



# Head Start Reauthorization: A Side-by-Side Comparison of House- and Senate-Passed Versions of H.R. 1429 and Current Law

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November 13, 2007

Congressional Research Service

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[www.crs.gov](http://www.crs.gov)

RL33968

## Summary

Head Start, a federal program that has provided comprehensive early childhood development services to low-income children since 1965, was last reauthorized in 1998 for fiscal years 1999-2003. The program has remained funded in subsequent years through the annual appropriations process. After unsuccessful efforts by the past two Congresses to complete the reauthorization process, efforts to do so are underway in the 110<sup>th</sup> Congress. The House and Senate have each passed their own version of a reauthorization bill (H.R. 1429), and on November 9, 2007, conferees filed a conference report (H.Rept. 110-439). This report does not yet reflect the provisions included in the conference agreement.

The Improving Head Start Act of 2007 (H.R. 1429) was introduced by Representative Kildee on March 9, 2007. The following week, the House Committee on Education and Labor debated, amended, and approved the bill (42-1), and the committee's written report accompanying the legislation (H.Rept. 110-67) was filed on March 23, 2007. That bill was taken to the House floor on May 2, and was approved (with nine amendments) by a vote of 365-48.

The Head Start for School Readiness Act (S. 556) was introduced by Senator Kennedy on February 12, 2007, and approved via voice vote by the Senate Committee on Health, Education, Labor, and Pensions (HELP) on February 14. The Chairman's amended version of the bill was subsequently reported on March 29, 2007, with a written report (S.Rept. 110-49) filed April 10, 2007. On June 19, under unanimous consent, the full Senate passed the committee's bill, with a few technical changes, under the House bill number (H.R. 1429).

Both reauthorization bills amend Head Start with the goal of improving the program's ability to promote low-income children's school readiness by supporting their cognitive, social, emotional, and physical development. The means for doing so encompass a wide range of provisions, covering issues of program funding, administration, eligibility, accountability, quality, governance, and coordination. Authorization levels for funding would be increased above current funding amounts by both bills, and eligibility would be expanded to allow for serving children up to 130% of the poverty line. Both bills include provisions that would increase competition for Head Start grants, by limiting the period for which a grantee may receive grant funds to five years, before recompetition may be required.

Other similarities include increasing the percentage of the appropriation to be reserved for Early Head Start; emphasizing coordination and collaboration with other state and local early childhood programs; increasing staff qualifications; specifying requirements of shared governance principles in statute; and suspending use of the National Reporting System. Although the overall areas addressed by the two reauthorization bills are similar, a side-by-side comparison of provisions, alongside current law, reveals notable differences in detail. The table does not reflect the provisions agreed to in conference.

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## Introduction

Head Start, a federal program that has provided comprehensive early childhood development services to low-income children since 1965, was last reauthorized in 1998 for fiscal years 1999-2003. The program has remained alive in subsequent years through the annual appropriations process. After unsuccessful efforts by the 108<sup>th</sup> and 109<sup>th</sup> Congresses to complete the reauthorization process, the 110<sup>th</sup> Congress has undertaken the task.<sup>1</sup> The House and Senate have each passed its own version of a reauthorization bill, the Senate version adopting the House bill's number (H.R. 1429) and representing only a slightly modified version of the bill reported by the Senate Health, Education, Labor, and Pensions Committee (S. 556). On November 9, 2007, House and Senate conferees filed a conference report (H.Rept. 110-439). This report does not yet reflect the provisions contained in that agreement.

The Improving Head Start Act of 2007 (H.R. 1429) was introduced by Representative Kildee on March 9, 2007. The following week, the House Committee on Education and Labor debated, amended, and approved the bill (42-1), and the committee's written report accompanying the legislation (H.Rept. 110-67) was filed on March 23, 2007. That bill was taken to the House floor on May 2, and was approved (with nine amendments) by a vote of 365-48. Twelve amendments in total were offered on the floor, in addition to a motion to recommit (which was rejected).

The Head Start for School Readiness Act (S. 556) was introduced by Senator Kennedy on February 12, 2007, and approved via voice vote by the Senate Committee on Health, Education, Labor, and Pensions (HELP) on February 14. The Chairman's amended version of the bill was subsequently reported on March 29, 2007; a written report (S.Rept. 110-49) was filed April 10, 2007. On June 19, the Senate passed (by voice vote under a unanimous consent agreement) its bill, adopting the bill number of the reauthorization bill that passed the House (H.R. 1429), but substituting its own committee-reported bill language of S. 556 (with a few technical changes).

## Overview of Provisions

Both reauthorization bills propose to amend Head Start with the purpose of improving the program's ability to promote low-income children's school readiness by supporting their cognitive, social, emotional, and physical development. The means for doing so encompass a wide range of provisions, covering issues of program funding, administration, eligibility, accountability, quality, governance, and coordination. Below is an overview of broad areas addressed in the proposed legislation, followed by **Table 1**, a detailed side-by-side comparison of each bill's provisions with current law (and, where relevant, current regulations). The areas listed below are not intended to encompass every provision included in each of the respective bills, but rather major areas addressed. The table does not reflect the provisions agreed to in conference.

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<sup>1</sup> For additional background information on the Head Start program and reauthorization activity, see CRS Report RL30952, *Head Start: Background and Issues*, by (name redacted).

## Funding

Despite the expiration of authorizing language, the Head Start program has continued to receive its funding through the annual appropriations process, most recently (FY2007) at a level of almost \$6.9 billion. From FY1995-FY2003, the Head Start Act authorized funding Head Start at an unspecified dollar amount—“such sums as may be necessary.” The reauthorization bills propose to increase funding for Head Start, with both bills designating a dollar amount (\$7.350 billion) for FY2008. After FY2008, the House version of H.R. 1429 would authorize “such sums as may be necessary” for each of the remaining four years covered by the legislation, whereas the Senate version includes specific increases for FY2009 and FY2010, before once again mirroring the House bill with unspecified amounts for FY2011 and FY2012.

Both bills propose changes with respect to the allocation of appropriated funds. Within the 13% currently reserved from the total appropriation for a variety of purposes, both bills introduce a greater level of specificity, assigning designated percentages (of the total appropriation) for allotments to Indian and Migrant Head Start programs. In the case of both bills, the percentages proposed reflect increases above the portion currently received (and not set in statute).<sup>2</sup>

The allocation formula for determining state allotments is changed in both bills to update the “hold harmless,” or base amounts assured for the states. Appropriated funds available to states after allotting the hold harmless amounts would be distributed differently by the two bills. The House bill would continue to allot remaining funds based on states’ relative shares of poor children under age 5, while the Senate bill introduces a new provision in which a portion of the remaining funds would be allocated based on the percentage of eligible children served by grantees within the state.

Program quality is also addressed by the funding allocation provisions. The proposed legislation would maintain current law’s practice of reserving a designated percentage of the aforementioned remainder funds for “quality improvement,” with both bills proposing greater percentages for this purpose than under current law. Both bills elaborate on the uses of quality improvement funds.

Both bills would increase the percentage of the total appropriation reserved for funding Early Head Start programs, with a caveat that these percentages may only be reached provided appropriation levels suffice. To compare the specifics of these and other funding-related provisions, see the portions of **Table 1** that refer to Sections 639 and 640 of current law.

## Accountability

Provisions designed to address issues of accountability take several forms. Both bills target accountability with respect to fiscal and program management, as well as accountability with respect to Head Start children’s outcomes. Under both the House bill and Senate bill, agencies would be designated as a grantee for no more than five years at a time, after which recompetition may be required. (Under current law, grantees do not have to re compete for funds.) Only the House version would establish an application review system to be used during this process;

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<sup>2</sup> In the Senate bill, the extent to which meeting proposed target percentages for Indian and Migrant Head Start programs could restrict funding for other Head Start programs and activities is not entirely clear.

however, both bills establish means for determining what constitutes a “high-performing” grantee, and those agencies not meeting the standard would be faced with recompetition.

In order to be considered a high performing grantee under either bill, Head Start agencies would need to demonstrate competent financial management, as well as the ability to deliver a program high in quality, developmentally appropriate, and based on scientifically-based research and measures. Both bills add new language to current law, requiring programs’ governing bodies to include individuals with expertise in fiscal matters. Both bills would introduce detailed definitions of “deficiency” into statute, along with provisions to help ensure that funding for any grantees or delegates unable or unwilling to correct deficiencies be suspended or terminated as necessary. As reflected in **Table 1**, particularly within Sec. 641A, the two proposals often expand on current regulations with respect to corrective actions.

Both bills emphasize the use of scientifically-based early childhood research as a basis for formulating educational measures for children and developing appropriate curricula that will lead to positive outcomes. Likewise, both would suspend use of the National Reporting System (NRS) in its current form, pending further review and recommendations from a National Academy of Sciences panel. The importance of effective and reliable screening and assessments in the Head Start program is stressed by both bills, accompanied by an emphasis on the value of ensuring that the tools used for screening and assessment be scientifically sound, based on the most up-to-date research in the field.

## **Program Governance**

Current law emphasizes shared governance and parent involvement within Head Start programs in general terms, leaving the details to regulation. Both versions of H.R. 1429 would introduce into statute more detailed provisions regarding program governance, clearly outlining the composition and responsibilities of both the governing bodies and the policy councils. The reports accompanying the legislation emphasize the committees’ intent that a commitment be made to maintaining the structure of shared governance (between governing bodies and policy councils), with clear language that the governing bodies hold legal and fiscal accountability. The responsibilities of policy councils are stated in both bills, but using different language; both bills are more specific than current regulations. As in current regulations, both bills make reference to the need for an impasse policy or means for dealing with internal disputes, in the event that a governing body disagrees with recommendations from the policy council.

As noted in **Table 1**, within the two bills, the provisions related to program governance do not amend the same section of current law. Section 8 of the House version of H.R. 1429 includes the provisions stating the required composition, role and responsibilities of the governing bodies and councils as part of amendments to Sec. 642, whereas the Senate bill includes its program governance requirements (including composition, roles, and responsibilities) in Section 7, the portion of the bill that amends Sec. 641 of current law.

## **Quality**

Provisions that aim to improve the quality of Head Start programs (through a variety of means) permeate both reauthorization bills. Some of these provisions, already alluded to, relate to allocation of funds for quality and technical assistance and training, designating agencies, and developing standards and measures. In addition, both proposed bills would amend Sec. 648A of

current law to increase staff qualifications for Head Start teachers (but with different requirements). Accompanying report language makes clear both committees' view that teacher quality is essential to early childhood program quality. Professional development is promoted in both bills, as are efforts to enhance services for children with limited English proficiency.

Included in the Senate bill is a newly proposed section (641B) to the Head Start Act, which would provide for the establishment of a program under which the Secretary of Health and Human Services (HHS) would designate up to 200 exemplary Head Start agencies as "Centers of Excellence in Early Childhood." These agencies would receive (pending appropriation of funds) bonus grants of at least \$200,000 per year. Like regularly designated grantees, the Centers of Excellence bonus grants would be designated for up to five years at a time.

## **Coordination**

In addition to provisions aimed at improving the quality and accountability of Head Start programs, both bills would amend current law to foster even greater program coordination between Head Start and other early childhood programs, including state prekindergartens. Program coordination includes providing for alignment of Head Start goals and expectations with those schools into which Head Start children will later enroll. Coordination is also to be enhanced by bolstering state and local relationships with Head Start. The House version of H.R. 1429 proposes a new section, 642B, specifically outlining the partnerships that Head Start agencies are to enter into with local education agencies, including a description of the memorandum of understanding that each Head Start agency would negotiate with the local entities. Under both bills, collaboration grants are described in greater detail, and the state's role in collaboration is bolstered through involvement of an Early Learning Council (under the House bill) or a State Advisory Council (under the Senate bill).

## **Eligibility**

Under current law, all children from families with income under 100% of the poverty line are eligible for Head Start. Regulations state that at least 90% of children enrolled in each program must fit this criterion, allowing for 10% to be over-income. Both bills would allow for expansion of eligibility up to 130% of the poverty line, with the House version of H.R. 1429 specifying that no more than 20% of children served by a Head Start program be above the poverty line. In the case of both bills, the intent is that programs seek to serve children under 100% of poverty before serving those from families with higher incomes. Homeless children would also be deemed categorically eligible under both bills. Both bills address the issue of how to confront situations of under-enrollment in Head Start programs, recognizing that the cause of these situations may differ from program to program, sometimes reflecting a program weakness while in other cases demographic changes in the community.

Another provision reflecting both committees' desire for greater flexibility with respect to participation and serving the needs of communities is one that allows for regular funds to be used for serving Early Head Start infants and toddlers. Doing so requires approval of a written application under both bills, but the possibility for this expansion of services would be written into law.

## **Detailed Comparison of Provisions Included in Head Start Reauthorization Bills with Current Law**

**Table 1** provides a detailed comparison of the House- and Senate-passed versions of H.R. 1429, and current law. Where applicable, current regulations are included to show whether changes proposed in the reauthorization bills would reflect practical changes to the program. As stated earlier, the table does not include provisions agreed to in the conference report (H.Rept. 110-439) filed on November 9, 2007. The table is structured in the order of current law's sections. In cases where bills address the same or similar provisions by amending different sections of current law, that has been noted in the table. The table also notes if a provision was added as an amendment during House floor debate.



