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****SECTION-BY-SECTION INCLUDED**

**KENNEDY ON HEAD START AND THE IMPROVING HEAD START FOR
SCHOOL READINESS ACT**

WASHINGTON, DC— Today, Senator Edward M. Kennedy made the following remarks on the floor of the United States Senate as it considered the Head Start Reauthorization Conference Report and the Improving Head Start for School Readiness Act. The Senate is expected to vote on the measure this afternoon.

The Improving Head Start for School Readiness Act increases eligibility and focuses on our neediest children, as well as improving local programs and establishing new goals for the teaching workforce. It also provides for health care screening and the authorization of \$7.3 billion in funding for the program.

(As Prepared for Delivery)

I welcome the Senate's action today on the Improving Head Start for School Readiness Act. For 42 years, Head Start has brought disadvantaged children the assistance they need to arrive at school ready to learn and the building blocks they need to succeed later in life. This Conference Report builds on all of the lessons learned from Head Start's past and sets an even greater course for the future.

The legislation before us is a culmination of hard work by many Members over several years. I commend my colleague Senator Enzi and all of the Members of the HELP Committee for their work in the past two Congresses and this Congress to strengthen and improve the program.

Planning for Head Start began in the early 1960s, before we knew all that we know today about how to best intervene and support the lives of young children living in poverty. At that time, as Attorney General, my brother Robert Kennedy decided to tackle the problem of juvenile delinquency. Research pointed to poverty as the root of the nation's social and economic challenges. It was agreed that a strategy based on early education could be a significant part of the answer.

In August 1964, President Johnson and Congress launched the War on Poverty by passing the Economic Opportunity Act. The nation's poor numbered 10 million, with nearly half under the age of 12.

In the fall of that year, my brother-in-law, Sargent Shriver, convened a panel of experts in child development, education, public health, and social work to lay a foundation for the Head Start program. He envisioned a bold national commitment to prepare our neediest children for kindergarten and first grade. He conferred with experts

like Dr. Edward Zigler, and they agreed that a comprehensive approach was needed. Preschool was the centerpiece of the plan, but a major emphasis was placed on health care and parent involvement, too.

The following year, Head Start came into being as an 8-week summer program. With the help of thousands of volunteers, it served 560,000 children through preschool classes, medical and dental care, and health services. Over the years, it would reach over 24 million.

Today, the face of poverty and of America's neediest families has changed. The American workplace has changed, and our education system is being challenged to keep up with the global economy. Head Start has always adapted, finding new ways to respond to the demands on low-income, working families. But its mission has remained the same – to help our most vulnerable children succeed in school and in life.

When parents are asked what they most want to accomplish in life, their answer undoubtedly includes a desire to open the doors of opportunity for their children. They want a fair chance for their children to grow up healthy and safe, to graduate from high school and go on to college, and to achieve the American dream.

That dream should be available to every child in America. But far too often, families are still struggling to put food on the table, buy clothes for their children, pay the rent, or see a doctor. Poverty is again on the rise. Today, one out of every five children in America grows up poor.

Poverty has many dimensions. It's a labor issue, because pay is so low and workers are exploited. It's a civil rights issue, because so many African American and Latino families are often the ones left behind. It's a health care issue, because the health care that families in poverty receive is so sub-standard. Most of all, it's a children's issue, because the children of the poor have done nothing wrong. But they still pay the price.

It's our responsibility as a nation to help those in need. And the federal bedrock of that commitment is Head Start. It has always been an important symbol of our responsibility to others. At its core are the values that shaped our democracy: equity, opportunity, community empowerment, and economic progress.

Head Start is based on the premise that education is the key to the future and to breaking down the destructive forces of poverty.

It provides the starting point for a child's day, with a healthy meal each morning and a promise to parents that while they are at work and balancing two jobs, their children will see a doctor and dentist, and receive immunizations.

It provides children with the building blocks they need to enter school ready to learn. It teaches the social and emotional skills needed by children to pay attention in the

classroom and get along well with others. It expands their vocabulary, gets them excited about reading, and teaches them to count.

It welcomes parents into its programs, gives them opportunities to make decisions about their child's learning and development, and sometimes helps families find a roof for over their head.

Over the years, with each new educational and developmental advance in research, we've learned more about how Head Start can be improved. And with that learning, modifications have been made to enable the program to be even more effective:

In 1972, the Child Development Associate program was established, to provide a standard of quality for Head Start teachers and aides.

In 1974, the reauthorization of Head Start established the comprehensive Program Performance Standards to guide Head Start Centers in providing essential educational, health, and social services, and achieving parental involvement. The reauthorization also paved the way for a network of training and technical assistance activities to help Head Start agencies enhance the quality of their programs.

In the 1980s and early 1990s, the Indian and Migrant Head Start programs were formed, and Family Service Centers were established to combat illiteracy, substance abuse, and unemployment in Head Start communities. At that time, Head Start also began its important focus on improving transitions for preschool children to public schools.

In 1994, we created Early Head Start to serve low-income infants and toddlers in the first three years of their development. That legislation also led to the development of improved performance measures to assess outcomes in Head Start, and new guidelines for monitoring Head Start programs.

The current reauthorization applies the lessons learned from the past with the new knowledge of child development and early education to enable Head Start to be even more successful in the years ahead.

There's no question that Head Start is effective. Our own federally-mandated study of Head Start found that it expands children's vocabularies, and makes the greatest difference for those with the greatest needs. Head Start improves children's writing skills, and helps children grow in their social skills and behavior.

By the time Head Start children complete their kindergarten year, their skills and developmental abilities are near the national average, with scores of 99 in early literacy, 98 in early writing, 95 in early math, and 95 in vocabulary.

