Agencies (pages 26-27):

Would amend current law guiding the Secretary as to how to prioritize spending of additional funding beyond a previous fiscal year that is available for expanding Head Start services to a particular agency within a state.

- **Adds explicit consideration of relationship with certain federal, state, and local public agencies:** Current law says the Secretary must consider the extent to which the applicant has undertaken community-wide strategic planning involving public agencies; this provision would clarify “federal, state, and local public agencies.” Would also add to a list of agencies to include, “organizations and agencies providing family support services and protective services to children and families” and the local education agency designated in the McKinney-Vento Homeless Assistance Act of 2001. Modifies current law language to specify that a factor would be the extent to which the applicant demonstrates the ability to collaborate and participate with the state and local community providers of child care or preschool services to provide full-working-day, calendar-year services.
- **Changes the way in which eligible children in the community are considered when evaluating applicants.** Under current law, a relevant factor is the number of eligible children not participating in Head Start or any other early childhood program; the bill would modify the language so that the factor is the number of eligible children “who would like to” participate but are not doing so.
Technical Comment: It is unclear how an applicant could generate this number without surveying area families and children.
- **Adds consideration of leverage:** One current factor is the extent to which an applicant for funding proposes to foster partnerships with other service providers in a manner that will enhance the resource capacity of the applicant. The bill would modify this factor to include consideration of how those partnerships will leverage the existing delivery system.
- **Adds consideration of whether applicants for expansion funds have plans to coordinate with homeless assistance activities:** Current law requires the Secretary to consider the extent to which agencies have plans to coordinate with the local educational agency, and this provision would add consideration of whether that includes the local educational agency liaison designated in the McKinney-Vento Homeless Assistance Act of 2001.

Directs the Secretary to issue regulations establishing requirements to ensure the appropriate supervision and background checks of individuals with whom the agencies contract to transport children (page 27).

Requires the Secretary to Conduct Annual Consultations with Tribal Governments (page 28): Would require the Secretary to consult annually with tribal governments for the purpose of better meeting the needs of American Indian and Alaskan Native children, to publish prior notification of the consultations in the *Federal Register*, and to make a

detailed report of the consultation available to all tribal governments receiving Head Start funds.

Adds New Provision to Remove Barriers to Enrollment of Homeless Children in Head Start (pages 28-29): Would require the Secretary to promulgate regulations to establish policies and procedures to remove barriers to the enrollment and participation of homeless children eligible for Head Start. These regulations would require Head Start programs to: “(1) implement policies and procedures to ensure that eligible homeless children are identified and prioritized for enrollment, and (2) allow homeless families to apply to, enroll in and attend Head Start programs while required documents, such as proof of residency, immunization and other medical records, birth certificates and other documents, are obtained within a reasonable time frame,” and (3) coordinate individual Head Start centers and programs with efforts to implement the McKinney-Vento Homeless Assistance Act.

Adds “Rule of Construction” making clear that Head Start Act does not require states to establish early education programs or require children to participate (page 29): This provision states that nothing in the Head Start Act shall be construed to require a state to establish a program of early education for children in the state, to require any child to participate in a program of early education in order to attend preschool, or to participate in any initial screening prior to participation in such program, except as provided under section 612(a)(3) of IDEA [the requirement of IDEA that states run Child Find programs to promote the early identification of children with disabilities] consistent with IDEA section 614(a)(1)(C) [requiring parental consent for participation in such a screening.]

Requires All Curricula and Materials to be Scientifically-Based and Age Appropriate (page 30): Would require this standard for all materials funded with Head Start dollars. It would also require that parents have the ability to examine any curricula or instructional materials

Designation of Head Start Agencies and Activities Required of Them
(Sec. 7, pages 30-39):

Would amend current law provisions that allow for choosing and continuing funding of grantees to provide Head Start services.

Adds Community-based Organizations as Eligible Entities: Would add an explicit reference that community-based organizations may be designated by the Secretary as Head Start agencies.

Eliminates current-law requirement that the Secretary’s determination of an agency’s capacity be done in consultation with the chief executive officer of the state if the state expends non-federal funds to carry out its Head Start program: In current law, the Secretary is authorized to determine whether an agency is capable of planning, conducting, administering, and evaluating a Head Start program “in consultation with the

chief executive officer of the State involved, if such state expends non-federal funds to carry out Head Start programs.” The bill would delete the consultation provision here.

Requires that Grantees Have and Make Progress Toward Goals: Would add a provision that in order to be designated a Head Start agency, an entity must:

- establish goals for improving the school readiness of participating children, including goals for meeting the performance standards and additional education standards that would be changed by this bill (see **Quality Standards**, page 25); and
- establish results-based school readiness goals that are aligned with the requirements and expectations for local public schools.

To receive subsequent funding awards, an entity would need to demonstrate that it had “met or is making progress toward” its established goals.

***Technical Comment:** Taken together with the bill’s language providing for five-year grants, it appears that when a current grantee receives its next new funding after enactment of the law, it would be required to establish the above-noted goals, would receive funding for a five-year period (unless terminated before that time for a reason that justifies termination), and would then be eligible to be considered for further funding only if it had met or made progress toward its goals. As noted below, meeting this standard would not assure continued funding, but, if the standard was not met, the grantee would be ineligible for further funding. Based on the bill’s language, it would appear to be left to the Secretary to determine whether an entity had met or made progress toward its goals. It seems unclear whether the Secretary could deny initial funding to a current grantee on the basis that the Secretary considered the entity’s proposed goals insufficient.*

Revises Criteria for Determining Whether a Program Qualifies for Priority Status for Redesignation as a Grantee: Current law provides that the Secretary must give priority in the designation of Head Start agencies, in consultation with the chief executive officer of the state involved if such state expends non-federal funds to carry out Head Start programs, to any local public or private nonprofit or for-profit agency that is already receiving Head Start funds, unless the Secretary determines that the agency involved fails to meet program and financial management requirements, performance standards, results-based performance measures, or other requirements established by the Secretary. The bill provides instead that the Secretary, in consultation with the chief executive officer of the state involved (no longer requiring the state expend funds to carry out Head Start programs), must give priority in the designation and redesignation of Head Start agencies to any high-performing Head Start agency or delegate agency that— (1) is receiving federal Head Start funds; (2) meets or exceeds program and financial management requirements, standards, or other requirements established by the Secretary; (3) has no unresolved programmatic deficiencies and has not had findings of deficiencies during the last triennial review; and (4) can demonstrate, through agreements such as memoranda of understanding, active collaboration with the state in the provision of services for children

(such as the provision of extended day services, education, professional development and training for staff, and other types of cooperative endeavors).