**Table I. Comparison of Current Law (and Regulations, if Applicable) with House- and Senate-Passed Versions of H.R. 1429**

Current Law	Current Regulations (when applicable)	H.R. 1429, House Version	H.R. 1429, Senate Version (an amended version of committee-passed bill S. 556)
<b>SEC. 635. SHORT TITLE</b>			
Head Start Act		Improving Head Start Act of 2007  An amendment was accepted by the House, adding a findings section into law, after the title, outlining the history and importance of continued faith-based and community-based organizations' participation in the Head Start program.	Head Start for School Readiness Act
<b>SEC. 636. STATEMENT OF PURPOSE</b>			
Purpose	To promote school readiness by enhancing the social and cognitive development of low-income children by providing health, educational, nutritional, social, and other services determined to be necessary, based on family needs assessments.	(Sec. 2) Elaborates on purpose, adding "emotional development" as an area to be promoted. Also specifies that the Head Start learning environment should support growth in language, literacy, math, science, social and emotional functioning, and physical skills.	(Sec. 2) Makes changes comparable to House bill.
<b>Definitions</b>			
"Deficiency"	No definition.	1304.3(a)(6) "Deficiency" is defined in regulation to mean an area in which a grantee agency is not in compliance with state or federal requirements, and which involves:  - A threat to the health, safety, or civil rights of children or staff;	(Sec. 3) A systemic or substantial material failure of a Head Start agency in an area of performance that the Secretary determines involves:  - Same as in regulation.

Current Law	Current Regulations (when applicable)	H.R. 1429, House Version	H.R. 1429, Senate Version (an amended version of committee-passed bill S. 556)
	- A denial to parents of the exercise of their full roles and responsibilities related to program governance;	- Same as in regulation.	- A denial to parents of the exercise of their full roles and responsibilities related to program <i>operations</i> ;
	- A failure to perform substantially the requirements related to early childhood development and health services, family and community partnerships, or program design and management;	- A failure to perform the requirements of section 641A(a) (quality standards), as determined by the Secretary;	- A failure to comply with standards related to early childhood development and health services, family and community partnerships, or program design and management;
	- The misuse of Head Start grant funds;	- Same as regulation.	- Same as regulation.
	- The loss of legal status or financial viability, loss of permits, debarment from receiving federal grants or contracts or the improper use of federal funds;	- The loss of legal status ( <i>as determined by the Secretary</i> ) or financial viability, loss of permits, debarment from receiving federal grants or contracts or the improper use of federal funds;	- Same as House bill.
	- Any other violation of federal or state requirements, for which the grantee has shown an unwillingness or inability to correct within the period specified by the responsible HHS official (in writing).	- Failure to meet any other federal or state requirement. (House bill does not include language regarding a grantee's unwillingness or inability to correct a violation.)	- Same as regulation.
		-Failure of the board of directors of a Head Start agency to meet its legal and fiduciary responsibilities.	- <i>Systemic</i> failure of the board of directors of an agency to fully exercise its legal and fiduciary responsibilities.
			- Substantial failure to meet the administrative requirements.

Current Law		Current Regulations (when applicable)	H.R. 1429, House Version	H.R. 1429, Senate Version (an amended version of committee-passed bill S. 556)
				- Failure of an agency to demonstrate that the agency attempted to meet the coordination and collaboration requirements with entities described in section 640(a)(5)(iii)(I); or
				- Having an unresolved area of noncompliance.
“Homeless children”	No definition.		“Homeless children” has the meaning given in the McKinney-Vento Homeless Assistance Act	Same as House bill.
“Inclusive classroom”	No definition.		“Inclusive classroom” means a Head Start classroom that contains both children with disabilities and children without disabilities. (House floor amendment)	No definition.
“Limited English proficiency”	No definition.		Provides a definition for “limited English proficiency” with respect to individuals.	Same as House bill, except the definition is specifically with respect to <i>children</i> .
“Professional development”	No definition.		Defines “professional development” as activities that can improve the knowledge and skills of Head Start staff.	No provision.
“Unresolved area of noncompliance”	No definition.		No definition.	“Unresolved area of noncompliance” means a failure to correct a noncompliance item within 120 days after receiving notice from the Secretary, or within such additional time (if any) authorized by the Secretary.
“Institution of higher education”	No definition.		No definition	“Institution of higher education” has the meaning given the term in Sec. 101(a) of the Higher Education Act.

	Current Law	Current Regulations (when applicable)	H.R. 1429, House Version	H.R. 1429, Senate Version (an amended version of committee-passed bill S. 556)
	“Interrater reliability”	No definition.	No definition.	Defines “interrater reliability” to mean the extent to which two or more different raters or observers consistently obtain the same result when using the same assessment tool.
	“Scientifically based research”	No definition.	Defines “scientifically based research” as research that involves the application of rigorous, systematic and objective procedures to obtain reliable and valid knowledge relevant to education activities and programs.	No definition.
	“Delegate agency”	“Delegate agency” means a public, private nonprofit, or for-profit organization or agency to which a grantee has delegated all or part of its responsibility for operating a Head Start program.	No change to current law definition.	“Delegate agency” definition is modified to specifically include private nonprofits that are “community-based organizations.”
<b>SEC. 638. FINANCIAL ASSISTANCE FOR HEAD START PROGRAMS</b>				
	Time Period for Providing Assistance (before recompetition)	Under current law, there is no specified time period mentioned for providing financial assistance to a grantee.	(Sec. 6) House bill amends Sec. 641 (not Sec. 638) to state that grantees who are determined (using the newly proposed application review system) to be successfully delivering a high quality program shall be designated as a Head Start agency for a period of five years.	(Sec. 4) Like the House bill, the Senate version limits the period for which a grantee may receive grant funds to five years, before recompetition may be required, however, it does not propose the review system described in the House bill.

Current Law	Current Regulations (when applicable)	H.R. 1429, House Version	H.R. 1429, Senate Version (an amended version of committee-passed bill S. 556)
<b>SEC. 639. AUTHORIZATION OF APPROPRIATIONS</b>			
Authorization of Funds	The Head Start authorization expired at the end of FY2003. Authorization had been set at such sums as necessary. Of that amount, in each year, not more than \$35 million was to be for transition projects, not more than \$5 million for impact studies, and not more than \$12 million for research, demonstration, and evaluation. (Actual FY2007 appropriation is \$6.889 billion.)	(Sec. 4) \$7.350 billion for FY2008; and such sums as may be necessary for FY2009-FY2012. Of those amounts, not more than \$20 million is to be made available in FY2008 for research, demonstration, and evaluation activities; such sums as necessary in FY2009-FY2012. Not more than \$7 million is to be used in each of FY2008-FY2012 to carry out the impact studies described under Section 649(g).	(Sec. 5) \$7.350 billion for FY2008; \$7.650 billion for FY2009; \$7.995 billion for FY2010; and such sums as may be necessary for FY2011 and FY2012. (Set-asides for research, demonstration, evaluation activities and impact studies are same as in House bill.)
<b>SEC. 640. ALLOTMENT OF FUNDS; LIMITATION ON ASSISTANCE</b>			
Allotments Within the 13% Set-Aside			
Hold Harmless Provision for Indian, Migrant and Seasonal Head Start Programs	Under current law, Indian, Migrant and Seasonal Head Start programs receive funding reserved as part of a larger 13% set-aside from total Head Start funds. They do not receive a designated percentage, but do operate under a “hold harmless” provision which states that they must receive <i>at least</i> the level of funding received in FY1998.	(Sec. 5) Revises the hold harmless provision to FY2007 for Indians, Migrant and Seasonal Head Start (and designates specific percentages, discussed below).	(Sec. 6) Notwithstanding the designated set-aside percentages described below for Indian Head Start and Seasonal and Migrant programs, the Secretary is to reserve for them not less than the amount obligated <i>the previous year</i> for these programs (on a national basis).

Current Law	Current Regulations (when applicable)	H.R. 1429, House Version	H.R. 1429, Senate Version (an amended version of committee-passed bill S. 556)
Designated Percentage of Funding for Migrant and Seasonal Head Start Programs	No designated percentage (see above). (Note: in FY2006, the amount allotted for Migrant and Seasonal Head Start totaled approximately 4.2% of the total appropriation.)	(Sec. 5) Migrant and Seasonal Head Start programs are to receive at least 5% of the total amount appropriated (until the Secretary is able to make other funding decisions based on data collected on eligible children. Any future funding reduction is not to result in cutting services to eligible children aged 3 or older who are already participating in the program. If possible, participating 3-year olds should maintain services.)	(Sec. 6) Migrant and Seasonal Head Start programs are to receive at least 5% of the total appropriation (or as close to that as possible without reducing the number of children served by the Head Start program as a whole).
Designated Percentage of Funding for Indian Head Start Programs	No designated percentage (see above). (Note: in FY2006, the amount allotted for Indian Head Start totaled approximately 2.7% of the total appropriation.)	(Sec. 5) Indian Head Start programs shall receive at least 3.5% of total appropriation (until the Secretary is able to make other funding decisions to ensure access for eligible Indian children is comparable to access for other eligible children, except that any future funding reduction is not to result in cutting services to eligible children age 3 or older who are already participating in the program. To the extent possible, participating children under 3 should also maintain services.)	(Sec. 6) Indian Hedddadd Start programs are to receive at least 4% of the total appropriation (or as close to that as possible without reducing the number of children served by the Head Start program as a whole).
Funding for Palau	Current law allows funding (on the basis of a renegotiated Compact of Free Association), but language is dated.	(Sec.5) Strikes current law language and permits funding to Palau through FY2009.	No change to current law (i.e., funding would be continued according to Compact, but other date references in language would remain outdated.).

	Current Law	Current Regulations (when applicable)	H.R. 1429, House Version	H.R. 1429, Senate Version (an amended version of committee-passed bill S. 556)
	Set-Aside for Training and Technical Assistance (and requirements for use within the overall set-aside)	Current law reserves “not less than 2%” of total Head Start funding for training and technical assistance, of which:	(Sec. 5) Maintains the set-aside for training and technical assistance at “not less than 2%” of which:	(Sec. 6) Same as House bill regarding maintaining at least 2%, but differences in sub-requirements (described below).
	No provision.		- not less than 50% is to be made available for local Head Start agencies to make program improvements using training and technical assistance activities listed in section 648(j); (refer to Sec. 648 portion of this table)	- 50% to be made available to Head Start agencies to use directly, or by establishing local or regional agreements with community experts, institutions of higher learning, or private consultants, for a range of training and technical assistance activities (a more extensive list than the list included in House bill under Sec. 648(j)). Head Start agencies are to be required to report annually as to how these funds were used.
	No provision.		- not less than 30% shall be made available to the Secretary to support a state system of early childhood education training and technical assistance;	- 50% to be made available to Secretary to support a state system of early childhood education training and technical assistance and to comply with quality standards.
	No provision.		- the remainder to address program weaknesses identified by monitoring activities, except:	No provision.
	- Not less than \$3 million of the amount appropriated for a fiscal year is to be made available to carry out literacy training.		- Not less than \$3 million of the amount appropriated for a fiscal year is to be made available for literacy training. ( current law.)	Same as current law.

Current Law	Current Regulations (when applicable)	H.R. 1429, House Version	H.R. 1429, Senate Version (an amended version of committee-passed bill S. 556)
Limitation on Expansion or Creation of "Slots or Services" in Non-Indian and Non- Migrant/Seasonal Programs	No provision	- No more than \$5 million is reserved for State Early Learning Councils.	No provision.
Excess Funding for Quality Improvement	Under current law, a percentage of the amount by which the total Head Start appropriation exceeds the prior year's adjusted appropriation is to be reserved for funding quality improvement activities. The respective percentages for the years covered by current law were: FY1999 = 60% FY2000 = 50% FY2001 = 47.5% FY2002 = 35% FY2003 = 25%	(Sec. 5) In each of FY2008-FY2012, 60% of the amount by which the funds appropriated for Head Start exceed the prior year's adjusted appropriation will be used to fund quality improvement activities. (The Secretary may provide additional amounts at his discretion.)	(Sec. 6) The bill states that in no case may the Secretary use any of the total Head Start appropriation to expand or create additional "slots or services" in non-Indian and non- migrant and seasonal Head Start programs until the specified percentages (4% and 5%) are met.  (Sec. 6) In FY2008, 30% of the amount by which the funds appropriated for Head Start exceed the prior year's adjusted appropriation will be used to fund quality improvement activities. In each of FY2009- FY2012, the amount will be 40%.



	Current Law	Current Regulations (when applicable)	H.R. 1429, House Version	H.R. 1429, Senate Version (an amended version of committee-passed bill S. 556)
Quality Improvement Fund: Goals and Activities	<p>Lists 8 goals that quality improvement funds should aim to accomplish.</p> <p>Funds are used to meet these goals by carrying out any or all of the following listed activities:</p> <ul style="list-style-type: none"> <li>-At least one-half of the appropriation reserved as “quality funds” is to be used to improve the compensation (including benefits) of Head Start teachers and staff;</li> <li>-to train classroom teachers and other staff to meet the education performance standards;</li> <li>-to employ additional Head Start staff, including staff necessary to reduce the child-staff ratio;</li> <li>-to pay costs of purchasing insurance (other than employee benefits);</li> <li>-to support staff training and child counseling.</li> </ul>		<p>(Sec. 5)</p> <p>Elaborates on the activities that quality funds may support, and amends the percentage reserved for improving compensation.</p> <p>-At least 25% of the quality funds to be used to improve the compensation, salary scales, and benefit standards of educational staff, family service workers and child counselors, to ensure that salary levels and benefits are adequate to attract and retain qualified staff.</p>	<p>(Sec. 6)</p> <p>Elaborates on the goals listed in current law, as well as the list of activities for which quality funds may be used. Comparable to House bill, although retains current law’s provision that at least one-half of the quality funds be used to improve compensation.</p>
Allotments to States			(Sec. 5)	(Sec. 6)
Hold Harmless for States	First each state receives an amount equal to the amount it received in FY1998.		Changes the hold harmless so that each state first receives an amount equal to the amount it received in FY2007.	Same as House bill.