This reauthorization maintains high standards and comprehensive services in Head Start. It upgrades educational components of the program, and ensures that it delivers the skills and support that children need to succeed in kindergarten and the early grades. It promotes greater partnerships between Head Start programs and local schools, and ensures that services continue to be framed by the highly effective Head Start Child Outcomes Framework. It also provides a needed bridge for parents to their local schools, to promote greater coordination and ease the transition of children from preschool to kindergarten.

We also terminate the flawed National Reporting System, and ensure that new educational standards and measures used in Head Start will be informed by the National Academy of Sciences. Two years ago, the Government Accountability Office confirmed many of our long-standing concerns with this assessment, concluding that the test is not valid to make determinations about programs and students. The study also confirmed that the test was inconsistent with nationally-recognized testing standards, and unclear in its purpose.

This reauthorization ensures that any assessments used in Head Start will be valid and reliable, fair to children from all backgrounds, and measure the whole child. Head Start children and their families deserve nothing less.

Head Start teachers and staff are the heart and future of the program. They help children learn to identify letters and arrange the pieces of puzzles. They teach them to brush their teeth, wash their hands, make friends, and follow rules.

This reauthorization sets important and unprecedented goals for enhancing the skills and qualifications of Head Start teachers and staff. In this reauthorization, we're striving to help all teachers earn their Associates Degree over the next 6 years, help half of all teachers in Head Start earn their Bachelors Degree, and help all assistant teachers work toward completing a CDA or another early education credential.

These are ambitious goals. But we know that learning and development of young children require good teachers, and that there's a strong link between educational qualifications and the quality of programs.

The quality of a program doesn't just depend on the educational background of its teachers, which is why we are also calling for professional development and a career advancement plan for every Head Start employee – including family service workers, assistant teachers, and curriculum coordinators. We've established new partnerships to increase staff in Head Start who are prepared to serve the diverse children enrolled in the programs.

Most of all, we've worked to ensure that Head Start agencies have a dedicated stream of funds to provide needed training for teachers. The reauthorization dedicates \$2 million this year to local training and improvement efforts, much of which will be used to improve and strengthen the Head Start workforce. We commit to confronting the

persistent challenge of compensating Head Start teachers as the professionals that they are. Head Start teachers earn half the salary of kindergarten teachers, and turnover is about 11 percent per year.

This conference report commits 40 percent of new funds in Head Start to program quality and teacher salaries, to do more to attract and retain caring and committed leaders. It ensures that each Head Start Center will receive an annual cost-of-living increase to keep up with the rising costs of operation and overhead.

We grant additional flexibility in this reauthorization for Head Start to serve thousands of additional low-income children in need, by including families just above the federal poverty level. It's essential for Head Start to prioritize its services to the neediest families in their communities. But this new flexibility enables those living near poverty and earning less than what they need to get by to receive assistance too. It's the right thing to do, and it's what Head Start is all about.

The reauthorization also makes a long-overdue commitment to expanding Head Start programs in Indian country, and programs for migrant and seasonal farmworkers. By reserving up to \$20 million annually to expand services in these programs, we can hopefully reach an additional 5,500 migrant children and an additional 5,100 Native American children living in poverty. New provisions are also included to enhance services for homeless children, children who are English language learners, and children with disabilities in order to ensure that these populations receive the care and attention they deserve.

Accountability is a cornerstone of excellence and should start early. Head Start should be accountable for its commitment to provide safe and healthy learning environments, to support each child's individual pattern of development and learning, to build community partnerships in services to children, and to involve parents in their child's growth.

This reauthorization makes significant progress in increasing accountability and investing in excellence in Head Start. It continues the comprehensive monitoring that has become a hallmark of Head Start, and ensures that reviews are fair and balanced in order to account for challenges and strengths in programs. It also establishes a new system for the designation of Head Start grants, to be phased in over the next several years.

We know that the vast majority of Head Start programs provide outstanding services – fewer than 20 percent of programs are found to be deficient each year. But where serious deficiencies exist, we must see that substantial problems do not languish at the expense of children. If a local program is unable to meet Head Start's high standards of quality, timely action should be taken. This new system will facilitate accountability and funding decisions, and do so in a manner that is transparent, fair, and responsive to the local needs of families and children.

We've established greater accountability for enrollment in programs, and delineated a clear system of governance in Head Start.

The reauthorization also takes important steps to expand Early Head Start. Since its inception, results have proven that Early Head Start is one of the most effective programs of the Department of Health and Human Services. In this legislation, we improve the training and assistance network serving Early Head Start, and guarantee a dedicated expert in each state to work with programs to meet the needs of infants and toddlers. We also expand the screening available to infants exposed to trauma, violence, or other circumstances detrimental to their development. We commit to expanding Early Head Start to serve an additional 8,000 low-income infants and toddlers over the next five years.

As in elementary and secondary education, reform in early childhood education requires resources. Today, half of all children eligible for Head Start have no access to it. Early Head Start however, serves only 3 percent of eligible infants and toddlers – we leave behind a shameful 97 percent.

When Sergeant Shriver discussed the War on Poverty, he said “You have to put immense resources into winning a war.” He was right, and he wasn't talking about wars like Iraq. He was talking about the war on poverty. This Conference Report increases authorizations for Head Start to \$7.3 billion in fiscal year 2008, \$7.6 billion in fiscal year 2009, and \$7.9 billion in fiscal year 2010. On a bipartisan basis, the conferees have signaled a commitment to invest more in our youngest children, and to assist Head Start in responding to the changing and evolving needs of the communities it serves.