***Technical Comment:** In order to receive priority, an agency must be “high-performing.” The bill does not define “high-performing,” which would mean that determining the criteria for and the level of performance that would meet this standard would be left to the Secretary. Under the bill’s structure, if an agency was not entitled to priority, it could still seek redesignation as a Head Start grantee, but would not be eligible for priority preference over other applicants.*

Selection Factors When No Entity Has Priority: Under current law, there are a set of factors to consider in selecting new grantees. The bill would modify this list as follows:

- **Adds a focus on capacity to deliver scientifically-based programs:** Would add as a selection factor the applicant’s capacity to serve eligible children with scientifically-based programs that promote school readiness and the plan of such applicant to meet the standards established by the Secretary, with particular regard to the standards governing comprehensive services and education (see **Quality Standards** below).
- **Amends selection factors to focus on preparing children for success in school:** Under current law, one selection factor is “the plan of such applicant to provide comprehensive health, nutritional, educational, social, and other services needed to aid participating children in achieving their full potential.” The bill would keep the same listing of services but, instead of referring to full potential, says to “prepare children to succeed in school.”
- **Amends coordination with other preschool programs:** Under current law, one selection factor is the applicant’s plan for coordination with a set of other preschool programs. The bill would broaden the list to include Early Reading First, other preschool programs under title I of ESEA, child care programs, state prekindergarten programs, and reading readiness programs, such as those conducted by public and school libraries.
- **Adds coordination with private entities:** Would add a new selection factor: the applicant’s plan to coordinate Head Start with private entities with resources available to assist the program to meet its program needs.
- **Adds consideration of coordination with local libraries:** Would add a new selection factor looking at whether the applicant plans to collaborate with local libraries, where available, that are interested in developing innovative programs to excite children about books, assist in literacy training for teachers, and support parent and other caregivers in literacy efforts.
- **Adds consideration of outreach to fathers:** Would add a new selection factor regarding the plan of the applicant to extend outreach to fathers “in order to strengthen the role of fathers in families by working directly with fathers and father-figures through such activities as including fathers in home visits, implementing father outreach efforts, providing opportunities for direct father-child interactions, and targeting increased male participation in programs.”
- **Adds consideration of limited English proficient children:** Would amend current provision regarding non-English language background children to add consideration

of the applicant’s plan to identify limited English proficient children, provide trained personnel, and provide services.

- **Adds a focus on plan to serve homeless children and children in foster care:** Would add to the list of selection factors consideration of the applicant’s plan to meet the needs of homeless children and children in foster care.

Quality Standards and Monitoring of Head Start Programs (Sec. 8, pages 39-62):

Provides authority for additional regulation of transition and coordination activities as performance standards: Under current law, the Secretary may establish regulations on performance standards with respect to services required to be provided, including transition activities. The bill would change the section of law this provision refers to, so that it refers to section that would be expanded by this bill to contain more extensive requirements for Head Start agencies to “take steps to ensure, to the maximum extent possible, that children maintain the developmental and educational gains achieved in Head Start programs and build upon such gains in further schooling” through coordination with the local educational agency, elementary schools, and other programs (see **Powers and Functions of Head Start Agencies**, page 32).

Directs Secretary to rewrite educational performance standards: Under current law, the Secretary must establish by regulation: “additional education performance standards to ensure that the children participating in the program, at a minimum—

- (I) develop phonemic, print, and numeracy awareness;
- (II) understand and use language to communicate for various purposes;
- (III) understand and use increasingly complex and varied vocabulary;
- (IV) develop and demonstrate an appreciation of books; and
- (V) in the case of non-English background children, progress toward acquisition of the English language.”

The bill would strike this language, and make specific provisions for development of new educational standards.

- **Requires that new educational performance standards be developed by the Secretary based on the recommendations of a National Academy of Science (NAS) panel of early childhood experts and others (pages 39-40):** The bill directs the Secretary to establish new educational performance standards based on the recommendations of an NAS panel (see **Research, Demonstrations, Evaluation** page 41) and other experts in the field “to ensure that the curriculum involved addresses, and that the children participating in the program show appropriate progress toward developing and applying, the recommended educational outcomes...”
- **Lists specific areas of child development and ability to be considered by NAS (pages 40-45):** Would require that the NAS panel consider the appropriateness of standards relating to a specific list that would be put in statute. The list would include the following general topics, with specifics listed for each of these categories:
 - language skills related to listening, understanding, speaking, and communicating;
 - prereading knowledge and skills;
 - premathematics knowledge and skills;

- scientific abilities;
- general cognitive abilities related to academic achievement and child development;
- social and emotional development related to early learning and school success;
- physical development; and
- in the case of limited English proficient children, progress toward acquisition of the English language while making meaningful progress in attaining the knowledge, skills, abilities, and development listed above.

Technical Comment: *The development of the new educational standards would involve an interaction between provisions of the bill, recommendations of an NAS panel and other experts, and the Secretary’s decisions. It is not entirely clear how the provisions are intended to be read together, but it appears that the bill envisions the following sequence:*

- *The bill identifies a number of potential educational standards, as noted above.*
- *The Secretary would contract with the National Academy of Sciences for a report, which would be completed within one year, and which would include consideration of the appropriateness of these standards toward ensuring that curriculum addresses and that children participating in the program show appropriate progress toward developing and applying recommended educational outcomes.*
- *After receiving the report, the Secretary would adopt new educational standards “based on” the recommendations of the NAS panel and other experts in the field.*
- *The Secretary could not adopt new standards until after receipt of the NAS report.*

Requires Head Start facilities to meet licensing requirements (page 45): Would direct the Secretary to adopt regulations requiring that facilities used by Head Start, Early Head Start, and delegate agencies for regularly scheduled center-based and combination program option classroom activities comply with state and local requirements concerning licensing for such facilities, and be accessible to state and local authorities for monitoring.

Modifies factors for Secretary to consider in developing Head Start performance standards:

- **Requires Secretary to consider certain program challenges:** Would add a provision that the Secretary consider “the unique challenges faced by individual programs, including those that are seasonal or short term, and those that serve rural populations.”
- **Broadens the consideration of transition activities beyond public schools in current law:** Under current law, one factor for the Secretary to consider is “the need for, and state-of-the-art developments relating to, local policies and activities

designed to ensure that children participating in Head Start programs make a successful transition to public schools.” The bill would delete the reference to “public schools” and substitute: “the schools that the children will be attending.”