Current Law	Current Regulations (when applicable)	H.R. 1429, House Version	H.R. 1429, Senate Version (an amended version of committee-passed bill S. 556)
Distribution of Funds Remaining After the Hold Harmless	Any amount available after above allotments are made are distributed proportionately among states based on each state's number of children under age 5 from families with income below the poverty line.	No change to current law.	Any remaining funds (after the FY2007 hold harmless) will be distributed so that each state will receive an amount sufficient to serve the same number of Head Start children as were served at the time of this bill's enactment, taking into consideration an inflation adjustment.
			If there are funds remaining after the step described above, 65% of this balance will be distributed among the states serving less than 60% (as determined by the Secretary) of poor children who are 3 or 4 years of age. Funds will be allotted based on the qualifying states' share of poor children under age 5. The 35% remaining will be distributed to <i>all</i> states based on their relative share of poor children under 5.

	<b>Current Law</b>	<b>Current Regulations (when applicable)</b>	<b>H.R. 1429, House Version</b>	<b>H.R. 1429, Senate Version (an amended version of committee-passed bill S. 556)</b>
Collaboration Grants	From the state allotments described above, the Secretary may award a collaboration grant to each state to facilitate collaboration among Head Start agencies and entities involved in state and local planning processes.		From the state allotments, the Secretary shall award a collaboration grant to any state that submits a written request.  Expands current law to specify that grants be used: - to promote alignment of Head Start curricula and continuity of services with the Head Start Child Outcomes Framework and state early learning standards, as appropriate; - to promote better linkages between Head Start agencies, including those providing health, mental health or family services, or other child or family supportive services; and - to carry out the activities of the state Director of Head Start Collaboration.	From the state allotments the Secretary shall award a collaboration grant to each state. Adds language comparable to House bill, describing the purposes of collaboration grants in greater detail than current law.
Collaboration Authority	In order to receive a collaboration grant, the state appoints an individual to serve as the state liaison between the Administration for Children and Families (ACF) regional office and agencies carrying out Head Start programs in the state; and agencies and other entities carrying out early childhood programs that serve low-income children and families. The state is to involve the state Head Start Association in the selection of the individual.		(Sec. 5) Replaces “State liaison” with “State Director of Collaboration” and provides a more detailed list (than in current law) of the entities to be involved in collaborative efforts with Head Start agencies.	(Sec. 6) Comparable to House bill.

	<b>Current Law</b>	<b>Current Regulations (when applicable)</b>	<b>H.R. 1429, House Version</b>	<b>H.R. 1429, Senate Version (an amended version of committee-passed bill S. 556)</b>
Requirements of Collaboration Authority	The State liaison works to ensure that collaboration involves coordination of Head Start services with a variety of services including health care, welfare, child care, education, and community service activities, family literacy services, disability services, and services for homeless children.		(Sec. 5) Expands current law, stating that collaborating entities are to develop a strategic plan for outreach, based on a needs assessment conducted by the Office of the State Director of Collaboration. (Assessment to be completed within one year after bill's enactment, and updated annually.)	(Sec. 6) Comparable to House bill.
Responsibilities of State Director of Head Start Collaboration			(Sec. 5) The State Director of Head Start Collaboration shall also: - promote partnerships between Head Start agencies, state and local governments, and the private sector; - consult with the chief state school officer, local educational agencies, and early childhood care and education providers; - promote partnerships between Head Start agencies, schools, law enforcement, relevant community-based organizations, and substance abuse and mental health treatment agencies; - promote partnerships between Head Start agencies and other organizations to enhance program quality (and increase the number of books in Head Start classrooms); - work with the State Early Learning Council.	(Sec. 6) Comparable requirements to House bill, although in Senate bill, the "State Advisory Council" appears to serve the function of the House bill's "State Early Learning Council."

	Current Law	Current Regulations (when applicable)	H.R. 1429, House Version	H.R. 1429, Senate Version (an amended version of committee-passed bill S. 556)
Early Head Start Allotments	Current law requires that a designated portion of Head Start's total appropriation be set aside to fund the Early Head Start (EHS) program. Set-asides established in law were: 7.5% in FY1999; 8% in FY2000; 9% in FY2001; and 10% in each of FY2002 and FY2003. (If there is not a large enough total appropriation to reserve the designated percentages without reducing Head Start slots in number or quality, the Secretary may reduce the EHS percentage, but not below the previous year's level. (Although without authorization, allotments since FY2003 have been maintained at 10%.)		(Sec. 5) Requires that the percentage of the Head Start appropriation to be set-aside for EHS be <i>at least</i> : 12% for FY2008 14% for FY2009 16% for FY2010 18% for FY2011 20% for FY2012 (With the same caveat as current law concerning the Secretary's ability to reduce the percentage if total appropriation levels do not suffice.)	(Sec. 6) Same as House bill.
Factors for Allocating Funds to Grantee Applicants Within a State	In allocating funds to grantee applicants in states, the Secretary takes into account the quality of the applicants' programs, their capacity to expand services, the extent to which they have undertaken community-wide strategic planning, the concentration of low-income families in the community, and other factors.		(Sec. 5) Adds language stating that in allocating funds to applicants within a state, the Secretary will take into consideration the amount of funds used by an agency to pay administrative expenses and the amount of funds received to serve each enrolled child.	(Sec. 6) Similar language to House bill.

	<b>Current Law</b>	<b>Current Regulations (when applicable)</b>	<b>H.R. 1429, House Version</b>	<b>H.R. 1429, Senate Version (an amended version of committee-passed bill S. 556)</b>
Service Delivery Models	The Secretary shall establish procedures to enable Head Start agencies to develop locally designed or specialized service delivery models to address local community needs.		(Sec. 5) Adds language specifying that within one year after the date of this act's enactment, the Secretary must establish the procedures to develop the models outlined in current law, including models that leverage the existing capacity and capabilities of the early childhood education and child care delivery system.  The Secretary is to establish procedures to provide for the conversion of part-day programs to full-day programs or part-day slots to full-day, and for serving additional infants and toddlers.	(Sec. 6) Same as House bill.
Negotiation of Reduced Funded Enrollment Levels		No specific provision (although annual grantee budgets are reviewed by HHS, with negotiation when applicable).	(Sec. 5) Adds provision that if the Head Start appropriation does not exceed the prior year's, grantees may negotiate a reduced funded-enrollment level, if able to demonstrate (to HHS) that doing so is necessary to maintain the quality of services provided. (House floor amendment)	No provision.

Current Law	Current Regulations (when applicable)	H.R. 1429, House Version	H.R. 1429, Senate Version (an amended version of committee-passed bill S. 556)
Transportation Safety	The Secretary has issued regulations establishing requirements for the safety features, and the safe operation, of vehicles used by Head Start agencies to transport Head Start children. Regulations provide waiver authority in cases of “good cause.” Regulations do not establish a time period for waivers.	(Sec. 5) Adds language giving the Secretary the authority to waive transportation regulatory requirements for up to one year, with possibility for renewal, in the event that the Head Start agency can demonstrate that the requirements will result in significant disruption of services or are otherwise not in the best interest of the child/ren.	(Sec. 6) Adds language requiring that the Secretary: -establish requirements to ensure the appropriate supervision and background checks of individuals with whom the agencies contract for transportation services; and -revise allowable alternate vehicle standards pertaining to Head Start vehicles. The bill also provides that Head Start vehicles in use as of January 1, 2007 are not to be subject to a requirement regarding exit doors for two years after date of enactment.
Meeting Needs of Children of Migrant and Seasonal Farmworkers and of Indian Children	The Secretary is to continue the administrative arrangement responsible for meeting the needs of the children of migrant and seasonal farmworkers and Indian children and shall ensure that appropriate funding is provided to meet such needs.	(Sec. 5) In addition to providing funding, the Secretary would ensure training and technical assistance and the appointment of a national migrant and seasonal Head Start and Indian Head Start collaborator.	(Sec. 6) Same as House bill, with clarification that the training and technical assistance be provided by staff with experience working with these populations.
Annual Consultation Between Secretary and Tribal Governments Operating Head Start/ehs Programs	No provision.	(Sec. 5) Adds language requiring the Secretary of HHS to conduct annual consultations with tribal governments operating Head Start and Early Head Start programs. A detailed report of the consultation will be made available to the tribes (within 90 days) receiving Head Start funds.	(Sec. 6) Same as House bill, except that the detailed report is to be made available “on a timely basis.”

	Current Law	Current Regulations (when applicable)	H.R. 1429, House Version	H.R. 1429, Senate Version (an amended version of committee-passed bill S. 556)
Enrollment of Homeless Children	Current law does not preclude enrolling homeless children, but also does not specifically address this population.		(Sec. 5) Requires the Secretary to issue regulations that prescribe policies and procedures that remove barriers to the participation of homeless children in Head Start.	(Sec. 6) Same as House bill.
Head Start Materials and Curricula	Current law does not prescribe Head Start materials or curricula. (See regulations.)	Regulations require Head Start curricula to be consistent with the Head Start Performance Standards and based on sound child development principles about how children grow and learn. Grantees and delegate agencies are to implement curricula in collaboration with parents.	(Sec. 5) Adds language to current law, stating that all curricula and instructional materials funded with Head Start dollars must be scientifically-based and age and developmentally appropriate, and parents have the right to inspect them.	(Sec. 6) Same as House bill.
<b>SEC. 641 DESIGNATION OF HEAD START AGENCIES</b>				
Eligible Designees	The Secretary may designate "local public or private nonprofit or for-profit agencies" as a Head Start agency.		(Sec. 6) Clarifies that public or private nonprofit or for-profit agencies includes <i>community-based or faith-based organizations</i> .	(Sec. 7) Clarifies that public or private nonprofit or for-profit agencies includes <i>community-based organizations</i> .



	<b>Current Law</b>	<b>Current Regulations (when applicable)</b>	<b>H.R. 1429, House Version</b>	<b>H.R. 1429, Senate Version (an amended version of committee-passed bill S. 556)</b>
Designation of Head Start Agencies	The Secretary is authorized to designate as a Head Start agency any agency that he determines to be capable of planning, conducting, administering, and evaluating a Head Start program.	Under 45 CFR 1302.10, the basis for selection of applicants proposing to operate a Head Start program is the extent to which the applicants demonstrate in their application the most effective Head Start program. Other criteria for selection include cost effectiveness of the proposed program; the qualifications and experience of the applicant in planning, organizing, and providing comprehensive services at the community level; administrative and fiscal capabilities; intent and capability to adhere to performance standards; appropriate facilities; and the need for Head Start services in the community.	<p>(Sec. 6)</p> <p>The House bill amends Sec. 641 by requiring the Secretary to develop (using recommendations of an appointed expert panel) an application review system to be used when making decisions regarding Head Start agency designations.</p> <p>Once finalized, the Secretary will use the system to determine which grantees are successfully delivering a high quality comprehensive early education program.</p> <p>Grantees determined to be successful under the new review system shall be designated Head Start agencies for a period of five years; under-performing grantees may enter into an open competition.</p>	<p>(Sec.7)</p> <p>The Senate bill amends Sec. 641 by elaborating on current law in terms of the requirements for being designated as a Head Start agency. Unlike the House bill, The Senate version does not establish an application review system. In amending Sec. 641 of current law, The Senate bill lays out the requirements for establishing a governing body, both its composition and responsibilities, and likewise for policy councils. (For a comparison of the governing bodies and functions included in both versions of H.R. 1429, refer to the “Sec. 642” portion of this table.</p>

Current Law	Current Regulations (when applicable)	H.R. 1429, House Version	H.R. 1429, Senate Version (an amended version of committee-passed bill S. 556)
Application Review System		(Sec. 6) The Secretary shall develop a system that integrates the recommendations of the expert panel (see below), to determine if a Head Start agency is providing a quality comprehensive early learning program that meets the educational, health, and nutritional needs of the children and families it serves, and meets program and financial management requirements and performance standards (based on annual budget data, program reviews, annual audits, classroom quality, and the Program Information report).	No provision.
Composition of Expert Panel		(Sec. 6) The expert panel, convened and appointed by the Secretary, is to include 5 members. The group is to reflect competency in early childhood program accreditation or quality assessment; research on early childhood development; governance and finance of nonprofit organizations; delivery of services to children and families with limited English proficiency, and to children with disabilities.	No provision.