Research shows that the first five years of life make an immense difference for a child. Those who attend high-quality early education programs are more likely to do well when they reach elementary school, are less likely to be held back a grade, and are more likely to graduate from high school and go on to college.

Our federal investment in early childhood education clearly pays off – for every dollar invested in high-quality early education, there is a 16 dollar return later in life.

All children – regardless of their background – deserve to learn and develop. We need to strengthen early childhood for young children, in order to help them succeed later in school and in life.

A comprehensive curriculum and a stable and well-qualified workforce are cornerstones of a good early education. I'm especially pleased that this reauthorization of Head Start includes a blueprint to strengthen the array of early childhood programs and services for young children.

The bill establishes an Early Childhood Advisory Council to examine needs of early childhood programs, develop a plan to improve professional development, upgrade standards, enhance collaboration among programs, and improve data collection.

More than 40 states have early learning standards in place or under development. States like Massachusetts, Connecticut, and Illinois have developed the systems needed to improve program quality and expand access to programs in the early years. We need to build on that progress. States that are ready to take on the challenge of implementing needed improvements in their early education programs will qualify for incentive grants to get such improvements underway.

One of our highest priorities in Congress is to expand educational opportunities for every American. In this age of globalization, every citizen deserves a chance to acquire the skills needed to compete in the modern economy. That challenge begins at birth, and accelerates in the early years of life – well before children even begin kindergarten.

This reauthorization helps us reach this essential goal. It keeps Head Start on its successful path, and enables it to continue to thrive and improve.

We still haven't won the war on poverty in America. But thanks to Head Start, we're getting closer. Day by day, and one child at a time. This conference report continues that indispensable progress, and I urge my colleagues to approve it.

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CONFERENCE REPORT TO ACCOMPANY H.R. 1429
Improving Head Start for School Readiness Act

Section by Section Summary

SECTION 2. STATEMENT OF PURPOSE.

Adds the goal of promoting the school readiness of low-income children by enhancing their cognitive, social, and emotional development in a learning environment that supports growth in language and literacy, mathematics, science, social and emotional functioning, creative arts, physical skills and by providing comprehensive health, educational, nutritional, social, and other related services.

SECTION 3. DEFINITIONS.

This section amends section 637 by adding community-based organizations to the definition of potential delegate agencies, removing the Federated States of Micronesia and the Republic of the Marshall Islands from the definition of 'State.' 'Institution of higher education' has the same meaning given the term in section 101(a) of the Higher Education Act of 1965. This section defines 'deficiency' as a systemic or substantial material failure in an area of performance; failure of the governing body to fully exercise its legal and fiduciary responsibilities; or an unresolved area of noncompliance. 'Homeless child' is defined as one who lacks a regular or adequate nighttime residence or

whose residence is a temporary shelter. ‘Interrater reliability’ is when two or more independent raters obtain the same result when using the same assessment tool. This section defines ‘limited English proficient’ as one who was not born in the United States or whose native language is a language other than English. ‘Principles of scientific research’ is defined to mean principles of research that apply rigorous, systematic, objective methodology, and present findings and claims supported by those methods. This section defines ‘professional development’ as high quality activities that improve the knowledge and skills of Head Start teachers and staff; ‘scientifically valid research’ to include applied research, basic research, and field-initiated research, and ‘unresolved area of noncompliance’ as failure to correct a noncompliance item within 120 days, or within such additional time (if any) as authorized by the Secretary.

SECTION 4. FINANCIAL ASSISTANCE FOR HEAD START GRANTS.

Provides Head Start agencies grants for a five-year period.

SECTION 5. AUTHORIZATION.

This section authorizes \$7,350,000,000 for fiscal year 2008, \$7,650,000,000 for fiscal year 2009, \$7,995,000,000 for fiscal year 2010, and such sums as may be necessary for each of fiscal years 2011 and 2012.

SECTION 6. ALLOTMENT OF FUNDS.

Under this section nothing shall be construed to deny the Secretary the authority to terminate, suspend, or reduce funding to a Head Start agency. If the sums appropriated under section 639 are not sufficient to provide the amounts required to be reserved under subparagraphs (B) through (E), the reservations must be reduced proportionately.

Hold Harmless

This section authorizes the Secretary to determine an amount for each fiscal year for each State that is not less than the amount received through base grants in the prior fiscal year. For each fiscal year, the Secretary is directed to reserve for each fiscal year such sums as are necessary to provide for each State, Indian Head Start programs and migrant or seasonal Head Start programs an amount not less than that agency’s base grant in the prior fiscal year. Sums must be reserved to provide an amount for Head Start agencies in Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and the Virgin Islands of the United States that is equal to the amount provided for base grants in the prior fiscal year. This section provides an amount for Head Start agencies in the Republic of Palau for fiscal years 2008 and 2009 that is equal to the amount provided for base grants in the prior fiscal year. This section also provides a set-aside amount for a collaboration grant for each State.

Reservations

Under this section the Secretary will set aside a portion no less than 2.5 percent and not more than 3 percent of the sums appropriated pursuant to section 639 for each fiscal year to fund training (professional development) and technical assistance activities. The Secretary is directed to set aside no less than 20 percent of that portion for Early Head Start programs and a portion equal to the rest of the reserved amount to fund these activities for other Head Start programs. This portion should be allocated as follows: not less than 50 percent of the reservation shall be made available to Head Start agencies to use directly, not less than 25 percent of the reservation shall be available to the Secretary to provide training, including professional development, and technical assistance, and the remainder of the portion shall be set aside under this subclause and be made available to the Secretary to assist Head Start agencies. In determining the portion set aside, the Secretary shall consider the number of Early Head Start programs newly funded for that fiscal year.