- **Requires the Secretary to consult with Indian tribes, American Indian, and Alaskan Native experts in early childhood development, linguists, and the National Indian Head Start Directors Association:** Would require such consultation on the review and promulgation of program standards and measures, including those for language acquisition and school readiness.

Requires Head Start agencies to establish procedures for evaluating and defunding delegate agencies, and for delegates to appeal defunding (pages 47-49): Current law requires the Secretary to describe the obligations of Head Start agencies to their delegates, and to determine whether agencies have met these obligations. The bill would add a new provision requiring Head Start agencies to establish procedures relating to delegates, including evaluating and defunding delegates, and providing an appeal process for delegates. The bill would explicitly allow agencies to terminate delegate agencies that do not correct identified deficiencies, to conduct monthly monitoring visits until all deficiencies are corrected, and to release grant funds only as reimbursements until deficiencies are corrected.

Changes the use and characteristics of results-based measures: Current law contains a requirement for the Secretary to develop results-based measures to measure “annually, and over longer periods, the quality and effectiveness of programs operated by Head Start agencies and the impact of services provided” on children and families. The bill:

- **Requires that the measures be for characteristics that are strongly predictive of school readiness and later performance in school.**
- **Requires that the measures be appropriate for the population served, and be reviewed at least every four years based on advances in the science of early childhood development:** Would require that these measures include both educational performance standards and other Head Start Performance Standards.
- **Requires measures be used to enable Head Start agencies to individualize programs of instruction to better meet the needs of individual children:** Would add this to current law, which says the measures shall be used by the Secretary to identify strengths and weaknesses in programs and problem areas that may require additional training and technical assistance.
- **Strikes current law specific requirements for results-based measurement, and requires measures to be designed to promote the specific list of areas described above:** Would strike current law provision specifying that the results-based performance measures include “educational performance measures that ensure that children participating in Head Start programs; (A) know that letters of the alphabet are a special category of visual graphics that can be individually named; (B) recognize a word as a unit of print; (C) identify at least 10 letters of the alphabet; and (D) associate sounds with written words.” The bill would replace this with a requirement that results-based measures be designed for the purpose of promoting the knowledge, skills, abilities, and development contained in the Secretary’s “additional

educational standards” that are “strongly predictive (as determined on a scientific basis) of a child’s school readiness and later performance in school.”

- **Allows Head Start agencies to establish and implement additional local results-based goals, in addition to measures:** Would change a current law provision that would allow local agencies to establish local results-based measures, that the local agencies could “establish and implement additional local results-based educational measures and goals.”

Technical Comment: When read with the provisions of the bill about “additional educational standards,” it is not entirely clear the extent to which the content of these measures is being left to the Secretary’s discretion. The bill modifies subsection (a)(1)(B)(ii) of Section 641A of the Head Start Act to direct the Secretary to develop “additional educational standards” based on the recommendations of a National Academy of Sciences panel and other experts in the field, provides a specific listing of categories, and says that the NAS panel must consider the appropriateness of these standards in making its recommendations. Then, the bill says the Secretary’s results-based outcome measures “shall be designed for the purpose of promoting the knowledge, skills, abilities, and development, described in subsection (a)(1)(B)(ii) of children participating in Head Start programs that are strongly predictive (as determined on a scientific basis) of a child’s school readiness and later performance in school.” Read together, it doesn’t seem clear whether the results-based outcome measures must make use of the specific listing in subsection (a)(1)(B)(ii) or of the Secretary’s standards developed after receiving the NAS recommendations based on a review of the categories.

Changes to Program Monitoring and Corrective Action Requirements (pages 51-62): Under current law, each Head Start agency and program receives a full review every three years. The bill would make changes to the current procedure:

- **Requires that each Head Start center receive a review:** Current law says that agencies and programs receive a review, but does not specify that every center site where Head Start is delivered by reviewed on-site. This bill would require that this occur according to the current schedule of a full review once every three years.
- **Requires unannounced center inspections, as appropriate:** Would add language that requires the Secretary to conduct “unannounced site inspections of Head Start centers, where appropriate.”
- **Specifies when follow-up visits occur:** Current law says that follow-up reviews should occur, “including prompt return visits to agencies and programs that fail to meet the standards.” The bill would specify that follow-up visits be triggered when agencies, programs, or centers fail to meet one or more of the performance measure developed by the Secretary. Would also require that programs with findings of deficiencies receive a review no later than six months after receiving such a citation.

- **Makes other changes to review process:**
 - **Allows unannounced monitoring:** Specifies that reviews that incorporate a monitoring visit may incorporate the visit without prior notice or with limited notice to ensure parents and key staff are available.
 - **Strikes requirement for federal staff involvement:** The bill would strike the current law requirement that monitoring be performed to the maximum extent practicable by employees of the Department of Health and Human Services who are knowledgeable about Head Start programs, and that such review be supervised by such an employee at the site of the Head Start agency being reviewed.
 - **Alters reference to diversity of review teams:** The bill would amend current language requiring that review teams include individuals knowledgeable about “Head Start, and other early childhood programs, and, to the maximum extent practicable, the diverse (including linguistic and cultural) needs of eligible children (including children with disabilities) and limited English proficient children and their families” [the underlined text is new].
 - **Removes the word “performance” from before “standards”** in a requirement for how grantees are to be reviewed during monitoring visits.
 - **Provides that reviews shall seek information about innovative or effective collaboration efforts and barriers to collaboration.**
 - **Adds review of income-eligibility compliance:** The bill would add a requirement that there be a review and assessment of whether a program is in conformity with legislative and regulatory income-eligibility requirements.
 - **Adds review and assessment of whether programs have adequately addressed population and community needs, including needs of limited English proficient children and children of migrant and seasonal farm-working families.**
 - **Adds review of the data from the results of child assessments and child outcomes:** Would add a provision that data from “periodic child assessments, and a review and assessment of child outcomes and performance as they relate to State, local, and agency-determined school readiness goals” be reviewed.
- **Requires that the Secretary identify technical assistance to be provided to help comply with a correction plan required after a program is reviewed:** Current law provides that if the Secretary determines, on the basis of a review, that the agency fails to meet the standards and results-based performance measures, the Secretary shall take certain steps. The bill would add a requirement that the Secretary identify technical assistance to be provided to help comply with a correction plan.
- **Requires public posting of monitoring reports:** Would require that currently required summaries of the monitoring outcomes that the Secretary must produce no later than 120 days after the end of each fiscal year be made available to parents of children in the program in an understandable and uniform format and, to the extent practicable, provided in a language parents can understand. The information would have to be made public, at least through a posting on the Internet, immediately upon publication.
- **Creates procedures to address situations in which programs are determined to be under-enrolled:** Would require Head Start entities carrying out a program to report monthly on the actual enrollment of children in the program. If this number

was less than 95 percent of funded enrollment over at least a four-month period, the Secretary would be directed to take action as follows:

- **Requires the Secretary to develop, with the agency, a plan and timetable for reducing or eliminating under-enrollment:** Would require this plan take into account such factors as: the quality and extent of outreach, changing demographics in the community, facilities-related issues, the ability to provide full-day programs, the availability and use by families of other preschool and child care (including parental care), and agency management procedures that may have an impact on enrollment. The Secretary would have to provide “timely and ongoing technical assistance to each agency” to help them implement the plan.
- **Provides the Secretary with discretion to determine an agency that has been deemed under-enrolled for 18 months chronically under-enrolled, and take steps to recapture Head Start funds:** If after 18 months, the agency is still operating a program with actual enrollment below 95 percent of funded enrollment, the Secretary may designate the agency as chronically under-enrolled and elect to “recapture, withhold, or reduce the base grant for the program by, a percentage equal to the percentage difference between funded enrollment and actual enrollment for the program in the most recent year in which the agency is determined to be under-enrolled...” The Secretary may waive or reduce the percentage recapturing, withholding, or reduction if the Secretary determines that:
 - the causes of all or part of the shortfall are beyond the agency’s control due to such issues as “serving significant numbers of migrant or seasonal farmworker, homeless, foster, or other highly mobile children;”
 - the shortfall can reasonably be expected to be temporary; or
 - the number of slots in question is not significant.
- **Provides that the actions determined necessary by the Secretary shall take effect one day after a program either loses administrative appeal, or the time allowed during which a program may appeal expires.**
- **Requires that recaptured funds be used for other similar programs:** Would require the Secretary to use funds recaptured from Indian Head Start and migrant and seasonal programs for other programs serving similar populations and demonstrate that the funds will be used to increase enrollment. For other programs, would require that the funds stay within the same state, and also that the program demonstrate that funds will be used to raise enrollment.

Technical Comment: There is some ambiguity as to whether the Secretary’s decision to recapture, withhold, or reduce funds is required or within the Secretary’s discretion. The bill says that the Secretary “may” take such action, but then references the Secretary’s authority to waive or reduce the recapturing, withholding, or reduction “otherwise required” by this provision.

Centers of Excellence in Early Childhood (Sec. 9, pages 62-70):

Would add a new section in Head Start law, Sec. 641B, creating a program to recognize Head Start centers that excel and providing them additional grant funds, opportunities,

and requirements. The Secretary would designate not more than 200 exemplary agencies (including Early Head Start agencies) from applicants nominated by state governors or, in the case of Indian and migrant and seasonal Head Start programs, by the governor and the federal program branch.

- **Creates criteria for selection:** Would require nominated agencies to submit an application demonstrating: evidence that the program has significantly improved school readiness of, and enhanced academic outcomes for, children who have participated in the program; evidence that the programs or exceeds standards and performance measures that the bill would amend (see **Quality Standards**, page 25) has successfully completed programmatic and monitoring reviews and has no findings of deficiencies; evidence the programs is making progress meeting the staff qualifications requirements that would be raised by this bill; evidence of a collaborative partnership between the agency and the state or a state agency; a nomination letter from the governor; and information demonstrating the existence of, or the agency's plan to establish, a local council for excellence.
- **Requires geographic distribution of awardees:** Would require the Secretary to select not less than one awardee from each state, the District of Columbia, and Puerto Rico.
- **Sets terms of award:** Would provide that each center of excellence be designated as such for a five-year term, during which centers would be eligible for bonus grants that the Secretary shall determine based on number of children served, but not less than \$100,000 per year, subject to availability of funding. The Secretary could revoke this status under certain conditions.
- **Outlines allowable use of award funds:** Would allow a menu of options for programs to use the award funds, including: to provide services to more children; to provide more full-day or Early Head Start services; to model and disseminate best practices for achieving early academic success; to coordinate early childhood and social services available in the community for at-risk children (prenatal through age eight); to provide training and cross training for Head Start teachers and staff and to develop agency leaders; to provide effective transitions between Head Start and elementary schools; to provide training to public elementary school teachers and other staff of child care agencies to increase their ability to work with low-income, at-risk children and their families; and to carry out other activities to improve quality.
- **Requires the centers of excellence to work with local councils and other Head Start and early childhood providers in their communities to carry out model programs.**
- **Requires the Secretary to hire an independent entity to evaluate the centers of excellence:** Would require this evaluation to examine the ability of centers to improve school readiness and to have a positive impact on school results in the earliest grades, as well as the awardees' ability to encourage other local programs to improve and meet measurable goals, particularly in the area of school readiness. The report would have to be completed within 48 months from the passage of the bill, and be submitted to the Secretary and to Congress.
- **Authorizes appropriations separate from base Head Start funds:** Would allow appropriators, if they choose, to annually appropriate \$90 million to make bonus

grants, \$2.5 million for the Secretary's administrative costs and \$2 million for the evaluation research.

Powers and Functions of Head Start Agencies (Sec. 10, pages 71-79):

Changes current law conditions for being a Head Start agency: Under current law, an agency must have authority under its charter or applicable law to receive and administer Head Start funds and must be empowered to transfer such funds. The bill would amend current law to say that in order to be designated a Head Start agency, "an agency shall have authority under its charter or applicable law to receive and administer funds," and "shall also be empowered to transfer funds."

Technical Comment: It is unclear what practical significance is intended by changing "must" to "shall."

Amends function requirements to include focus on education standards and scientifically-based curricula: Would provide that in order to be designated as a Head Start agency, the agency must establish a program with standards as would be changed in the **Quality Standards** section, with special attention to the comprehensive services and education performance standards, and demonstrate capacity to serve eligible children with scientifically-based curricula and other interventions that help ensure the school readiness of participating children.

Deletes current requirement regarding involvement of parents and area residents in decisions that influence the character of the program: Would delete current language requiring each agency to establish procedures "by which parents and area residents concerned will be enabled to directly participate in decisions that influence the character of programs affecting their interests." Instead, the bill would insert new language that agencies "seek the involvement of parents, area residents, and local business in the design and implementation of the program."