Current Law	Current Regulations (when applicable)	H.R. 1429, House Version	H.R. 1429, Senate Version (an amended version of committee-passed bill S. 556)
Report from Expert Panel		(Sec. 6) Within 12 months of being convened, the expert panel is to issue a report to the Secretary, providing recommendations on a proposed system of application review for evaluating whether a Head Start grantee is providing a high quality comprehensive early education program, including adequately meeting its governance and financial management requirements.	No provision.
Public Comment on Proposed Review System		(Sec. 6) No later than six months after receiving the report, the Secretary shall publish a proposed system of application review in the Federal Register, allowing at least 90 days for public comment. The Secretary shall also provide a report to Congress that includes a detailed description of the system, including explanation of any differences between the system proposed and the recommendations that emerged from the expert panel.	No provision.

	<b>Current Law</b>	<b>Current Regulations (when applicable)</b>	<b>H.R. 1429, House Version</b>	<b>H.R. 1429, Senate Version (an amended version of committee-passed bill S. 556)</b>
Considerations in Designation (and Redesignation)	Under current law, priority is given to any agency already receiving Head Start funds, unless the Secretary determines that there are any Head Start requirements or standards that are not being met. (Grantees do not have to recompete for funds.)	45 CFR 1302.12, gives priority to previously selected Head Start agencies (in consideration with designation requirements discussed earlier).	<p>(Sec. 6)</p> <p>In selecting from among qualified applicants for designation, the bill adds to current law's list of things to consider, including:</p> <ul style="list-style-type: none"> <li>- the applicant's plan to attract and retain qualified staff capable of delivering a high quality comprehensive early education program;</li> <li>- the applicant's ability to maintain child-teacher ratios and family service worker caseloads that reflect best practices and are tied to high quality service delivery;</li> <li>- the applicant's capacity to serve eligible children with curriculum and teaching practices that are based on scientifically-based research, are developmentally appropriate, and that promote school readiness.</li> </ul> <p>Adds language specifying that faith-based and community-based organizations continue to be eligible, on the same basis as other organizations, to participate in any Head Start or Early Head Start program for which they are otherwise eligible. (House floor amendment)</p>	<p>(Sec. 7)</p> <p>Similar to the House bill, it gives priority to any Head Start or delegate agency that is "high performing," defined as meeting a list of criteria provided in the bill (5 elements—less specific than those in the House bill, but comparable in content).</p>

	Current Law	Current Regulations (when applicable)	H.R. 1429, House Version	H.R. 1429, Senate Version (an amended version of committee-passed bill S. 556)
Designation When No Entity Has Priority	If no entity has priority, the Secretary may designate a Head Start agency from among qualified applicants, giving priority to any qualified agency that functioned as a Head Start delegate agency in the community and carried out a Head Start program deemed by the Secretary to have met or exceeded performance standards. In selecting from among qualified applicants, the Secretary takes into consideration a variety of factors, outlined in the law.	See discussion of 45 CFR 1302.10 above.	(Sec. 6) Adds language clarifying that the Secretary's designation must follow an open competition, and the designation may apply for a five-year period. (The open competition follows the same factors considered for any designation.)	(Sec. 7) Like the House bill, the Secretary's designation must be preceded by an open competition.
Priority to Nonprofit Agencies in Cases of Equal Quality Applicants	Nonprofit agencies may be given priority over for-profit agencies in cases where the Secretary determines the applicants to be of equivalent quality.		(Sec. 6) Strikes current law; nonprofits would no longer be granted priority in equal cases.	(Sec. 7) Strikes current law making any distinction between nonprofit and for-profit agencies, and replaces with language giving priority to applicants "that have demonstrated capacity in providing effective, comprehensive, and well-coordinated early childhood services to children and their families."
<b>SEC. 641A. QUALITY STANDARDS; MONITORING OF HEAD START AGENCIES AND PROGRAMS</b>				
Education Performance Standards	Under current law, the Secretary is required to establish, by regulation, education performance standards that are to ensure that children in Head Start programs at a minimum:	Education and Early Childhood Development Standards are found in 45 CFR 1304.21.	(Sec. 7) Replaces current law, listing requirements that the <i>scientifically-based</i> education standards (based on the Head Start Child Outcomes Framework) at a minimum develop and demonstrate:	(Sec. 8) Replaces current law with almost identical list of education standards as House bill, but with the condition that the standards be based on recommendations of the National Academy of Sciences (NAS) panel.

	<b>Current Law</b>	<b>Current Regulations (when applicable)</b>	<b>H.R. 1429, House Version</b>	<b>H.R. 1429, Senate Version (an amended version of committee-passed bill S. 556)</b>
	Develop phonemic, print, and numeracy awareness; understand and use language to communicate for various purposes; understand and use increasingly complex and varied vocabulary; develop and demonstrate an appreciation of books; and in the case of non-English background children, progress toward English language acquisition.		Knowledge and skills in language, pre-reading, pre-mathematics, science; creative arts; cognitive abilities related to academic achievement; social and emotional development related to early learning and school success, and sustained academic gains; and for limited English proficient children , progress toward learning English while making meaningful progress in the other listed knowledge and skill areas.	Comparable to House bill.
Standards for Condition and Location of Head Start Facilities	The Secretary is to establish by regulation standards relating to the condition and location of facilities for Head Start agencies, programs and projects.	Detailed regulations regarding Head Start facilities, materials, and equipment are found in 45 CFR 1304.53.	No change to current law	(Sec. 8) Expands on current law language to state that the standards require Head Start (and Early Head Start) facilities be in compliance with state and local licensing requirements and be accessible by state and local authorities for monitoring and ensuring compliance.

	<b>Current Law</b>	<b>Current Regulations (when applicable)</b>	<b>H.R. 1429, House Version</b>	<b>H.R. 1429, Senate Version (an amended version of committee-passed bill S. 556)</b>
Considerations in Developing Standards	In developing the standards, <i>one</i> of the things the Secretary is to take into consideration is “past experience with use of the standards in effect” on October 27, 1998.		(Sec. 7) Same as current law, with additional consideration to be paid to: - the unique challenges faced by individual programs, including those programs that are seasonal or short term and those programs that serve rural populations; - the recommendations from the report on Developmental Outcomes and Assessments for Young Children by the National Academy of Sciences (when available); and - mechanisms to ensure that Head Start children make a successful transition to the schools they will be attending.	(Sec. 8) Amends current law in similar ways as House bill, but rather than taking into consideration the past experience with standards in effect on the date of the act’s last reauthorization (October 27, 1998), this bill would take into consideration those experiences with standards in effect on the date of its enactment.
				Also, adds requirement that in developing regulations regarding standards, the Secretary would consult with Indian tribes, American Indian and Alaska Native experts in early childhood development, linguists and the National Indian Head Start Directors Association.

	<b>Current Law</b>	<b>Current Regulations (when applicable)</b>	<b>H.R. 1429, House Version</b>	<b>H.R. 1429, Senate Version (an amended version of committee-passed bill S. 556)</b>
Measures	The Secretary, in consultation with representatives of Head Start agencies and with experts in the fields of early childhood education and development, family services, and program management, shall develop methods and procedures for measuring, annually and over longer periods, the quality and effectiveness of programs operated by Head Start agencies, and the impact of the services provided through the programs to children and their families.		(Sec. 7) The Secretary, in consultation with representatives of Head Start agencies and with experts in the fields of early childhood education and development, shall use the study on Developmental Outcomes and Assessments for Young Children by the National Academy of Sciences to provide guidance to Head Start agencies for utilizing scientifically-based measures that support classroom instructional practices, identification of special needs, and program evaluation.	(Sec. 8) No change to this specific provision of law, however, the “characteristics of measures” section (see below) conveys similar emphasis to House bill regarding scientifically-based measures.



	<b>Current Law</b>	<b>Current Regulations (when applicable)</b>	<b>H.R. 1429, House Version</b>	<b>H.R. 1429, Senate Version (an amended version of committee-passed bill S. 556)</b>
Characteristics of Measures	The performance measures shall - be used to assess the impact of the various Head Start services - be adaptable for use in self-assessment, peer review, and program evaluation, and be developed for other program purposes as determined by the Secretary. (The performance measures are to include the educational performance standards.)		(Sec. 7) Expands on current law, listing seven characteristics. The measures shall: - be developmentally, linguistically, and culturally appropriate for the population served; - be reviewed at least every four years, based on advances in the science of early childhood development; - be consistent with relevant professional and technical standards related to the assessment of children; - be valid and reliable (in all languages used); - be administered by staff with appropriate training for such administration; - provide appropriate accommodations for children with disabilities and children with limited English proficiency; and - be high-quality research-based measures that have been demonstrated to assist with the purposes for which they were devised.	(Sec. 8) Like the House bill, adds that the performance measures -be appropriate for the population served; -be reviewed at least every four years, based on advances in the science of early childhood development. The bill also calls for the performance measures to measure characteristics that are strongly predictive (as determined on a scientific basis) of a child's school readiness and later performance in school.
Use of Measures	The Secretary shall use the performance measures to identify strengths and weaknesses in programs and to identify problem areas that may require additional training and technical assistance resources.		(Sec. 7) Elaborates on current law, adding that measures are to be used to promote the skills, knowledge, and competencies of Head Start children; to improve classroom practices; and to identify special needs.	(Sec. 8) Elaborates on current law to state that performance measures be used to enable Head Start agencies to individualize programs of instruction to better meet the needs of the child involved.

Current Law		Current Regulations (when applicable)	H.R. 1429, House Version	H.R. 1429, Senate Version (an amended version of committee-passed bill S. 556)
Evaluations and Corrective Actions for Delegate Agencies			(Sec. 7)	(Sec. 8)
Procedures	No provision.	45 CFR 1303.20 specifies procedures for appeals by current or prospective delegate agencies to grantees regarding rejection of an application, failure to act on an application or termination of a grant or contract.	The Head Start agency is to establish procedures for evaluating and defunding delegate agencies and for appealing a defunding decision related to a delegate.	Same as House bill.
Evaluations	No provision.	45 CFR 1304.51(i)(2) states that grantees must establish and implement procedures for the ongoing monitoring of their own Early Head Start and Head Start operations, as well as those of each of their delegate agencies, to ensure that these operations effectively implement federal regulations.	Each Head Start agency is to evaluate its delegate agencies using the established procedures (referred to above), and is to inform the delegates of any deficiencies identified that shall be corrected.	Same as House bill.
Remedies to Ensure Corrective Action	No provision.	45 CFR 1304.51(i)(3) states that grantees must inform delegate agency governing bodies of any deficiencies in delegate agency operations identified in the monitoring review and must help them develop plans, including timetables, for addressing identified problems.	If the evaluation reveals a deficiency for a delegate agency, the Head Start agency may initiate procedures for the delegate's termination; conduct monthly monitoring visits until corrections are made or the delegate is defunded.	Similar to House bill, with additional provision allowing Head Start agency to release funds to the delegate only as reimbursements until either corrections are made or defunding occurs.

	<b>Current Law</b>	<b>Current Regulations (when applicable)</b>	<b>H.R. 1429, House Version</b>	<b>H.R. 1429, Senate Version (an amended version of committee-passed bill S. 556)</b>
Termination	No provision. (See regulations.)	45 CFR 1303.20(c) states that a grantee must notify a delegate agency in writing of its decision to terminate its agreement with the delegate agency, explaining the reasons for its decision and that the delegate agency has the right to appeal the decision to the grantee within 10 work days after receipt of the notice.	No comparable language to Senate bill.	The Head Start agency may not terminate a delegate's contract or reduce a delegate's service area without showing cause or demonstrating the cost-effectiveness of such a decision.
Use of National Reporting System (NRS)	The Secretary shall use the performance measures developed in accordance with the act to identify programs' strengths and weaknesses and to identify problem areas that may require additional training and technical assistance resources. (There is no specific reference to the "National Reporting System" in current law.)		(Sec. 7) The Secretary shall suspend implementation and terminate further development and use of the NRS, and incorporate, as appropriate, recommendations from the National Academy of Sciences into any assessment used in the Head Start programs.	(Sec. 20) Same as House bill.
	(The National Reporting System was implemented in fall 2003, and is designed to assess Head Start 4- and 5-year olds twice a year on educational performance measures—using indicators that were included in legislation as part of the 1998 reauthorization of Head Start (P.L. 105-285, Section 108(b)(5).))		The Secretary is not to use assessment results either as the primary method for either assessing program effectiveness or making grantee funding determinations.	
Monitoring of Local Agencies and Programs	Current law requires the Secretary to conduct reviews of designated Head Start agencies and programs.		(Sec. 7) Would require the Secretary to "develop and utilize a risk-based assessment system" for conducting the reviews already required in law.	No change to current law.

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Procedures for Monitoring	Current law calls for a full review of each Head Start agency at least once every three years, with newly designated agencies being reviewed immediately after first year, and follow-up reviews including prompt return visits to agencies and programs that fail to meet the standards. Other reviews may be conducted as appropriate.		(Sec. 7) Retains call for full review at least every three years, with newly designated agencies being reviewed after first year of operation. Amends current law to call for unannounced follow-up reviews of programs with one or more findings of deficiencies, not later than 12 months after the date of the finding(s). The bill also would allow for unannounced site inspections of Head Start centers, as appropriate.	(Sec. 8) Makes changes similar to House bill, although allows only six months for follow-up visits.
Conduct of Reviews	The Secretary is to ensure that reviews are performed, to the maximum extent practicable, by HHS employees who are knowledgeable about Head Start programs, and are supervised by such an employee at the review site.		(Sec. 7) Eliminates current law language requiring reviews to be performed by and supervised by HHS employees. Requires review teams to be knowledgeable about the program areas they are reviewing, and, to the maximum extent practicable, to include current or former HHS employees. To the maximum extent practicable, teams are also to include individuals knowledgeable about the needs of LEP children and families.	(Sec. 8) Strikes current law requirement that reviews be supervised by an HHS employee, but retains current law requirement that the reviews be performed, to the maximum extent practicable, by HHS employees. And, like the House bill, this bill elaborates on the backgrounds of review team members, calling for them, to the extent practicable, to be knowledgeable about needs of children who are homeless, in foster care, or of limited English proficiency. It also calls for them to be knowledgeable in areas of personnel management, financial accountability, and systems development and monitoring.