The Secretary shall reserve not more than \$20,000,000 to fund research, demonstration, and evaluation activities, of which not more than \$7,000,000 for each of fiscal years 2008 through 2012 shall be available to carry out impact studies. Not more than \$42,000,000 will be reserved for the Secretary for the monitoring of Head Start agencies. The Secretary is also directed to reserve .2 percent of funding for the territories.

Cost of Living and Indian and Migrant Expansion

If funds permit, the Secretary is required to provide a cost of living increase, from remaining funds, for each Head Start agency (including each Early Head Start agency) and provide \$10,000,000 in expansion funding for Indian Head Start programs, and \$10,000,000 in expansion funding for migrant and seasonal Head Start programs.

If the remaining amount is not sufficient to meet these requirements, for each of fiscal years 2008, 2009, and 2010, the Secretary shall provide 5 percent of that amount for expansion funding to Indian Head Start programs, and 5 percent of that amount for expansion funding to migrant and seasonal Head Start programs, and use 90 percent of that amount to provide the same percentage cost of living increase for each agency. When funds are insufficient to reserve funds for Indian and migrant and seasonal program expansion and at least a 50% cost of living increase, funds shall only be used for a cost of living increase. For fiscal year 2011 and each subsequent fiscal year, for each agency the Secretary will provide the cost of living increase and provide equal amounts for Indian and migrant and seasonal Head Start programs.

Indian Head Start programs shall not receive more than a total cumulative amount of \$50,000,000 in expansion funds over the course of the authorization. Migrant and seasonal Head Start programs shall not receive more than a total cumulative amount of \$50,000,000 in expansion funds over the course of the authorization. Expansion funds to Indian Head Start programs or migrant or seasonal Head Start programs under these special provisions shall remain available until the end of the following fiscal year.

Remaining Funds

Of the funds available, the Secretary shall reallocate the portion that the Secretary determines is unobligated 18 months after the funds are made available. From any amount remaining for a fiscal year, the Secretary will reserve 40 percent to fund quality improvement activities, 45 percent to fund Head Start expansion, and 15 percent to fund the development and expansion of state early education councils. If after two years the Secretary does not receive an application for funds (up to \$15,000,000) reserved for the implementation of state councils, funds are to be allocated through the formula. If the remaining balance is not sufficient to fund these activities, the Secretary must reserve 45 percent for quality improvement activities and 55 percent for Head Start expansion.

The Secretary is directed to reserve 10 percent of quality improvement funds to provide funding to Head Start agencies (including Early Head Start agencies) that demonstrate the greatest need for additional funding. At least 90 percent of such funds must be reserved for allotment to each Head Start agency (including each Early Head Start agency) an amount that bears the same ratio of the number of enrolled children served by the agency involved to the number of enrolled children served by all Head Start agencies (including Early Head Start agencies). In making such determinations the Secretary shall account for the additional costs of serving children in Early Head Start programs and may consider whether an agency is providing a full-day program or a full-year program.

Under this section at least 50 percent of the reserved quality improvement funds must be used to carry out specific activities under paragraph (4)(C), including improving the compensation and benefits of educational personnel, family service workers, and child counselors.

Any remaining quality improvement funds must be used to support services necessary to address the challenges of children from special populations, improving the physical environment of the agency, employing additional qualified personnel, increasing hours of program operation, improving community wide strategic planning and needs assessments, transporting children, and improving the compensation of agency personnel.

Of the 45 percent reserved for program expansion, 50 percent is allocated for the expansion of Head Start programs and 50 percent is allocated for the expansion of Early Head Start programs. The expansion funding for Head Start programs would be provided to States by formula over the course of five years based on the percentage of programs serving 60 percent of eligible participants or less. In year one, 30 percent of expansion funding would be directed at those programs serving fewer than 60 percent of their eligible participants; the remaining 70 percent would go to all programs. In year two the split would be 40/60; year three the split would be 50/50; and years four and five the split would be 55/45.

SECTION 7. DESIGNATION OF HEAD START AGENCIES.

This section gives the Secretary authority to designate any local public or private non-profit or for-profit entity as a Head Start agency. To be designated, entities must establish goals to meet Head Start's performance and outcome standards and to promote

school readiness. To continue to receive grants agencies must demonstrate progress toward meeting goals, measured in part on the basis of assessments of Head Start children.

Under this section, the Secretary is directed to develop and implement a system for designation renewal that determines whether a Head Start grantee is successfully delivering high quality and comprehensive services. This system will integrate recommendations of an expert panel that will make recommendations to the Secretary on the development of a transparent, reliable, and valid process for designation renewal. Panel members must have expertise in fields relevant to providing Head Start services to eligible children and their families. Within 26 months the panel will make recommendations regarding the implementation of a new system to evaluate the performance of Head Start agencies and whether they are meeting the program performance standards. This report will also be sent to Congress.

A grantee determined to be delivering a high-quality and comprehensive Head Start program is designated as a Head Start agency for 5 years. A grantee not delivering a high-quality program may be subject to an open competition. An Indian Head Start agency found not be delivering a high-quality and comprehensive Head Start program must engage in government-to-government consultation with the Secretary to establish a plan to improve the quality of such programs.

If no entity in a community is successfully delivering a high-quality program the Secretary must designate a Head Start agency from among qualified applicants in the community. Parent and community involvement is required in this process.

SECTION 8. STANDARDS; MONITORING OF HEAD START AGENCIES AND PROGRAMS.