Adds a requirement that agencies establish procedures for regular assessment of children: Would add a new requirement that agencies: "establish effective procedures and provide for the regular assessment of Head Start children, including observational and direct formal assessment, where appropriate."

Rewrites requirement to involve parents: Would change current law provision as follows: "establish effective procedures to facilitate ~~seek~~ the involvement of parents of participating children in activities designed to help such parents become full partners in the education of their children, and to afford such parents the opportunity to participate in the development, ~~conduct~~, and overall ~~performance~~ conduct of the program at the local level" [underlined language is new].

Adds a requirement that Head Start agencies conduct community outreach: Would add a requirement that agencies conduct outreach to schools in which Head Start children will enroll, local educational agencies, the local business community, community-based

organizations, faith-based organizations, museums, and libraries to generate support and leverage the resources of the entire local community in order to improve school readiness.

Requires coordination with public preschools: Would add a requirement that Head Start agencies in communities where both public prekindergarten programs and Head Start programs operate will coordinate with the local educational agency or other public agency responsible for the operation of the prekindergarten programs, including for outreach to identify eligible children.

Expands and makes mandatory a current law provision that an agency may coordinate with the local education agency on services and transition activities: Current law provides that Head Start agencies “may take steps to coordinate activities with the local educational agency serving the community involved and with schools in which children participating in a Head Start program operated by such agency will enroll following such program, including--(A) collaborating on the shared use of transportation and facilities; and (B) exchanging information on the provision of noneducational services to such children.” The bill would change the “may” to “shall” and would add: “collaborating to reduce the duplication of services while increasing the program participation of underserved populations of eligible children.” In addition, the bill would add a new section on collaboration with elementary schools: “Head Start staff shall, with the permission of the parents of children enrolled in Head Start programs, regularly communicate with the elementary schools such children will be attending to—(i) share information about such children; (ii) get advice and support from the teachers in such elementary schools regarding teaching strategies and options; and (iii) ensure a smooth transition to elementary school for such children.”

Expands current law requirement that the head of each Head Start agency coordinate and collaborate with state agencies: Would alter current requirement that the head coordinate and collaborate, to read “coordinate activities and collaborate” with a list of state agencies. The list is expanded to now include programs under subtitle B of Title VII of the McKinney-Vento Homeless Assistance Act.

Adds requirement that agencies adopt teacher assessments to help with hiring and evaluation of teachers in centers: Would add language that reads: “Each Head Start agency shall adopt, in consultation with experts in child development and with classroom teachers, an assessment to be used when hiring or evaluating any classroom teacher in a center-based Head Start program. Such assessment shall measure whether such teacher has mastered the functions described in section 648A(a)(1) and attained a level of literacy appropriate to implement Head Start curricula.” The referenced section is where the bill would raise teacher qualifications for education and training.

Adds requirement for agencies to enroll the same number children for which they are funded and to maintain a waiting list: Would add language reading: “Each Head Start agency shall enroll 100 percent of its funded enrollment and maintain an active

waiting list at all times with ongoing outreach to the community and activities to identify underserved populations.”

Head Start Transition (Sec. 11, pages 79-82):

Under current law, this section outlines requirements for local programs to “take steps to” coordinate with local education agencies in which Head Start children will enroll, including a list of activities. Changes to that section and the list of activities include:

- **Changes title of section:** Would change the title for the current law section from “Head Start Transition” to “Head Start Transition and Alignment with K-12 Education.”
- **Requires communication with educational agencies’ homeless services staff:** Would change a provision requiring communication between Head Start and their counterparts in the schools to include local education agency liaisons designated in the McKinney-Vento Act.
- **Adds development of curricula with continuity between Head Start and schools:** Would add to the list of activities: “developing continuity of developmentally appropriate curricula between the Head Start agency and local educational agency to ensure an effective transition and appropriate shared expectations for children’s learning and development as they make the transition to school.”
- **Amends current requirement to develop and implement a family outreach and support program to add coordination with services for homeless families, and consideration of needs of limited English proficient parents:** Would amend current language as follows: “developing and implementing a family outreach and support program, in cooperation with entities carrying out parental involvement efforts under title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.), and family outreach and support efforts under subtitle B of title VII of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11431 et seq.), taking into consideration the language needs of limited English proficient parents” [underlined language is new].
- **Adds parental involvement focus to list of activities:** Would amend one of the included activities to read: assisting families, administrators, and teachers in enhancing educational and development continuity “and continuity in parental involvement activities” between Head Start and elementary schools. Would also add a new activity: “helping parents to understand the importance of parental involvement in a child’s academic success while teaching the parents strategies for maintaining parental involvement as their child moves from the Head Start program to elementary school.”
- **Adds activity regarding underserved populations:** Would add, “developing and implementing a system to increase program participation of underserved populations of eligible children, including children with disabilities and limited English proficient children” to the list of activities under this section.
- **Rewrites a current law provision regarding linking Head Start services with the local education agency to focus on aligning curricula:** Would delete a current law provision that read: “linking the services provided in such Head Start program with the education services provided by such local educational agency” and replacing it

with: “coordinating activities and collaborating to ensure that curricula used in the Head Start program is aligned with State early learning standards with regard to cognitive, social, emotional, and physical competencies that children entering kindergarten are expected to demonstrate.”

Submission of Plans to Governors (Sec. 12, page 82):

Current law provides that no Head Start agency shall be approved unless “a plan setting forth such proposed contract, agreement, grant, or other assistance has been submitted to the chief executive officer of the state, and such plan has not been disapproved by such officer within 45 days of such submission...” The bill would insert the words “for approval” after “chief executive officer of the state,” i.e., specifying that the plan must be submitted to the chief executive officer of the state for approval. Indian Head Start, migrant, and seasonal programs are exempted from this new requirement in the bill.

Technical Comment: It is not entirely clear whether this language is intended to result in a substantive change or a clarification of existing law. Under current law, the plan must be approved unless the chief executive officer of the state disapproves it within 45 days. This language would say that the plan must be submitted for approval, but the plan would still be approved by the Secretary if not disapproved by the chief executive officer of the state within 45 days. It is possible that adding the reference to “for approval” is intended to signal a more active role for the chief executive officer of the state.