	<b>Current Law</b>	<b>Current Regulations (when applicable)</b>	<b>H.R. 1429, House Version</b>	<b>H.R. 1429, Senate Version (an amended version of committee-passed bill S. 556)</b>
Content of Reviews	Under current law, a portion of the review includes seeking information from the communities and states involved about the performance of the programs and efforts of Head Start agencies to collaborate with other entities carrying out early childhood education and care programs.		(Sec. 7) Lists additional elements to be included as part of a review and specifies in greater detail how the review is to be conducted.	(Sec. 8) Comparable to House bill, with additional provisions calling for reviews to include data from the results of 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. It also calls for a review and assessment of whether programs have adequately addressed the needs of children with disabilities.
Use of Review Findings	No provision		(Sec. 7) The findings of the review are to, at a minimum, - be presented to an agency in a timely, transparent, and uniform manner that conveys information of program strengths and weaknesses and assists with program improvement; and - be used by the Head Start agencies to inform the development and implementation of their plan for training and technical assistance.	No provision.
Training for Reviewers	No provision.		No provision.	(Sec. 8) Using quality improvement funds, the Secretary shall provide periodic training for supervisors and members of review teams in areas such as program management and financial audit performance.

	<b>Current Law</b>	<b>Current Regulations (when applicable)</b>	<b>H.R. 1429, House Version</b>	<b>H.R. 1429, Senate Version (an amended version of committee-passed bill S. 556)</b>
Quality and Consistency of Reviews	No provision.		(Sec. 7) The Secretary shall ensure that reviews are conducted in a manner that evaluates program performance, quality and overall operations with consistency and objectivity, and based on a transparent and reliable system of review.	(Sec. 8) Comparable to House bill, but making specific reference to the use of “periodic inter-rater reliability checks” for ensuring the quality and consistency (across and within regions) of the Program Review Instrument for Systems Monitoring (PRISM) reviews, and of noncompliance and deficiency determinations.
Agency Responsibility with Respect to Approving a Program’s Quality Improvement Plan	Current law deals only with agencies submitting quality improvement plans to the Secretary, not Head Start programs submitting plans to their sponsoring agencies.		(Sec. 7) A sponsoring Head Start agency would have 30 days after receiving a quality improvement plan from a Head Start program to either approve the plan or specify reasons why the plan cannot be approved.	Retains current law. No provision pertaining to role of the sponsoring agency in approving a program’s quality improvement plan.
Self-Assessments	No provision.	45 CFR 1304.51 states that at least once each program year, with the consultation and participation of the policy groups and, as appropriate, other community members, grantee and delegate agencies must conduct a self-assessment of their effectiveness and progress in meeting program goals and objectives and in implementing federal regulations.	(Sec. 7) At least once each program year, with the consultation and participation of policy councils (and others as applicable), each Head Start agency and each delegate agency shall conduct a comprehensive self-assessment of its effectiveness and progress in meeting program goals and objectives and in implementing and complying with performance standards.	(Sec. 8) Same as House bill.

	Current Law	Current Regulations (when applicable)	H.R. 1429, House Version	H.R. 1429, Senate Version (an amended version of committee-passed bill S. 556)
Use of “Enrollment” Terms	No provision.	Defines “funded enrollment” as the number of children which the Head Start grantee is to serve, as indicated on the grant award.	Defines “actual enrollment” as the number of children enrolled in a Head Start program in a given month. “Funded enrollment” is the number of children an agency is funded to serve, as indicated in their grant agreement.	(Sec. 8) Same as House bill.
Enrollment Reporting Requirement	No provision.	Program enrollment reports are examples of official reports required by regulation to be generated for federal, state, and local authorities.	(Sec. 7) Head Start agencies are to report (to the Secretary) on a regular basis: - the actual enrollment, and, if the actual enrollment is less than the funded enrollment, any apparent reason for the shortfall.  The Secretary shall provide appropriate and timely training and technical assistance to increase actual enrollment, as appropriate.	(Sec. 8) Same as House bill with respect to reporting of actual enrollment, although The Senate bill specifies that the report is to be submitted on a monthly basis.  There is no comparable language with respect to providing appropriate and timely training and technical assistance.
Reduction of Grants (And Redistribution of Funds) in Cases of Under-Enrollment	No provision.	There is no discussion in the regulations of penalties for under-enrollment, only the statement (45 CFR 1305.7) that “A Head Start grantee must maintain its funded enrollment level. When a program determines that a vacancy exists, no more than 30 calendar days may elapse before the vacancy is filled. A program may elect not to fill a vacancy when 60 days or less remain in the program’s enrollment year.”	(Sec. 7) No specific provision regarding reduction of grants in case of under-enrollment.	(Sec. 8) The Secretary is to determine (on a semi-annual basis) which Head Start agencies are operating with an actual enrollment less than the funded enrollment (based on at least the average of four consecutive months of data). If actual enrollment is less than 95% of funded enrollment, a plan and timetable for reducing or eliminating under-enrollment is to be developed and implemented.

	<b>Current Law</b>	<b>Current Regulations (when applicable)</b>	<b>H.R. 1429, House Version</b>	<b>H.R. 1429, Senate Version (an amended version of committee-passed bill S. 556)</b>
Secretarial Action for Continued Under-enrollment	No provision.		No provision.	(Sec. 8) If, after receiving technical assistance and implementing an improvement plan for nine months, a Head Start agency's enrollment is still less than 95% of its funded enrollment, the Secretary may designate the agency as chronically under-enrolled; and recapture, withhold, or reduce the based grant for the program by a percentage equal to the percentage difference between funded enrollment and actual enrollment of the program for the most recent year.
Redistribution of Recaptured Funds	No provision.		(Sec. 7) Funds recaptured, withheld, or reduced from grantees are to be redistributed to other grantees. Any funds taken from Indian Head Start programs are to be redistributed to one or more Indian Head Start programs to increase enrollment. The same holds true for Migrant and Seasonal Head Start. In cases of all other Head Start programs, funds are redistributed to one or more other grantees within the state, and not less than 50% of the funds shall be prioritized to increase the program participation of children and families served in Early Head Start. Not less than 25% shall be prioritized to increase program participation of underserved populations of eligible children.	(Sec. 8) Comparable to House bill, without the prioritized designated percentages.



Current Law	Current Regulations (when applicable)	H.R. 1429, House Version	H.R. 1429, Senate Version (an amended version of committee-passed bill S. 556)
Contract with Nonprofit Intermediary Organization	No provision.	No provision.	(Sec. 8) The Secretary or a Head Start agency may use technical assistance funds to contract with a nonprofit intermediary organization that provides evaluations and technical assistance to improve overall performance management.
<b>NEWLY PROPOSED: SEC. 641 B CENTERS OF EXCELLENCE IN EARLY CHILDHOOD</b>			
Establishing Centers of Excellence (CoE) in Early Childhood Program	No provision.	No provision.	(Sec. 9) Introduces new section to law— Sec. 641B. Subject to availability of funds, the Secretary will establish a program under which he designates up to 200 exemplary Head Start agencies (with at least one from each of the 50 states, DC, and Puerto Rico, as well as one Indian, Migrant, and Seasonal Head Start program), which (pending appropriation of funds) will receive bonus grants of at least \$200,000 per year.
Application for and Designation of CoEs			To be eligible for designation as a CoE, a Head Start agency must be nominated by the Governor of its state, at which point the agency submits an application to the Secretary (except for Indian, Migrant, or Seasonal Head Start programs, which are nominated by a regional HHS official).

Current Law	Current Regulations (when applicable)	H.R. 1429, House Version	H.R. 1429, Senate Version (an amended version of committee-passed bill S. 556)
Content of Application			The application requirements are outlined in the bill. The required items include (but are not limited to): evidence that the applying agency's Head Start program has significantly improved the school readiness of and academic outcomes for participating children; evidence of no program deficiencies; and demonstration of collaborative partnerships with the state and other early care and education providers.
Designation period			The Secretary shall designate CoEs for five year terms (but retains the authority to revoke the designation if an agency is found deficient during the period).
Use of funds			Bonus grant funds may be used for a variety of purposes, aimed at expanding quality services to additional eligible children, modeling and disseminating best practices, furthering coordination with other early childhood care and education providers, expanding staff training, and developing partnerships with institutions of higher education, and nonprofit and community organizations.

Current Law	Current Regulations (when applicable)	H.R. 1429, House Version	H.R. 1429, Senate Version (an amended version of committee-passed bill S. 556)
Research and Reports on CoEs			Subject to availability of funds, the Secretary will make a grant to an independent organization to conduct research on CoEs, resulting in a report to be submitted to Congress no later than four years after enactment of this bill.
Authorization of funds for CoE program			For each of FY2008-FY2012, the bill authorizes \$90 million for bonus grants to Centers of Excellence; \$500,000 for Secretary's administrative costs, including cost of a conference of CoEs; and \$2 million for the research and report activity described above.

	Current Law	Current Regulations (when applicable)	H.R. 1429, House Version	H.R. 1429, Senate Version (an amended version of committee-passed bill S. 556)
<b>SEC. 642. POWERS AND FUNCTIONS OF HEAD START AGENCIES</b>				
Program Governance	Current law emphasizes shared governance and parent involvement, but does not include the specifics that are found in regulations.	Regulations found in 45 CFR 1304.50 relate to all program governance, including how shared governance is to operate. The governing body is defined as the group with legal and fiscal responsibility for administering a Head Start program.	(Sec.8) (amends Sec. 642) The Head Start agency must establish and maintain a formal structure of shared governance through which an independent governing body with legal and fiscal responsibility for administering and overseeing programs, and a parent policy council and parent policy committee, as appropriate, ensure that the agency operates a high quality Head Start program.	(Sec. 7) (amends Sec. 641) As a condition of being designated as a Head Start agency, the entity must have a governing body with legal and fiscal responsibility, and that fully participates in the development, planning, implementation, and evaluation of the programs, to ensure high quality. The bill outlines the required composition of the governing body, guards against any conflict of interest in its composition, and outlines the responsibilities of the body. The governing body is to receive regular information about program planning, policies, and operations, including monthly financial statements. It is to consult with the policy council. (See below)

	<b>Current Law</b>	<b>Current Regulations (when applicable)</b>	<b>H.R. 1429, House Version</b>	<b>H.R. 1429, Senate Version (an amended version of committee-passed bill S. 556)</b>
Composition of Governing Body	No provision.	Regulations do not specify the composition of the governing body in detail as proposed in the House and Senate bills. Regulations do state that the governing body and the Policy Council or Policy Committee must not have identical memberships and functions. (Policy Councils are established at the grantee level, and Policy Committees are established for programs administered in whole or in part by delegate agencies.) (1304.50(a)(5))	(Sec. 8) The governing body is to include: -At least one member with significant financial management or accounting experience; -At least one member with background and expertise in early childhood development; - At least one licensed attorney familiar with issues that come before the governing body; -Additional members selected for their expertise in education, business administration, and community affairs. (The governing body may make use of consultants if necessary.) The bill contains provisions to guard against conflict of interest in the body's composition.	(Sec. 7) Comparable provisions to House bill. Same composition requirements as in the House version, although this bill states that the additional members (after the first three categories) shall reflect the community to be served, and include parents of children who are currently or were formerly enrolled in Head Start programs.