This section amends section 641 by directing the Secretary to modify, as necessary, program performance standards. Performance standards are designed to ensure that Head Start students develop and demonstrate gains in academic competencies and reading abilities, cognitive, social, and emotional development, and ensure successful transition to kindergarten. Performance standards are also designed to ensure that limited English proficient children make progress towards the acquisition of the English language.

Under this section the Secretary is directed to consult with experts in child development, early childhood education, child health care, family services, program administration, and the financial management and operation of Head Start programs when modifying program performance standards. The Secretary must review and revise standards to enhance services provided by Head Start agencies. The study on Developmental Outcomes and Assessments for Young Children by the National Academy of Sciences will inform guidance provided to Head Start agencies on the assessment of children enrolled in Head Start programs.

This section mandates that measures are developmentally, linguistically, and culturally appropriate for the population served, be reviewed periodically, and be coupled with high quality professional development. Measures must also help develop the skills, knowledge and abilities of children participating in Head Start.

The Secretary must protect personally identifiable data, information, and records. The Secretary has limited ability to use assessments in ways that will rank, compare, or evaluate individual children or reward or sanction children or teachers.

The Secretary is directed to determine whether Head Start agencies meet standards and assist in the identification of strengths and areas in need of improvement. Review teams will assist in conducting reviews to evaluate program performance, quality, and overall operations. Reviews must be consistent and objective.

The Secretary must inform and assist Head Start agencies designated for corrective action. Head Start agencies have 90 days to correct deficiencies that threaten the health or safety of staff or program participants or pose a threat to the integrity of Federal funds. The Secretary must initiate proceedings to terminate the designation of the agency unless the agency corrects the deficiency.

To retain designation, or in the case of a Head Start program to continue to receive funds, a Head Start agency or program must develop a quality improvement plan that the Secretary must review. The Secretary has 120 days after the end of each fiscal year to publish a report on the findings of reviews and on the outcomes of quality improvement plans implemented during the fiscal year.

This section directs each Head Start agency and each delegate agency to conduct a comprehensive self-assessment of its overall effectiveness, progress in meeting program goals and objectives, and compliance with program standards. The agency must develop and submit to the Secretary a report containing an improvement plan approved by the governing body. Each Head Start agency, Early Head Start agency, and delegate agency must establish and implement procedures for the ongoing monitoring of their respective programs and any delegate agencies.

In this section, the term 'actual enrollment' means the actual number of children enrolled in a program for in a given month. The term 'base grant' means that portion of the grant derived from amounts reserved for a Head Start agency administering an Indian Head Start program or migrant or seasonal Head Start program, amounts reserved for territories and Palau, as well as for amounts available for Early Head Start agencies, States, and discretionary payments. The term 'funded enrollment' means the number of children that the agency is funded to serve through a grant for the program during a fiscal year.

Each entity administering a Head Start program is directed to report on actual enrollment and identify whether actual enrollment is less than funded enrollment and explain any reasons for discrepancies. The Secretary must determine which Head Start agencies are operating with an actual enrollment that is less than the funded enrollment. Each Head

Start agency operating a program with an actual enrollment that is less than its funded enrollment must develop a plan and timetable for reducing or eliminating underenrollment.

SECTION 9. POWERS AND FUNCTIONS OF HEAD START AGENCIES.

This section amends section 642 to require that a Head Start agency have authority to receive, administer, and transfer funds received under this Act. Head Start agencies must demonstrate capacity to provide services, regularly assess children, involve parents, leverage community resources, and refer children and their parents to services that will assist in achieving Head Start goal and objectives.

Head Start agencies are required to provide a family needs assessment, consider providing services to assist younger siblings of Head Start children, perform community outreach, and provide information to parents of English language learners information in a language parents can understand.

Head Start agencies must also work with local educational agencies and other early childhood education providers to identify eligible children and ensure a smooth transition to kindergarten. Collaboration with other providers of early childhood education could include the shared use of vehicles for the transportation of participating children and families and facilities. Head Start agencies must inform parents of their rights and responsibilities as participants in Head Start. Head Start agencies also have the option to partner with colleges and universities and nonprofit organizations to provide college students with the opportunity to serve as mentors or reading partners.

This section requires Head Start agencies to establish procedures to refer children with disabilities to relevant agencies and to provide necessary early intervening services to children with disabilities prior to an eligibility determination.

Under this section agencies must establish a formal system of governance to oversee the operation of Head Start agencies and to make decisions related to program design and implementation. This structure includes a governing body and a policy council. The governing body has legal and fiscal responsibility. The policy council is responsible for the direction of the Head Start program. At least one member of the governing body must have background and experience in each of the following areas: fiscal management or accounting, early childhood education and development, and be a licensed attorney familiar with the issues of the agency. Additional members must reflect the community served and include parents of current or former children enrolled in Head Start programs. Members of the governing body must not have a conflict of interest with the Head Start agency, receive compensation, be employed or have members of their immediate family be employed by the Head Start agency, or operate independent of the Head Start agency.

The policy council is responsible for the direction of the Head Start program including program design and operation, and long- and short-term planning goals and objectives. The policy council must be elected by the parents of children currently enrolled in the

Head Start program. Members of the policy council must not have a financial conflict of interest with the Head Start agency and not receive compensation for service on the policy council. The policy council is responsible for approving and submitting to the governing body decisions related to program operations, recruitment priorities, selection priorities, enrollment priorities, applications for funding, budget planning, policy council bylaws, personnel policies, election procedures, and the selection of delegate agencies.

The Secretary is directed to develop policies, procedures, and guidance for Head Start agencies concerning the resolution of internal disputes and the facilitation of meaningful consultation and collaboration about decisions made by the governing body and policy council.