Participation in Head Start Programs (Sec. 13, pages 82-83):

Under current law, this section sets parameters for which children and families are eligible for Head Start services. The bill would make changes to current law as follows:

- **Raises income eligibility limit to 130 percent of the poverty line, up from the current 100 percent level:** Current law says that the Secretary shall prescribe eligibility for participation, and such criteria may provide that children from low-income families shall be eligible if their family incomes are below the poverty line, or if their families are eligible for public assistance (or would potentially be in the absence of child care). The bill would change the income language to 130 percent of the poverty line.
- **Would exclude special pay for duty subject to hostile fire or imminent danger and a basic housing allowance provided to members of the uniformed services in determining income eligibility for Head Start.**
- **Adds a provision that agencies may apply to the Secretary to convert part-day sessions, particularly consecutive sessions, into full-day sessions after demonstrating a need through a community needs assessment.**

Early Head Start Programs (Sec. 14, pages 84-88):

Specifies that providing parenting skills training and training in basic child development are required activities of Early Head Start grantees.

Requires coordination with home-based services: Would add to a provision in current law for coordination with other services in the state and community to ensure a comprehensive array of supports, including health and mental health services and family support services; these services should include home-based services.

Adds requirement that Early Head Start programs develop procedures for transitioning children into preschool and Head Start: Would add to list of required program activities that programs develop systematic procedures for transitioning children into Head Start or other early childhood programs, and that they establish communication between Early Head Start, Head Start, and other early childhood program staff to facilitate coordination.

Requires formal link to Child Abuse Prevention and Treatment agency: Would add to a list of entities with whom Early Head Start programs are required to develop formal linkages the agency responsible for administering Section 106 of the Child Abuse and Prevention Treatment Act.

Allows tribal governments, migrant and seasonal Head Start programs, and private “community based organizations” to apply to be Early Head Start providers.

Allows the Secretary to use Early Head Start training and technical assistance funds for a new purpose: Would add to a list of allowable uses of Early Head Start funds set aside for training and technical assistance providing professional development and personnel enhancement relating to: “(I) effective methods of conducting parent education, home visiting, and promoting quality early childhood development; (II) recruiting and retaining qualified staff; and (III) increasing program participation for underserved populations of eligible children.”

Adds new staff qualifications and requirements for Early Head Start teachers and home visitors:

- Would require the Secretary to ensure that by September 30, 2009, all teachers providing direct services to children and families in Early Head Start centers have a minimum of a child development associate credential (CDA) or an associate degree, and been trained (or have equivalent coursework) in early childhood development;
- Would require the Secretary to establish standards for training and qualifications of home visitors and the conduct of home visits. The standards must include content related to—“(i) structured child-focused home visiting that promotes parents’ ability to support the child’s cognitive, social, emotional, and physical development; (ii) effective strengths-based parent education, including methods to encourage parents as their child’s first teachers; (iii) early childhood development with respect to children from birth through age 3; (iv) methods to help parents promote emergent literacy in

their children from birth through age 3; (v) health, vision, hearing, and developmental screenings; (vi) strategies for helping families coping with crisis; and (vii) the relationship of health and well-being of pregnant women to prenatal and early childhood development.”

Technical Comment: There are no deadlines in the bill for when the home visitor standards would be completed by the Secretary or implemented.

Records and Audits (Sec. 15, pages 88-89):

Current law specifies what records participating agencies must keep and submit to the Secretary. The bill would clarify that “each Head Start agency, Head Start center, or Early Head Start center receiving financial assistance” from federal Head Start funds would be required to comply with these requirements. It would also add a section requiring that such agencies “maintain, and annually submit to the Secretary, a complete accounting of its administrative expenses, including expenses for salaries and compensation funded” with Head Start dollars, and submit additional documentation as the Secretary may require.

Technical Assistance and Training (Sec. 16, pages 89-94):

Provides that a portion of training and TA funds be used by the Secretary to establish regional or state system of training and TA: Specifies that a portion of the technical assistance and training funds (see **Allotment and Allowable Uses of Head Start Funds**, page 11) would be made available by the Secretary to support a regional or state system of early childhood education training and technical assistance that improves the capacity of programs to deliver services meeting standards. Specifies that particular attention go to Head Start performance standards and educational standards.

- **Requires the Secretary to ensure planning and coordination:** The Secretary would have to ensure that existing agencies with demonstrated expertise in providing high-quality training and technical assistance, including the state Head Start Association, migrant and seasonal Head Start programs, state agencies, and other entities currently providing such training for the region or state, be included in the planning and coordination of the system of training and technical assistance.
- **Requires the Secretary to encourage states to add resources:** The Secretary would have to encourage states to supplement the federal funds available in order to expand activities to include non-Head Start early childhood service providers.

Allows use of funds to support Early Reading First activities related to screening reading assessment: Directs the Secretary to supplement quality improvement activities to support training and career development needs by using funds to support instruction to support activities described in Section 1221(b)(3) of the Elementary and Secondary Education Act. This section provides the definition of screening reading assessment under the Early Reading First program.

Adds provision of technical assistance regarding needs of homeless children: Would add two activities to a list of activities that the Secretary must address in allocating training and technical assistance resources: 1) assistance to programs to conduct needs assessments regarding needs of homeless children and their families, and 2) assistance to programs to increase enrollment of eligible homeless children.

Specifies that the Secretary may contract with community-based entities for provision of certain training: Current law authorizes the Secretary to provide training for Head Start personnel in the use of the performing and visual arts and interactive programs using electronic media to enhance the learning experience of Head Start children. The bill clarifies that community-based entities would be eligible to conduct such training.

Directs the Secretary to use Head Start funds for training for personnel providing services to children determined to be abused or neglected and for personnel providing services to children referred by or receiving child welfare services.

Directs the Secretary to use Head Start funds to improve services for migrant and seasonal workers and their children and homeless families: Would insert a requirement that the Secretary shall provide, either directly or through the provision of grants, funds for training of Head Start personnel in addressing the unique needs of migrant and seasonal working families, families with a limited English proficiency, and homeless families.

Adds new outline of allowable types of training with funds: Specifies that training funds shall be used “to provide high quality, sustained, and intensive, training and technical assistance in order to have a positive and lasting impact on classroom instruction. Funds shall be used to carry out activities related to 1 or more of the following: (1) Education and early childhood development. (2) Child health, nutrition, and safety. (3) Family and community partnerships. (4) Other areas that impact the quality or overall effectiveness of Head Start programs.”