	<b>Current Law</b>	<b>Current Regulations (when applicable)</b>	<b>H.R. 1429, House Version</b>	<b>H.R. 1429, Senate Version (an amended version of committee-passed bill S. 556)</b>
Responsibilities of Governing Body	No specific provision. See regulations.	Grantee and delegate agencies must have written policies that define the roles and responsibilities of the governing body members and that inform them of the management procedures and functions necessary to implement a high quality program. Regulations include 1304.50 appendix A, a detailed chart of governance responsibilities for governing bodies, policy councils, and policy committees.	(Sec. 8) The governing body is responsible for: <ul style="list-style-type: none"> <li>-adopting practices that assure active, independent and informed governance;</li> <li>-oversight to ensure compliance with applicable standards;</li> <li>-establishing an audit and finance committee that would take primary responsibility for approving the annual budget, and making recommendations to the governing body regarding audit-related issues;</li> <li>- approving all major policies and financial expenditures of the agency,</li> <li>-approving the selection or dismissal of the Head Start Director;</li> <li>- approving or disapproving all policies, applications, and decisions of the Policy Council;</li> <li>- overseeing program planning (long- and short-term) of the Head Start agency and its applications to receive Head Start funds; and</li> <li>- establishing written standards and procedures for disclosing, addressing and resolving conflicts of interest.</li> </ul>	(Sec. 7) Similar to House bill, with differing levels of detail within categories of responsibility. The governing body is responsible for: <ul style="list-style-type: none"> <li>-the selection of delegate agencies and such agencies' service areas;</li> <li>-establishing procedures and criteria for recruitment, selection, and enrollment;</li> <li>- all funding applications and amendments to funding applications;</li> <li>-establishing procedures and guidelines to access required information from programs;</li> <li>-review and approval of annual self-assessment, financial audit, monitoring reviews of agency or delegates;</li> <li>-developing procedures for how members of the Policy Council are selected;</li> <li>-financial audits, accounting, and reporting;</li> <li>-personnel policies and procedures regarding hiring, termination, salary scales and salaries of the Executive Director, Head Start Director, Director of Human Resources, the Chief Financial Officer and any equivalent position;</li> <li>-review and approval of the community assessment and its updates.</li> </ul>

	<b>Current Law</b>	<b>Current Regulations (when applicable)</b>	<b>H.R. 1429, House Version</b>	<b>H.R. 1429, Senate Version (an amended version of committee-passed bill S. 556)</b>
Composition of Policy Council	The composition and duties of Head Start Policy Councils are specified in regulations, not current law.	<p>Policy Councils must be established as part of the Head Start’s shared governance model, and each council is to be made up of at least 51 percent Head Start parents (1304.50(a) and (b)).</p> <p>Policy Councils and Policy Committees must limit the number of one-year terms any individual may serve on either body to a combined total of 3 terms. (1304.50(b)(5))</p>	<p>(Sec. 8)</p> <p>The composition of the Policy Councils would resemble those under current regulations, i.e. a majority of the council’s representatives are to be parents of current Head Start children, or children who were enrolled in the previous year.</p> <p>The term of a Policy Council member shall be no more than two years and no Policy Council member shall serve longer than six years.</p>	<p>(Sec. 7)</p> <p>Similar to House bill, except does not contain any term limitations.</p>

	<b>Current Law</b>	<b>Current Regulations (when applicable)</b>	<b>H.R. 1429, House Version</b>	<b>H.R. 1429, Senate Version (an amended version of committee-passed bill S. 556)</b>
Responsibilities of Policy Council	No specific provision. See regulations.	Policy Councils must work in partnership with key management staff and the governing body to develop, review, and approve or disapprove the following policies and procedures, including: <ul style="list-style-type: none"> <li>- all funding applications to HHS;</li> <li>-procedures describing how the governing body and the appropriate policy group will implement shared decision-making;</li> <li>-the program’s philosophy and goals;</li> <li>-the selection of delegate agencies;</li> <li>-program personnel policies;</li> <li>-decision to hire or terminate the director or any person who works primarily for the Head Start program.</li> </ul> (1304.50(d))	(Sec. 8) The Policy Council is to approve and submit to the governing body decisions regarding: <ul style="list-style-type: none"> <li>- The strategic direction of the program (short- and long-term);</li> <li>- Selection of delegate agencies and their service areas;</li> <li>- Recruitment, selection and enrollment priorities;</li> <li>- Funding applications and amendments to funding applications prior to submission;</li> <li>- Budget planning for program expenditures;</li> <li>- Bylaws for the operation of the Policy Council, including procedures by which Policy Council members are chosen;</li> <li>- Program personnel policies;</li> <li>- Decisions regarding employment of Head Start staff other than the director and executive director;</li> <li>- Activities to support the involvement of parents; and</li> <li>- Program responsiveness to community and parent needs.</li> </ul>	(Sec. 7) The Policy Council shall be responsible for: <ul style="list-style-type: none"> <li>-program planning (short- and long-term);</li> <li>-program recruitment, selection, and enrollment priorities;</li> <li>-budget planning for program expenditures;</li> <li>-program operations, including implementation of standards of conduct for program staff, contractors, and volunteers and criteria for the employment and dismissal of program staff; and</li> <li>-activities to support the active involvement of parents in supporting program operations.</li> </ul>
Impasse Policy	No specific provision. See regulations.	Each grantee and delegate agency and Policy Council or Policy Committee jointly must establish written procedures for resolving internal disputes, including impasse procedures, between the governing body and policy group. (1304.50(h))	(Sec. 8) The Secretary is to develop policies and procedures describing how Head Start agencies will implement shared decision-making, including a process for resolving any impasse between the governing body and Policy Council.	(Sec. 7) The governing body and the Policy Council shall share with each other regular and accurate information for use by both entities about program planning, policies, and operations. The Policy Council, with the governing body, shall establish processes to resolve internal disputes.



	Current Law	Current Regulations (when applicable)	H.R. 1429, House Version	H.R. 1429, Senate Version (an amended version of committee-passed bill S. 556)
Parental Involvement	Current law calls for Head Start plans to: -seek the involvement of parents of participating children in activities designed to help them 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 of the program at the local level.	Regulations address parent involvement in Head Start. In addition to involving parents in program policy-making and operations, grantee and delegate agencies must provide parent involvement and education activities that are responsive to the ongoing and expressed needs of the parents. (1304.40)	(Sec. 8) Adds language to promote the continued involvement of Head Start parents ( <i>including grandparents and kinship caregivers, as appropriate</i> ) in the education of their children upon transition to school, by working with the Local Education Agency.	(Sec. 7) Same as House bill, but without specific reference to grandparents and kinship caregivers.
Evaluating Effectiveness of Transition Projects	The Secretary, in cooperation with the Secretary of Education, shall evaluate the effectiveness of Head Start transition projects; disseminate to Head Start agencies information on effective policies and activities relating to transition from Head Start to public schools; and provide technical assistance to help agencies adopt and implement such policies.		No change to current law.	(Sec. 10) Strikes current law.
Implementing Research-Based Early Childhood Curricula	No provision.		(Sec. 8) Adds language to current law, requiring Head Start agencies to implement research-based early childhood curricula that promote young children's school readiness in the areas of language and cognitive development, early reading and premathematics skills, socio-emotional and physical development, and approaches to learning.	Earlier in bill (Sec. 6), adds related language to current law, stating that all curricula and instructional materials funded with Head Start dollars must be scientifically-based and age appropriate.

	<b>Current Law</b>	<b>Current Regulations (when applicable)</b>	<b>H.R. 1429, House Version</b>	<b>H.R. 1429, Senate Version (an amended version of committee-passed bill S. 556)</b>
Use of Research-Based Assessment Methods	No provision.		(Sec. 8) Adds language to current law, requiring Head Start agencies to use ongoing, research-based assessment methods that are developmentally appropriate, culturally and linguistically responsive, and tied to children’s daily activities. Furthermore, for the purpose of meeting the performance standards, Head Start agencies are to use high quality research-based developmental screening tools, demonstrated to be standardized, reliable, valid and accurate for children from a range of racial, ethnic, linguistic, and cultural backgrounds.	No comparable amendment to the law; however, in provision pertaining to the proposed National Academy of Sciences panel, one of the areas in which the panel of experts is tasked with providing recommendations is “appropriate assessments of young children.”
Funded Enrollment and Waiting List	No provision.	45 CFR 1305.6 states that each Head Start program must maintain a waiting list during the year. With respect to funded enrollment, 45 CFR 1305.7 states: “A Head Start grantee must maintain its funded enrollment level. When a program determines that a vacancy exists, no more than 30 calendar days may elapse before the vacancy is filled. A program may elect not to fill a vacancy when 60 days or less remain in the program’s enrollment year.”	(Sec. 8) Adds language calling for each Head Start agency to enroll 100% of its funded enrollment and to maintain an active waiting list at all times.	(Sec. 10) Same as House bill.

	<b>Current Law</b>	<b>Current Regulations (when applicable)</b>	<b>H.R. 1429, House Version</b>	<b>H.R. 1429, Senate Version (an amended version of committee-passed bill S. 556)</b>
Technical Assistance and Training Plan	No provision.		(Sec. 8) Adds a requirement that in order to receive Head Start funds, an agency must develop an annual technical assistance and training plan. The plan is to be based on the self-assessment, the community needs assessment, the needs of parents and children to be served, and the results of reviews.	(Sec. 10) Same as House bill.
Financial Management	No specific provision.	Grantee and delegate agencies must ensure that appropriate internal controls are established and implemented to safeguard federal funds. (1304.50(g)(2))	(Sec. 8) Requires Head Start agencies to document strong fiscal controls, including the employment of well-qualified fiscal staff with a history of successful management of a public or private organization.	The Senate bill does not include this specific provision, but does place added focus on fiscal accountability (e.g., emphasis on members of governing body having knowledge and expertise in fiscal matters).

Current Law	Current Regulations (when applicable)	H.R. 1429, House Version	H.R. 1429, Senate Version (an amended version of committee-passed bill S. 556)
<b>SEC. 642A. HEAD START TRANSITION</b>		Both bills propose to expand heading to “Head Start Transition and Alignment with K-12 Education”	
Steps for Coordinating Head Start with LEA and Elementary Schools	Current law states that each Head Start agency shall take steps to coordinate with the LEA serving the community and with schools in which Head Start children will later enroll. The law lists seven steps.	(Sec. 9) Adds five additional steps that Head Start agencies are to take: - developing continuity of developmentally appropriate curricula between Head Start programs and LEAs; - helping parents to understand the importance of their involvement in children’s academic success as they transition to elementary school; - implementing a system to increase program participation of underserved populations of eligible children; - coordinating and collaborating to ensure that Head Start curricula are aligned with the Head Start Child Outcomes Framework and state early learning standards with regard to cognitive, social, emotional, and physical competencies expected of children entering kindergarten; and - helping parents of children with limited English proficiency understand the method of instruction.	(Sec. 11) Same as House bill.

Current Law	Current Regulations (when applicable)	H.R. 1429, House Version	H.R. 1429, Senate Version (an amended version of committee-passed bill S. 556)
<b>NEWLY PROPOSED SEC. 642B. LOCAL AND STATE INTEGRATION OF EARLY CHILDHOOD EDUCATION</b>			
Local Integration		(Sec. 10) This newly proposed section of law calls for Head Start agencies to enter into partnerships with local educational agencies (LEAs), state-funded preschool programs.	the Senate bill does not propose a comparable section, however the purposes outlined in the House bill's newly proposed section resemble many discussed earlier (in both House and Senate bills) in the context of collaboration grants.
Memoranda of Understanding (MOU)		(Sec. 10) Each Head Start agency is to enter into a memorandum of understanding (MOU) with local entities, the purpose of which is to map out plans to coordinate the following: educational activities; curricula; public information dissemination; selection priorities for children to be served by programs; service delivery areas; staff training; technical assistance; provision of additional services to meet needs of working parents; parent education for smooth transitions to kindergarten; and use of facilities and transportation. MOUs are to be submitted to, and reviewed by the Secretary.	No provision.

Current Law	Current Regulations (when applicable)	H.R. 1429, House Version	H.R. 1429, Senate Version (an amended version of committee-passed bill S. 556)
Reasons for Failing to Enter into MOU		(Sec. 10) If a Head Start agency fails to enter into a MOU, the Secretary (in cooperation with the State Early Learning Council (SELC) and state Director of Head Start Collaboration) will determine the reason as one of the following: (1) the LEA, local council, or other entity is unable or unwilling to enter into a MOU despite reasonable efforts by the Head Start agency; (2) the absence of publicly funded pre-K in the service area; or (3) the agency has not engaged in reasonable efforts to establish a MOU.	No provision.
Consequences for Failing to Enter into MOU		(Sec. 10) If the Secretary determines that failure is due to (3), the Head Start agency will be found to have a deficiency. In cases of (1) or (2), the Secretary and CEO of the state are to work with the State Early Learning Council and the State Director of Head Start Collaboration to improve coordination in the service area.	No provision.
Statewide Integration through Early Learning Collaboration Grants		(Sec. 10) From training and technical assistance funding (included in the 13% set-aside), the Secretary will award an early learning collaboration grant to each state, for supporting a State Early Learning Council (SELC).	(See earlier discussion of collaboration grants, under Sec. 640.)

Current Law	Current Regulations (when applicable)	H.R. 1429, House Version	H.R. 1429, Senate Version (an amended version of committee-passed bill S. 556)
State Early Learning Council (SELC)/State Advisory Council (SAC)		(Sec. 10) The SELC shall include the State Director of Head Start Collaboration, representatives from state preschool programs, representatives of LEAs, state officials overseeing child care programs, IDEA, and the education agency, representatives from Head Start agencies in the state, representatives of local child care programs or organizations, and a representative of the state agency responsible for health and mental health care.	(Sec. 6) The Senate bill does not establish a SELC but does provide for a comparable “State Advisory Council “(SAC), which appears to serve a similar function, and requires representation by comparable groups.