This section mandates that each Head Start agency ensure the sharing of accurate and regular information for use by the governing body and the policy council. Agencies must collaborate and coordinate with public and private entities to improve the availability and quality of services, ensure that children maintain developmental gains in further schooling, and implement a research-based early childhood curriculum. Each agency must enroll 100 percent of its funded enrollment and maintain an active waiting list while working with the community to identify underserved populations.

SECTION 10. HEAD START TRANSITION AND ALIGNMENT WITH K-12 EDUCATION.

This Section amends Section 642A by requiring each agency to coordinate with local educational agencies and schools in which Head Start children will enroll.

This section mandates that the Secretary, in consultation with the Secretary of Education, disseminate to Head Start agency information on effective policies and activities relating to the transition of children from Head Start programs to public schools and provide technical assistance to support such policies and activities. Nothing in this section should be interpreted to authorize a Head Start program or a local educational agency to require the other to select or implement a specific curriculum or program of instruction.

SECTION 11. EARLY CHILDHOOD EDUCATION, COORDINATION, AND IMPROVEMENT.

This section directs the Secretary to provide collaboration grants to each state and to each national administrative office serving Indian Head and migrant and seasonal Head Start programs to facilitate collaboration among Head Start agencies (including Early Head Start agencies) and entities that carry out activities designed to benefit low-income children from birth to school entry, and their families.

Grants are designed to assist Head Start agencies in collaborating with entities involved in State and local planning processes, State agencies responsible for administering the State program carried out under the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858 et seq.), and entities providing resource and referral services in the

State to make full-working-day and full calendar year services available to children. Funds are to be used to promote curricula alignment, promote better linkages between Head Start agencies and other child and family agencies, and carry out the activities of the State Director of Head Start Collaboration.

Under this section States are directed to appoint or designate an individual to serve as, or carry out the responsibilities of, the State Director of Head Start Collaboration. Within one year of receiving the collaboration grant the State Director must conduct an assessment of the needs of Head Start agencies in the State with respect to collaboration, coordination and alignment of services, and curricula and assessments used in Head Start programs with the Head Start Child Outcomes Framework and State early learning standards. This report must be updated annually and made available to the public. Using results from this assessment, the Director must work to enhance programs and services related to early childhood education and care in the State.

Under this section State Governors are also directed to designate or establish a council on Early Childhood Education and Care for children from birth to school entry. Members shall represent agencies responsible for providing such programs and services. The Council is responsible for improving the quality and availability of early childhood education and care for children from birth to school entry.

The Secretary is directed to award, on a competitive basis, one-time startup grants of not less than \$500,000 to eligible States to enable such States to pay for the Federal share of developing and implementing a plan to improve the quality and availability of early childhood education and care for children from birth to school entry.

SECTION 12. ADMINISTRATIVE REQUIREMENTS AND STANDARDS.

This section directs Head Start agencies to observe standards of organization, management, and administration that will ensure that all program activities are conducted in a manner consistent with the purposes of this subchapter and the objective of providing assistance effectively, efficiently, and free of any taint of partisan political bias or personal or family favoritism. Agencies are required to establish or adopt rules to carry out this section, including rules to assure full staff accountability in matters governed by law, regulations, or agency policy. Agencies must also provide for reasonable public access to information by publishing a report at least once each fiscal year.

SECTION 13. PARTICIPATION IN HEAD START PROGRAMS.

This section codifies the current practice of providing agencies flexibility to serve up to 10 percent of students with incomes above 100 percent of poverty. Flexibility is also expanded to allow agencies to serve low-income families up to 130 percent of poverty, not to exceed 35 percent of total enrollment.

This Section provides that homeless students are eligible for Head Start services, that the term ‘dependent’ has the meaning given the term in paragraphs (2)(A) and (4)(A)(i) of

section 401(a) of title 37, United States Code, and that the terms ‘member’ and ‘uniformed services’ have the meanings given the terms in paragraphs (23) and (3), respectively, of section 101 of title 37, United States Code.

This Section requires that military housing, upgrades and basic allowance not be considered income for the purposes of determining Head Start program eligibility of the children of uniformed services members.

Under this Section, after demonstrating a need through a community-wide strategic planning and needs assessment, a Head Start agency may apply to the Secretary to convert part-day programs into full-working-day programs. Upon written request, a Head Start agency may use funds under section 640(a) to serve infants and toddlers if the agency submits an application to the Secretary.

An Indian tribe or tribes that operate both an Early Head Start program under section 645A and a Head Start program may reallocate funds between the Early Head Start program and the Head Start program to address fluctuations in children and families served.

SECTION 14. EARLY HEAD START PROGRAMS.

Section 645A is amended to require coordination of Head Start services with services provided by programs in the State and the community and encourage program responsiveness to the needs and circumstances of children and their families. Agencies are directed to ensure that children with documented behavioral problems receive appropriate screening and referral, develop and implement a procedure for transitioning children and parents, and establish channels of communication and linkages between staff and other local providers of early childhood education and development programs.

In order to ensure the successful operation of programs, this Section requires the Secretary to use funds to monitor program operation, evaluate program effectiveness, and provide training and technical assistance.

The Secretary must also ensure that, by September 30, 2010, all teachers have a minimum of a child development associate credential or equivalent coursework and that Head Start programs have established goals to ensure that by September 30, 2012, all such teachers have been trained or have equivalent coursework in early childhood development with a focus on infant and toddler development.

The Secretary is directed to establish standards for training, qualifications, and the conduct of home visits to further enhance the quality of such services.

SECTION 15. APPEALS, NOTICE, AND HEARING.