Prohibits use of training funds for long-distance travel in some cases: Specifies that Head Start funds used for training shall be used for needs identified annually by a grant applicant or delegate agency in its program improvement plan, except that funds shall not be used for long-distance travel expenses for training activities—(1) available locally or regionally; or (2) substantially similar to locally or regionally available training activities.

Adds new requirement that Head Start agencies work with the Collaboration director and state officials to ensure that Head Start teachers receive ongoing training in language and emergent literacy, including appropriate curricula and assessments to improve instruction and learning: Would add a new requirement that the agencies would be responsible for this new area of literacy training, with specific requirements as follows:

- Such training shall include training in methods to promote phonological and phonemic awareness and vocabulary development in an age-appropriate and

culturally and linguistically appropriate manner. The literacy training shall be provided at the local level in order—(A) to be provided, to the extent feasible, in the context of the Head Start programs of the state involved and the children the program serves and (B) to be tailored to the early childhood literacy background and experience of the teachers involved.

- The literacy training shall be culturally and linguistically appropriate and support children’s development in their home language.
- The literacy training shall include training in how to work with parents to enhance positive language and early literacy development at home.
- The literacy training shall include specific methods to best address the needs of children who are English language learners, have speech and language delays, including problems with articulation, or have other disabilities.

***Technical Comment:** The requirements for literacy training are not structured as responsibilities of the Secretary, but rather as obligations of each Head Start agency “in coordination with the appropriate State office and the relevant State Head Start collaboration office.” It is unclear whether it is envisioned that the Secretary would have any obligation to provide funding in support of this requirement.*

Staff Qualifications and Development (Sec. 17, pages 94-100):

Increases educational requirements for center-based staff: Current law requires that 50 percent of center-based Head Start teachers have at least an associate degree in early childhood education or one in a related field with experience in teaching young children by September 30, 2003. The bill would provide that:

- **Center-Based Teachers:** By September 30, 2009, all center-based teachers must have at least:
 - either an associate degree or equivalent coursework relating to early childhood, or an associate degree in a related field with, to the extent practicable, coursework relating to early childhood; and
 - demonstrated teaching competencies, as determined by the program director involved (including, at a minimum, an appropriate level of literacy, a demonstrated capacity to be highly engaged with children, and a demonstrated ability to effectively implement an early childhood curriculum);
- By September 30, 2010, at least 50 percent of Head Start teachers in each individual center-based program have a baccalaureate degree relating to early childhood or a related educational area (or equivalent coursework) and demonstrated teacher competencies (as determined by the program director involved), including, at a minimum, an appropriate level of literacy, a demonstrated capacity to be highly engaged with children, and a demonstrated ability to effectively implement an early childhood curriculum;
- **Curriculum Specialists and Education Coordinators:** By September 30, 2007, all curriculum specialists and education coordinators in center-based programs have:
 - the capacity to offer assistance to other teachers in the implementation and adaptation of curricula to the group and individual needs of a class, and

- either a baccalaureate or advanced degree relating to early childhood, or a baccalaureate or advanced degree and coursework equivalent to a major relating to early childhood;
- **Teaching Assistants:** By September 30, 2007, all Head Start teaching assistants in center-based programs have at least a child development associate (CDA) credential, or be enrolled in a program leading to an associate or baccalaureate degree, or be enrolled in a CDA credential program to be completed within two years; and
- Each Head Start agency must demonstrate continuing progress each year toward these goals and provide the Secretary a report indicating the number and percentage of classroom instructors and their level of education. The Secretary must compile these reports and make them available to the relevant Congressional committees.

Directs Secretary to establish requirements under which staff who receive financial assistance from Head Start in meeting higher education requirements must either:

- teach or work in Head Start for a minimum of three years after receiving the degree or
- repay the total or prorated amount of the assistance received.

Would rewrite current law waiver provisions for staff education requirements under certain conditions: Would allow the Secretary to grant waivers for no longer than a year for agencies or regions of agencies that can demonstrate:

- that continuing aggressive statewide and national efforts have been unsuccessful at recruiting an individual to serve as a Head Start teacher or curriculum specialist or education coordinator who meets the requirements;
- limited access to degree programs (including quality distance learning programs), due to the remote location of the program involved; *or*
- that Head Start staff members are, as of the day the waiver is granted, enrolled in a program that grants the required degree and will be completed within 1 year.

Would provide that if granted a waiver, a program must assure that teachers not meeting the new qualifications are supervised by a teacher who meets or exceeds the requirements.

***Technical Comment:** The bill's language says that the Secretary shall ensure that Head Start agencies meet the staff education requirements, but appears to leave to the Secretary the discretion to determine the action to be taken against an agency that fails to meet the requirements within the specified time frames. Waivers could be granted for no more than one year (though the bill does not explicitly say that an agency that has received a waiver could not receive a subsequent waiver.) If waivers could not be renewed, it is possible that the Secretary would construe this language as providing that a Head Start agency would lose its eligibility to continue as a grantee after that time.*

Requires the Secretary to promote the use of appropriate strategies to meet the needs of special populations, including limited English proficient populations, with regard to family service workers.

Requires professional development plans for staff: Would require all Head Start programs, in consultation with the employees, to create professional development plans for employees who provide direct services to children, including classroom teachers, curriculum specialists, and education coordinators, to meet the qualifications requirements.

Tribal Colleges and Universities Head Start Partnership (Sec. 18, pages 101-103):

Creates a grant program for tribal colleges and universities: The bill would authorize the Secretary to award grants for periods of not less than five years to tribal colleges and universities for the purpose of promoting social competencies and school readiness in Indian children. The grants would be used to: implement education programs that include education concerning tribal culture and language and increase the number of college degrees in early childhood education and related field that are earned by Indian Head Start agency staff, parent, and member of the tribal community involved; develop and implement such programs in technology-mediated formats; and provide technology literacy programs for Indian Head Start agency staff members, and children and families.

Requires the Secretary to ensure sufficient staff are available to administer and provide technical assistance to such tribal colleges and universities: Would require the Secretary to ensure that the American Indian Program Branch of the Head Start Bureau is sufficiently staffed for these purposes.

Authorizes appropriators to make \$10 million available for FY 2004, and such sums as necessary for FY 2005 – FY 2008.

Research, Demonstrations, and Evaluation (Sec. 19, pages 103-113):

Makes children determined to be abused or neglected a part of research consideration: Current law says that a purpose of research, demonstration, and evaluation activities is to develop, test, and disseminate new ideas for addressing needs of low-income preschool children; the bill would specify that this include the needs of children determined to be abused or neglected.