Current Law	Current Regulations (when applicable)	H.R. 1429, House Version	H.R. 1429, Senate Version (an amended version of committee-passed bill S. 556)
Purpose of SELC		<p>(Sec. 10)  SELCE will be responsible for advancing the development of coordinated early childhood services delivery system in the state. The SELCE is to work with state child care and early education agencies to provide leadership and assistance to local Head Start programs, school districts, and state- and locally funded preschool and child care programs, through adoption of local MOUs (referred to above). To aid coordination efforts, the SELCE is to conduct periodic statewide needs assessments concerning early care and education programs.</p>	<p>(Sec. 6)  The SAC appears to hold similar purposes to the SELCE described in the House version of H.R. 1429. The Governor of a state shall establish a council to serve as the State Advisory Council on collaboration on early care and education activities for children from birth to school entry.</p> <p>The SAC's responsibilities include (but are not limited to) conducting statewide needs assessments; fostering collaboration and coordination among early childhood care and education entities; developing statewide professional development for early care and education in the state; assessing the availability of high quality prekindergarten services for low-income children in the state.</p>
Funding for SELC		<p>(Sec. 10)  Allotted funds distributed to a state are to cover no more than 50% of the cost of carrying out the SELCE activities.</p> <p>Federal funds made available for this purpose are to supplement, and not supplant other federal, state, and local funds that would otherwise be spent.</p>	<p>(Sec. 6)  The Secretary shall use collaboration funding to award, on a competitive basis, one-time startup grants of at least \$500,000 to eligible states to enable them to pay for the federal share (30%) of the cost of further developing and implementing the plans for which the State Advisory Council is responsible.</p>



Current Law	Current Regulations (when applicable)	H.R. 1429, House Version	H.R. 1429, Senate Version (an amended version of committee-passed bill S. 556)
<b>SEC. 643. SUBMISSION OF PLANS TO GOVERNORS</b>			
Time Period for State Governors' Approval of Plans	Under current law, any contract, agreement, grant or other assistance made for the purpose of carrying out a Head Start program within a state cannot be made without a plan setting forth the proposed contract, agreement, grant, or other assistance having been submitted to and approved by the Governor. The Governor currently has 45 days to approve or disapprove a plan.	No change to current law.	(Sec. 12) The time period for approving or disapproving a plan would be reduced from 45 days to 30 days.
Applicability	This section of law currently does not apply to contracts, agreements, grants, loans, or other assistance to any institution of higher education in existence on the date of the act's enactment.	No change to current law.	(Sec. 12) Amends current law to likewise not apply this section to Indian, Migrant, and Seasonal Head Start programs.

Current Law	Current Regulations (when applicable)	H.R. 1429, House Version	H.R. 1429, Senate Version (an amended version of committee-passed bill S. 556)	
<b>SEC. 644. ADMINISTRATIVE REQUIREMENTS AND STANDARDS</b>				
Annual Report	No provision.	(Sec. 11) Adds provision to current law, requiring that each Head Start agency make available to the public an annual report that includes the total public and private funds received and the amount from each source; an explanation of prior year's budgetary expenditures and proposed budget for the next year; the total number of children and families served and the percent of eligible children served; the results of most recent review and financial audit; the percentage of enrolled children that received medical and dental exams; information about parent involvement activities; and the agency's efforts to prepare children for kindergarten.	No provision.	
Purchase of Facilities	Under current law, Head Start funds may not be used by a Head Start agency to purchase a facility unless a list of conditions (listed in law) are found to be met (by the Secretary).	Detailed regulations regarding Head Start Facilities purchase are found in 45 CFR 1309.	(Sec. 11) Adds to the list a requirement that the Head Start agency provide the Secretary with a description of the consultation conducted by the Head Start agency with other capable providers in the community, assessing the cost effectiveness of collaborating with those other providers as opposed to the cost effectiveness of purchasing a facility.	No provision.

	Current Law	Current Regulations (when applicable)	H.R. 1429, House Version	H.R. 1429, Senate Version (an amended version of committee-passed bill S. 556)
<b>SEC. 645. PARTICIPATION IN HEAD START PROGRAMS</b>				
Income Eligibility	Current law states that all children from families with income below the poverty line are eligible for Head Start.	45 CFR 1305.4 states that at least 90% of the children who are enrolled in each Head Start program must be from low income families (i.e. below poverty), with exception in the case of tribal programs, where at least 51% of the children served are to be from families below the poverty line.	(Sec. 12) Allows for expansion of eligibility up to 130% of the poverty guidelines, if application requirements for doing so are met. No more than 20% of children served by a Head Start agency are to be above the poverty line.	(Sec. 14) Expands eligibility from the poverty line to 130% of the poverty line, but requiring that programs make efforts to serve families with incomes below the poverty line prior to serving other income-eligible children.
Eligibility of Homeless Children	No specific provision applying to homeless children.		(Sec. 12) Homeless children shall be deemed eligible for Head Start services.	(Sec. 14) Same as House bill.
Expansion of Services for Infants and Toddlers			(Sec. 12) If an agency submits (to the Secretary) a written request and application, it may be approved to use regular Head Start funds (as opposed to Early Head Start funds) to serve infants and toddlers.	(Sec. 14) Comparable provision requiring written application to expand services to infants and toddlers.
Military Pay and Allowances Not Counted as Income	No provision.	45 CFR 1305.2 defines income as “gross cash income and includes earned income, military income (including pay and allowances), veterans benefits, Social Security benefits, unemployment compensation, and public assistance benefits.”	(Sec. 12) The amount of a basic allowance provided on behalf of an individual who is a member of the uniformed services for housing shall not be considered to be income for purposes of Head Start income eligibility for his/her child.	(Sec. 14) Same as House bill, with additional provision that any special pay relating to duty subject to hostile fire or imminent danger shall also not be countable as income for eligibility determination purposes.

	Current Law	Current Regulations (when applicable)	H.R. 1429, House Version	H.R. 1429, Senate Version (an amended version of committee-passed bill S. 556)
Part-Day Session Participation Versus Full-Day	No provision.		No provision.	(Sec. 14) After demonstrating a need through a community needs assessment, a Head Start agency may apply to the Secretary to convert part-day sessions, particularly consecutive part-day sessions, into full-day session.
<b>SEC. 645A. EARLY HEAD START PROGRAMS FOR FAMILIES WITH INFANTS AND TODDLERS</b>				
Scope and Design of Programs	Current law outlines the scope of Early Head Start Programs with a list of nine functions they are to serve.		(Sec. 13) Expands Early Head Start (EHS) program's scope to include: -ensuring formal linkages with the agency responsible for administering the Child Abuse Prevention and Treatment Act; -developing and implementing a systematic procedure for transitioning children and parents from an EHS program into a Head Start program or another local early childhood education program; and -establishing channels of communication between staff of EHS programs and staff of Head Start programs or other local early childhood education programs.	(Sec. 15) Comparable language to House bill.
Professional Development	Training and technical assistance funds may be used for (among other things) providing professional development and personnel enhancement activities for the recruitment and retention of qualified staff with an appropriate level of education and experience.		(Sec. 13) Same as current law, adding that funds may be used for providing professional development designed to increase program participation for underserved populations of eligible children.	(Sec. 15) Similar to House bill, with amended language stating that professional development activities should include teaching methods of conducting parent education, home visiting, and promoting quality early childhood development.

	<b>Current Law</b>	<b>Current Regulations (when applicable)</b>	<b>H.R. 1429, House Version</b>	<b>H.R. 1429, Senate Version (an amended version of committee-passed bill S. 556)</b>
EHS Training and Technical Assistance Account	In order to ensure the successful operation of programs assisted under this section, the Secretary shall use training and technical assistance funds to monitor the operation of programs, evaluate their effectiveness, and provide training and technical assistance tailored to the particular needs of such programs. At least 5% and no more than 10% of EHS funding shall be reserved to fund a training and technical assistance account.		(Sec. 13) Adds more specific language to current law regarding distribution of the T/TA funds, and requires that any EHS training and technical assistance contracts be made with entities that have demonstrated expertise in supporting the delivery of high quality programs for pregnant women and children under age three. (House floor amendment )	No change to current law.
EHS Staff Qualifications			(Sec. 13)	(Sec. 15)
Center-based staff	No specific provision.	45 CFR 130.52 states, "Early Head Start and Head Start staff working as teachers with infants and toddlers must obtain a Child Development Associate (CDA) credential for Infant and Toddler Caregivers or an equivalent credential that addresses comparable competencies within one year of the effective date of the final rule or, thereafter, within one year of hire as a teacher of infants and toddlers.	By September 30, 2009, all teachers providing direct services to children and families participating in EHS center programs are to have a minimum of a CDA credential, and have been trained (or have equivalent course work) in early childhood development.	By September 30, 2012, all teachers providing direct services in EHS centers are to have a minimum of a CDA or an associate degree, and have been trained (or have equivalent course work) in early childhood development.
Home visitor staff	No specific provision.	45 CFR 1304.52 states, "Home visitors must have knowledge and experience in child development and early childhood education; the principles of child health, safety, and nutrition; adult learning principles; and family dynamics..."	The Secretary shall establish standards for training, qualifications, and conduct of home visitor staff in EHS (the content of which are outlined in the bill).	Same as House bill.

Current Law	Current Regulations (when applicable)	H.R. 1429, House Version	H.R. 1429, Senate Version (an amended version of committee-passed bill S. 556)	
<b>NEWLY PROPOSED SEC. 645B (and 657A) PARENTAL CONSENT REQUIREMENT FOR HEALTH CARE SERVICES, INCLUDING NON-EMERGENCY INTRUSIVE PHYSICAL EXAMINATIONS</b>				
		(Sec. 14) Requires a Head Start agency to obtain written consent of a child's parent before administering (or submitting referrals for) any health care service (defined in the bill to include any nonemergency intrusive physical examination and any medical, dental, developmental, mental health, social or behavioral screening).	(Sec. 25) Similar to House bill, although it does not use the broad term of "health care services," and instead applies the consent requirement to any "nonemergency intrusive physical examination" (as identically defined in the House bill). The difference is also reflected in the Sec. 657A heading.	
<b>SEC. 646. APPEALS, NOTICE, AND HEARING</b>				
Right to Full and Fair Hearing in Cases of Funding Termination and Reduction	Under current law, the Secretary is to prescribe procedures to assure that financial assistance under the Head Start program shall not be terminated or reduced, an application for refunding shall not be denied, and a suspension of financial assistance shall not be continued for longer than 30 days, unless the recipient has been afforded reasonable notice and opportunity for a full and fair hearing.	Appeal procedures are detailed in 45 CFR 1303.	(Sec. 15) Changes current law to say that <i>if</i> financial assistance is terminated or reduced, an application for a noncompeting continuation award is denied based on a previous failure to comply with terms of the assistance, or suspension of financial assistance is continued for more than 30 days, there shall be the opportunity to appeal the action.	(Sec. 16) Amends current law to state that financial assistance <i>may</i> be terminated or reduced, and an application for refunding <i>may</i> be denied, <i>after</i> the recipient has been afforded reasonable notice and opportunity for a full and fair hearing, including a right to file a notice of appeal of a decision within 30 days of notice of the Secretary's decision, and access to a fair hearing of the appeal, not later than 120 days from receipt by the Secretary of the notice of appeal.

	Current Law	Current Regulations (when applicable)	H.R. 1429, House Version	H.R. 1429, Senate Version (an amended version of committee-passed bill S. 556)
Coverage of Legal Fees in Cases of Appeal	No provision.	45 CFR 1303.3 allows attorney fees to be charged to the program grant (within limits). In the event that use of program funds would result in curtailment of operations or inability to liquidate prior obligations, the party so affected may apply to HHS for payment of these expenses.	(Sec. 15) No funds made available may be used to reimburse any appellant for legal fees and other costs incurred in pursuing the appeal.	(Sec. 16) Calls for Secretary to develop and publish procedures to be used in order to prohibit a Head Start agency from spending Head Start funds for the purpose of paying legal fees pursuant to an appeal, <i>except that such fees shall be reimbursed by the Secretary if the agency prevails in the appeal decision.</i>
Suspension of Funds for More than 30 Days	No provision.	45 CFR 1303.11 Suspension shall not exceed 30 days unless HHS and the grantee agree to a continuation of the suspension for an additional period of time.	No provision.	(Sec. 16) The Secretary may not suspend funds to a grantee for more than 30 days except in the case of a grantee that has multiple and recurring deficiencies for a period of 180 days or more and has not made substantial and significant progress towards meeting the goals of the quality improvement plan for eliminating all deficiencies identified by the Secretary during an appeal. In these cases, funds may be suspended for any amount of time, including permanently.

	Current Law	Current Regulations (when applicable)	H.R. 1429, House Version	H.R. 1429, Senate Version (an amended version of committee-passed bill S. 556)
<b>SEC. 647. RECORDS AND AUDITS</b>				
Record Keeping	Current law requires grantees to keep records as prescribed by the Secretary, and gives the Secretary and U.S. Comptroller General the authority to have access to all records pertinent to Head Start financial assistance, for the purpose of audit and examination.	45 CFR 1304.51(g) requires that grantee and delegate agencies must establish and maintain efficient and effective record-keeping systems to provide accurate and timely information regarding children, families, and staff and must ensure appropriate confidentiality of this information.	(Sec. 16) Strikes current law language and replaces with requirements that each recipient of federal Head Start funds: - maintain, and annually submit to the Secretary, a complete accounting of its administrative expenses (including a detailed statement identifying the amount of funding used to pay expenses for salaries and compensation); - submit to the Secretary, within 30 after completion of an audit conducted to the extent provided in the Single Audit Act, a copy of the audit management letter and of any audit findings as they relate to the Head Start program; in addition to any additional documentation as the Secretary may require.	(Sec. 16) Adds to current law that each Head Start agency, Head Start center, or Early Head Start center shall maintain, and annually submit to the Secretary a complete accounting of its administrative expenses, including expenses for salaries and compensation funded by federal Head Start funds, and provide such additional documentation as the Secretary may require.
<b>SEC. 648. TECHNICAL ASSISTANCE AND TRAINING</b>				
Regional or State System of Early Childhood Education Training and Technical Assistance	No specific provision.		(Sec. 17) At least 30% of the training and technical assistance set-aside (discussed under Sec. 640) is to be made available to support a state system of early childhood education training and technical assistance.	(Sec. 17) The Secretary shall make training and technical assistance funds (see Sec. 640) available to support a state system of early childhood education training and technical assistance.