Section 646 is amended to clarify that financial assistance may be terminated or reduced, and an application for refunding may be denied after the recipient has been afforded

reasonable notice and opportunity for a full and fair hearing. The Secretary may suspend financial assistance for a maximum of 30 days unless an agency has multiple and recurring deficiencies. In instances where a Head Start agency prevails in a decision regarding a dispute, the Secretary may determine and provide fees deemed reasonable and customary.

SECTION 16. RECORDS AND AUDITS.

This section amends section 647 by including that each recipient of financial assistance must annually submit to the Secretary a complete accounting of administrative expenses.

SECTION 17. TECHNICAL ASSISTANCE AND TRAINING.

This section provides the Secretary with the authority to use funds to provide technical assistance and training to improve program quality. The process for determining such assistance activities must address program quality and expansion and include an ongoing procedure for obtaining input from individuals and agencies carrying out Head Start programs. In providing such assistance and allocating resources, the Secretary must give priority consideration to activities that correct program and management deficiencies, ensure school readiness, and address the professional and career development needs of staff.

This section authorizes support for providing additional services designed to assist agencies in meeting the needs of children and their families. The Secretary is directed to develop and implement recruitment practices to identify and increase the skills of professionals from diverse backgrounds to become Head Start teachers in order to reflect the communities in which Head Start children live.

Funds made available must be used to provide high quality, sustained, and intensive training and technical assistance. The Secretary is directed to enter into contracts with entities that have a demonstrated expertise in supporting the delivery of high quality early childhood education and development programs, and to consult with appropriate Federal agencies and other experts on issues of air quality related to children's health.

The Secretary is authorized to award grants to historically Black colleges and universities, Hispanic-serving institutions, and Tribal Colleges and Universities to increase the skills and number staff serving Native American, African American and Latino children in Head Start. Each institution desiring a grant must submit to the Secretary an application in partnership with at least one Head Start agency enrolling large numbers of students from the populations served by such institutions.

In this subsection the term 'Hispanic-serving institution' has the meaning given such term in section 502 of the Higher Education Act of 1965 (20 U.S.C. 1959c), the term 'historically Black college or university' has the meaning given such term in section 322(2) of the Higher Education Act of 1965 (20 U.S.C. 1061(2)) and the term 'Tribal College or University' has the meaning given such term in section 316(b) of the Higher

Education Act of 1965 (20 U.S.C. 1059c). A student receiving a grant or assistance must teach in a center-based Head Start program for a period of time equivalent to the period for which they received assistance or shall repay such assistance.

SECTION 18. STAFF QUALIFICATIONS AND DEVELOPMENT.

This Section amends 648A to require that at least 50 percent of center-based Head Start teachers nationwide have a baccalaureate, advanced degree, or equivalent coursework in a major relating to early childhood education by September 30, 2013. Teachers with equivalent coursework must also have experience teaching young children. All Head Start education coordinators must have a baccalaureate or advanced degree in early childhood education or equivalent coursework by September 30, 2013. Head Start teaching assistants must have at least a child development associate credential and be enrolled in a program leading to a degree that will be completed within 2 years.

Under this section Head Start agencies must demonstrate continued progress toward achieving these goals and submit to the Secretary a progress report. The Secretary is required to compile and submit program reports to Congress.

Center-based programs must ensure that each Head Start classroom that does not have a teacher who meets the aforementioned qualifications is assigned one teacher who, through September 30, 2011, has a child development associate credential, a State-awarded certificate for preschool teachers, an associate degree in early childhood education, coursework equivalent to a major relating to early childhood education and experience teaching preschool-age children, or a baccalaureate degree with experience as a Teach For America teaching fellow. On or after October 1, 2011, teachers must have an associate degree in early childhood education, coursework equivalent to a major relating to early childhood education and experience teaching preschool-age children or a baccalaureate degree and experience as a Teach For America teaching fellow.

The Secretary may waive post-secondary degree requirements for an agency that can demonstrate aggressive recruitment efforts have been unsuccessful and ensures that each Head Start classroom has a teacher who has at least a child development associate credential or a State-awarded certificate for preschool teachers. Head Start teachers are required to attend at least 15 hours of high quality, sustained, intensive, and classroom-focused professional development each year.

Head Start staff who receive financial assistance to pursue a degree are required to teach or work in a Head Start program for at least 3 years after the degree is obtained or repay the financial assistance received.

To improve the quality and effectiveness of staff providing in-home services the Secretary, in coordination with concerned public and private agencies and organizations, must review and revise or develop new qualification standards for Head Start staff.

Each Head Start agency and program is required to create a professional development plan for all staff. Before hiring an individual, a Head Start agency must conduct an interview, verify references, and obtain a criminal record check.

SECTION 19. RESEARCH, DEMONSTRATION, AND EVALUATION.

Section 649 is amended to direct the Secretary to carry out research, demonstration, and evaluation activities that use Head Start programs to develop, test, and disseminate new ideas based on existing scientifically valid research for addressing the needs of low-income preschool-aged children and their families. Activities under this section will contribute to understanding the impact of Head Start services, disseminate promising practices for increasing the availability and quality of services, and identify successful strategies that promote good oral and vision health.

Within one year of the date of enactment of this Act, the Secretary shall conduct a study on the status of limited English proficient children and their families participating in Head Start and Early Head Start programs. The Secretary shall submit the report to Congress before September 30, 2010. Under this section the Secretary is authorized to award competitive grants to organizations with a demonstrated capacity for serving and studying English language learners, migrant and seasonal farmworker families, and other diverse populations.