Repeals requirement that research activities permit comparisons between participating and non-participating eligible children: Would delete a requirement that research activities include a component designed to study the experiences of small, medium, and large states with Head Start programs in order to permit comparisons of children participating in the programs with eligible children who did not participate in the programs.

Updates the timing of reports to Congress: Would change provisions regarding the National Head Start Impact study so that the next interim report would be due September 2003, followed by one in September 2005, and the final one in September 2006.

Strikes a study of quality improvement funds: Would strike a provision in current law that the Secretary conduct a study regarding the use and effects of the quality improvement funds since FY 1991.

Adds a requirement that the National Academy of Sciences (NAS) study child assessment: Would require the Secretary contract with the Board on Children, Youth, and Families of the National Research Council, the Board on Testing and Assessments, and the Institute of Medicine of the NAS to establish an independent panel of experts to review and synthesize research and theories of the social, behavioral, and biological sciences regarding early childhood, and make recommendations with regard to each of the following:

- Age and developmentally appropriate Head Start academic requirements and outcomes, including the list of specific standards for which the NAS is asked to provide recommendations about their appropriateness to be Head Start educational standards (see **Quality Standards and Monitoring of Head Start Programs**, page 25);
- Differences in the type, length, mix, and intensity of services necessary to ensure that children from challenging family and social backgrounds (including low-income children, children of color, children with special needs, and children with limited English proficiency) enter kindergarten ready to succeed;
- Appropriate assessments of young children for the purposes of improving program instruction, services, and program quality, including formal and systematic observational assessments in children’s natural environment, parent and provider interviews, and assessment of appropriate accommodations for children with disabilities, appropriate assessments for children with disabilities, limited English proficient children, and children from different cultural backgrounds; as well as other assessments used in Head Start programs.
- Identification of existing, or recommendations for the development of, scientifically-based, valid, and reliable assessments that are capable of measuring child outcomes in the domains important to school readiness, including language skills, prereading ability, premathematics ability, cognitive ability, scientific ability, social and emotional development, and physical development; and,
- Appropriate use and application of valid and reliable assessments as identified for Head Start programs.

Requirements for Panel Composition: The bill would require the panel to consist of multiple experts in each of the following areas:

- Child development (including cognitive, social, emotional, and physical development) and child education (including approaches to learning);
- professional development, including preparation of individuals who teach young children;
- assessment of young children (including children with disabilities and limited English proficient children), including screening, diagnostic, and classroom-based instructional assessment.

The members of the panel would be selected by the NAS, after consultation with the Secretary, and would need to include, to the extent practicable, representatives of:

- (i) the Department of Health and Human Services, including representatives of—(I) the Centers for Disease Control and Prevention; (II) the National Institute of Mental Health; and (III) the National Institute of Child Health and Human Development;
- (ii) the National Association for the Education of Young Children;
- (iii) the National Center for Learning Disabilities;
- (iv) the American Academy of Pediatrics;
- (v) the Institute of Education Sciences of the Department of Education;
- (vi) the General Accounting Office; and
- (vii) other entities with noted experts in the fields of early care and early childhood education, including additional representatives of federal agencies.

The bill would require that the NAS establish the panel within 90 days of enactment of the bill, including selecting and appointing the members of the panel, after consultation with the Secretary. The final recommendations and report would be required for submission to the Secretary no later than one year after the panel is established. Until that report is submitted, the Secretary is prohibited from implementing the modifications to program education standards contained in the bill (see **Quality Standards** section, page 25). The Secretary would be required to use the results of the review and recommendations “to (where appropriate) develop, inform, and revise” Head Start educational standards and performance measures and the assessments utilized in the Head Start programs.

With regard to the contract with the NAS, the Secretary would be required to ensure that the contract terms were such that only half the amount of the contract would be provided to the NAS should the report be provided to the Secretary any later than one year after the NAS panel is established, and that no more than half the amount be paid before the panel is established. The bill would also provide the Secretary with the authority to develop other penalties for failure to submit the report or carry out other duties.

Requires the Secretary to conduct a study on the status of limited English proficient children and their families in Head Start: Would require such report to be prepared and submitted by the Secretary to Congress not later than September 2008. The report would include: demographics of limited English proficient children from birth to age five, including the number of such children receiving Head Start or Early Head Start services; the nature of service provided; procedures in Head Start programs for the assessment of language needs and the transitions of limited English proficient children to kindergarten; the qualifications and training provided to Head Start and Early Head Start teachers serving limited English proficient children; the rate of progress made by limited English proficient children and their families in Head Start and Early Head Start; and the extent to which Head Start programs make use of quality enhancement dollars for services to limited English proficient children and families.

Reports (Sec. 20, page 113):

Would change references to the relevant Senate authorizing committee from the old name to the currently accurate Committee on Health, Education, Labor, and Pensions.

Would add to a required report by the Secretary inclusion of information on homeless children served in Head Start and what services they receive.

Comparability of Wages (Sec. 21, pages 113-114):

Would require the Secretary to take such action as may be necessary to assure that no employee funded with federal Head Start dollars or the Community Services Block Grant Act should be compensated at a rate higher than the Secretary. The bill would require the Secretary to withhold funding from an agency which violated this provision in the amount of the difference between the salary of the Secretary and that employee.

Limitation with Respect to Certain Unlawful Activities (Sec. 22, page 114):

Would make changes to current law provisions regarding unlawful demonstrations, rioting, or civil disturbances. Current law says no individual employed or assigned by Head Start agencies shall engage in such activities. The bill would also cover those individuals “in” Head Start agencies, even if not employed or assigned by that agency.

Political Activities (Sec. 23, pages 114-116):

Would amend the section of current law that specifies that program funds may not be used for any partisan or nonpartisan political activities, transportation to the polls, or voter registration. The bill would rewrite current language to say that not only Head Start programs, but specific individuals—employed by, or assigned to, a program (during the hours in which such individual is working on behalf of such program)—may not engage in such activities. The Secretary, after consultation with the Director of the Office of Personnel Management, would be authorized to issue rules and regulations to provide for the enforcement of this section, which may include provisions for summary suspension of assistance or other action necessary to permit enforcement on an emergency basis.

Parental Consent Requirement for Health Services (Sec. 24, pages 116-117):

Would require Head Start agencies to obtain written parental consent before administration of, or referral for, any health care service provided or arranged to be provided, including non-emergency intrusive physical examination of a child in connection with participation in the program.