When the study on Developmental Outcomes and Assessments for Young Children by the National Academy of Sciences is made available to the Secretary, the Secretary will integrate the results of the study into each assessment of the Head Start programs and use the results of the study to develop, inform, and revise standards and measures.

The Secretary is directed to suspend implementation and terminate further development and use of the National Reporting System.

In order to increase access to Head Start services for children of migrant and seasonal farmworkers, the Secretary must work with providers of migrant and seasonal Head Start programs, the Secretary of Agriculture, the Secretary of Labor, the Bureau of Migrant Health, and the Secretary of Education to collect, report, and share data on children of migrant and seasonal farmworkers and their families to adequately account for the number of children of migrant and seasonal farmworkers who are eligible for Head Start services and determine how many of such children receive the services. Collaboration will also result in the identification of barriers that prevent children of migrant and seasonal farmworkers who are eligible for Head Start services from accessing such services and the development of a plan for eliminating such barriers. Within one year of the date of enactment of this Act, the Secretary will publish a notice regarding implementation plans. Public comment must be considered before plans are implemented.

This section directs the Secretary to protect the confidentiality of personally identifiable data, information, and records. The collection of data, information and records is not to

be construed to authorize the development of a nationwide database of personally identifiable data, information, or records on individuals involved in studies or other collections of data under this subsection.

This section also authorizes the evaluation of emergency preparedness of the Head Start programs and Early Head Start programs to enhance readiness to respond to an emergency. To accomplish this goal the Secretary will evaluate program preparedness assessing the extent to which programs are ready to respond to large-scale emergencies. A report containing findings from this study must be submitted to Congress within 18 months after the date of enactment of this Act.

SECTION 20. REPORTS.

Section 650 is amended so that the Secretary will also consider homeless children in reports concerning the status of Head Start children. The Secretary is directed to provide, within 60 days after the end of each fiscal year, a report to Congress on program expenditures. The Secretary is required to annually review and assess whether the design and implementation of the triennial reviews include compliance procedures that provide reasonable assurances that Head Start agencies are complying with fiscal laws and regulations. The Secretary will report to Congress findings from this report within 30 days after the completion of the annual review.

Under this section the Secretary is directed to track the provision of disability-related services for children as well as progress in assisting program efforts to prevent and reduce obesity. Reports containing the results of these studies will be sent to Congress within one year after the date of enactment of this Act.

SECTION 21. COMPARABILITY OF WAGES.

Section 653 makes a technical amendment to track the change from the Committee on Education and the Workforce to the Committee on Education and Labor and mandates that no individual is to be compensated with federal funds in an amount that exceeds Level II of the Executive Schedule. If this is violated the Secretary may withhold funds.

SECTION 22. LIMITATION WITH RESPECT TO CERTAIN UNLAWFUL ACTIVITIES.

This Section includes technical amendments to forbid participation in civil disturbance, rioting, or unlawful demonstration by individuals employed in Head Start agencies.

SECTION 23. POLITICAL ACTIVITIES.

This Section amends Section 656 to require that no funds be used to conduct voter registration activities. Head start facilities, however, may be used for such activities.

SECTION 24. PARENTAL CONSENT REQUIREMENT FOR HEALTH SERVICES.

This Section amends the Act to define the term ‘nonemergency intrusive physical examination’ as a physical examination that is not immediately necessary to protect health or safety and is invasive or involves exposure of private body parts. A Head Start agency must obtain written parental consent before administering any nonemergency physical examination. Agencies are permitted to handle cases of suspected or known child abuse and neglect without such parental consent.

SECTION 25. CENTERS OF EXCELLENCE.

This section requires the Secretary to establish a program to designate up to 200 exemplary Head Start agencies as Centers of Excellence in Early Childhood, with at least one designee per state and the District of Columbia, for a five-year term. Exemplary centers will receive bonus grants to provide services to additional children and disseminate best practices. The Secretary shall make a bonus grant not less than \$100,000 annually.

State Governors will nominate centers for this distinction, and applications must include evidence that the program has improved the school readiness and academic outcomes of Head Start children, evidence that the program meets or exceeds Head Start standards and performance measures, has no substantial deficiencies, and information demonstrating the existence of a collaborative partnership between the agency and the Governor’s office.

This section requires the Secretary to make a grant to an independent organization to conduct research on the ability of the Centers of Excellence to improve the school readiness of Head Start children and to positively impact school results in the earliest grades and shall also conduct research to measure the success of the centers at encouraging delegate agencies and additional Head Start agencies to meet measurable improvements in school readiness. The report is required no later than 4 years after the date of enactment of the Improving Head Start for School Readiness Act of 2007.

This new discretionary grant program is authorized at such sums as may be necessary through fiscal year 2013.

SECTION 26. RULE OF CONSTRUCTION.

Section 657B is amended to maintain that nothing in this subchapter shall be construed to authorize or permit the Secretary or contractor of the Department of Health and Human Services to mandate, direct, or control, the selection of a curriculum, a program of instruction, or instructional materials. The term ‘health’ is used to reference services or care provided to enrolled children, their parents, or their siblings and includes both physical and mental health.

SECTION 27. COMPLIANCE WITH IMPROPER PAYMENTS INFORMATION ACT OF 2002.

In this section, the term ‘appropriate committees’ means the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and Labor of the House of Representatives. The term ‘improper payment’ has the meaning given that term under section 2(d)(2) of the Improper Payments Information Act of 2002 (31 U.S.C. 3321 note).

Under this section the Secretary of Health and Human Services is directed to report to the appropriate committees that certify that the Department of Health and Human Services has performed and completed a risk assessment and describes the actions to be taken to reduce improper payments.