	<b>Current Law</b>	<b>Current Regulations (when applicable)</b>	<b>H.R. 1429, House Version</b>	<b>H.R. 1429, Senate Version (an amended version of committee-passed bill S. 556)</b>
Purpose of Training and Technical Assistance	Current law includes a list of 11 purposes for which technical assistance and training funds may be allocated.		(Sec. 17) Expands current law's list to include the following purposes: to assist Head Start agencies and programs in increasing program participation of homeless children; to assist Head Start agencies and programs in improving outreach to, and the quality of services available to, limited English proficient children and their families; to assist Head Start agencies in developing methods and approaches for identifying and working with children and families experiencing toxic stress; assisting programs in improving outreach to disabled children if fewer than 10% of a program's children fall into that category; and providing assistance to address needs of rural programs.	(Sec. 17) Similar to House bill, with additional purposes: to provide training and technical assistance to members of governing bodies to ensure that they can fulfill their functions; to provide training and technical assistance to Head Start agencies to assist in conducting self-assessments; to provide activities that help ensure that Head Start programs have qualified staff who can promote prevention of childhood obesity; to assist Indian Head Start agencies to provide on-site and off-site training to staff.
Classroom-Focused Training	No provision specifying amounts to be spent for classroom-focused training and technical assistance.		(Sec. 17) More than 50% of training and technical assistance funds spent under this section is to be used for classroom-focused training.	(Sec. 17) Similar to House bill, except without a specified percentage regarding the amount to be spent for this purpose.
Training for Addressing Unique Needs of Select Head Start Children and Families	No specific provision.		(Sec. 17) The Secretary shall provide, either directly or through grants or other arrangements, funds for training Head Start personnel in addressing unique needs of migrant and seasonal working families, families of children with disabilities, LEP families and homeless families.	(Sec. 17) Same as House bill.

	<b>Current Law</b>	<b>Current Regulations (when applicable)</b>	<b>H.R. 1429, House Version</b>	<b>H.R. 1429, Senate Version (an amended version of committee-passed bill S. 556)</b>
Limitation on Use of Funds for Travel and Training	No provision.		(Sec. 17) Funds shall be used for needs identified annually by a grant applicant or delegate agency in their program improvement plan, except that funds may not be used for long-distance travel expenses for training activities available locally or for similar activities available locally or regionally.	(Sec. 17) Same as House bill.
Outreach Program to Train and Recruit Minority Men as Head Start Teachers	No provision.		(Sec. 17) The Secretary is to develop and implement an outreach program to train and recruit minority men to become Head Start teachers in order to increase the provision of quality services and instruction to children with diverse backgrounds.	No provision.
Use of Funds for Pre-Literacy Training	Current law allows training funds to be used for the purpose of pre-literacy training.		(Sec. 17) Adds language detailing use of training funds to support enhanced early language and preliteracy development of children in Head Start programs.	(Sec. 17) Same as House bill.

	<b>Current Law</b>	<b>Current Regulations (when applicable)</b>	<b>H.R. 1429, House Version</b>	<b>H.R. 1429, Senate Version (an amended version of committee-passed bill S. 556)</b>
Assessing the Migrant and Seasonal and American Indian Population's Needs	No provision.		(Sec. 17) The Secretary shall work in collaboration with Migrant and seasonal Head Start agencies, Indian Head Start programs, collaboration directors, the Secretary of Education, and others to determine the number of children eligible for and served by these programs, and to ensure as comparable access as possible. Plans for carrying out the above are to be published in the Federal Register, and after a public comment period, a report will be submitted to Congress describing HHS' plan.	No comparable provision.
Report of Findings on Migrant and Seasonal as well as American Indian Population	No provision.		(Sec. 17) The Secretary shall annually submit a report to Congress detailing the number of children of migrant and seasonal farmworkers and American Indian and Native Alaskan children who are eligible for Head Start and the number enrolled.	No provision.

	Current Law	Current Regulations (when applicable)	H.R. 1429, House Version	H.R. 1429, Senate Version (an amended version of committee-passed bill S. 556)
Establishing Contracts for Delivering a State-Based Training and Technical Assistance System	No provision.		(Sec. 17) The Secretary shall enter into contracts in each state with 1 or more entities with demonstrated expertise in supporting the delivery of high quality early education programs. The Secretary will provide a report to Congress within 90 days of the end of the fiscal year, summarizing the funding for such contracts, and the activities conducted under them. An amendment added on the House floor would also ensure that contracts address the needs of grantees in both urban and rural areas.	No provision.
On-line Graduate-Level Professional Development Program	No provision.		(Sec. 17) The Secretary is encouraged to contract, on a competitive basis, with an institution of higher education to develop an on-line graduate-level professional development program with the goal of improving the leadership of those working in Head Start programs and improving quality and capacity of effective Head Start teachers.	No provision.
Tribal Colleges and Hispanic-serving Institutions Career Ladder Demonstration Programs	No provision in law (but the programs currently exist).		(Sec. 17) Authorizes these demonstration grants, which are granted for at least 5-year periods at a time.	See Section 19, which proposes a new section of law, Sec. 648B.

Current Law	Current Regulations (when applicable)	H.R. 1429, House Version	H.R. 1429, Senate Version (an amended version of committee-passed bill S. 556)
Historically Black Colleges and Universities - Head Start Partnerships	No provision in law (but the partnerships currently exist).	(Sec. 17) Instructs the Secretary of HHS to create partnerships between Head Start and historically black colleges and universities (HBCUs). (House floor amendment)	No provision.
<b>SEC. 648A. STAFF QUALIFICATIONS AND DEVELOPMENT</b>			
Degree Requirements for Teachers (Nationwide)	By September 30, 2003, at least 50% of all Head Start teachers nationwide in center-based programs were to have an associate, BA, or advanced degree in early childhood education or, a degree (AA, BA, or advanced) in a related field, combined with experience in teaching preschool children.	(Sec. 18) Requires that at least 50% of all Head Start teachers in center-based Head Starts nationwide have at a minimum, a BA in early childhood education by September 30, 2013.	(Sec. 18) Requires <i>all</i> Head Start teachers nationwide in center-based programs, by September 30, 2012, to have at least an associates degree (or equivalent course work) relating to early childhood education and have demonstrated teaching competencies as determined by the program director.
Degree Requirements for Teachers (Statewide)	No provision.	No provision.	(Sec. 18) By September 30, 2013, 50% of all Head Start teachers in center-based programs in each state (and geographic region for Indian Head Start programs and for migrant and seasonal programs) are to have a BA relating to early childhood (or related area) and demonstrated teaching competencies, as determined by the program director.

Current Law	Current Regulations (when applicable)	H.R. 1429, House Version	H.R. 1429, Senate Version (an amended version of committee-passed bill S. 556)
Alternative Credentialing Requirement— Teach for America	For each Head Start classroom in a center-based program that does not have a teacher meeting the requirements listed above, that classroom is to be assigned one teacher who has - a child development associate credential (CDA); - a state-awarded certificate for preschool teachers that meets or exceeds the requirements for a CDA; or - a degree in a field related to early childhood education with experience in teaching preschool children and a state-awarded certificate to teach in a preschool program Sec. 648A(a)(3)	(Sec. 18) Adds another category of individuals eligible for meeting alternative credentialing requirement: - individuals with a B.A. degree, in the Teach for America program, who, as part of that program, have passed a rigorous early childhood content exam, and participated in a Teach for America summer training institute that includes teaching preschool children.	No provision.
Degree Requirements for Head Start Curriculum Specialists and Education Coordinators	Teacher requirements apply.	45 CFR 1304.52(d) establishes qualifications of content area experts. In addition to meeting the degree requirements of classroom teachers, education and child development services must be supported by staff or consultants with training and experience in areas that include the theories and principles of early child development and education.	No provision.  (Sec. 18) By September 30, 2010, all Head Start curriculum specialists and education coordinators nationwide in center-based programs are to have a BA or advanced degree relating to early childhood, or a BA or advanced degree and coursework equivalent to a major relating to early childhood.

	Current Law	Current Regulations (when applicable)	H.R. 1429, House Version	H.R. 1429, Senate Version (an amended version of committee-passed bill S. 556)
Degree Requirements for Teaching Assistants	No specific provision.		No provision.	(Sec. 18) By September 30, 2010, all Head Start teaching assistants nationwide in center-based programs are to: have at least a CDA credential; be enrolled in a program leading to an AA or BA degree; or be enrolled in a CDA credential program to be completed within two years.
Teacher In-Service Requirement	No provision.		No provision.	(Sec. 18) Each Head Start teacher shall attend not less than 15 hours of professional development per year.
Progress Report to Congress	Current law requires Head Start agencies to demonstrate to the Secretary continuing progress each year with regard to degree requirements. No provision requires a report from HHS to Congress.		(Sec. 18) Head Start agencies are required to submit a report to the Secretary indicating the number and percentage of classroom teachers in center-based programs with respective degrees. The Secretary is then required to compile the information and submit to Congressional committees of jurisdiction.	(Sec. 18) Same as House bill.

	<b>Current Law</b>	<b>Current Regulations (when applicable)</b>	<b>H.R. 1429, House Version</b>	<b>H.R. 1429, Senate Version (an amended version of committee-passed bill S. 556)</b>
Requirement for New Head Start Teachers	No provision.		(Sec. 18) Within two years after date of enactment, all Head Start teachers hired in center-based programs following the effective date are to have an AA, BA, or advanced degree in early childhood related field, or be enrolled in a program of study leading to an AA in early childhood education and agree to complete the degree requirements within three years from their date of hire.	No provision.
Service Requirement	No provision.		(Sec. 18) Individuals who receive financial assistance under the Head Start program to comply with degree requirements are to teach in a Head Start center for a least the same length of time that they received assistance or repay the amount of the funds.	(Sec. 18) Individuals who receive financial assistance under the Head Start program to pursue a degree are to teach or work in a Head Start program for at least three years after receiving the degree, or repay the total or a prorated amount of the financial assistance.
Professional Development Plans	No provision.		(Sec. 18) Each Head Start agency and program shall consult with an employee to create a professional development plan for all full-time employees who provide direct services to children.	(Sec. 18) Same as House (with specific reference to classroom teachers, curriculum specialists, and education coordinators).



	<b>Current Law</b>	<b>Current Regulations (when applicable)</b>	<b>H.R. 1429, House Version</b>	<b>H.R. 1429, Senate Version (an amended version of committee-passed bill S. 556)</b>
Criminal Background Checks	No provision.	Personnel policy regulations 1301.31(b) state that before an employee is hired, grantee or delegate agencies must conduct: <ul style="list-style-type: none"> <li>- an interview with the applicant;</li> <li>- a verification of personal and employment references; and</li> <li>- a state or national criminal record check.</li> </ul>	(Sec. 18) Prior to hiring an individual, a Head Start grantee is to conduct an interview, verify personal and employment references, and obtain a criminal records check. (House floor amendment)	No provision.
		<p>If it is not feasible to obtain a criminal record check prior to hiring, an employee must not be considered permanent until such a check has been completed.</p> <p>Regulations also stipulate that agencies require all current and prospective employees sign a declaration listing all pending and prior criminal arrests and charges related to child sexual abuse and their disposition; convictions related to other forms of child abuse and neglect; and all convictions of violent felonies. (The regulations do include some “declaration exclusions.”)</p>	House bill does not contain the level of detail that current regulations do.	

Current Law	Current Regulations (when applicable)	H.R. 1429, House Version	H.R. 1429, Senate Version (an amended version of committee-passed bill S. 556)
Student Loan Forgiveness Program for Head Start and Early Head Start Teachers	No provision.	(Sec. 18) Authorizes the Secretary of Education, in consultation with the Secretary of HHS, to implement a student loan forgiveness program for Head Start and Early Head Start teachers who receive a BA in a field related to early childhood education and agree to teach in a Head Start (or EHS) program for a minimum of three years. (House floor amendment)	No provision.
<b>NEWLY PROPOSED SEC. 648B. TRIBAL COLLEGES AND UNIVERSITIES HEAD START PARTNERSHIP</b>			
Creation of Grant Program to partner Head Start agencies with Tribal Colleges and Universities	No provision.	No provision.	(Sec. 19) Authorizes grants of at least five years to Tribal Colleges and Universities to implement education programs that include tribal culture and language and increase the number of AA, BA, and graduate degrees in early childhood education that are earned by Indian Head Start agency staff, parents of children served in Indian Head Start programs, and members of the tribal community.
Authorized funding	No provision.	No provision.	(Sec. 18) Authorizes \$10 million for FY2008, and such sums as necessary for FY2009-FY2012.

Current Law	Current Regulations (when applicable)	H.R. 1429, House Version	H.R. 1429, Senate Version (an amended version of committee-passed bill S. 556)
<b>SEC. 649. RESEARCH, DEMONSTRATIONS, AND EVALUATION</b>			
Use of Survey of Income and Program Participation (SIPP), the National Longitudinal Survey of Youth (NLSY), and the Survey of Program Dynamics (SPD) for Analysis	Current law provides for use of SIPP, NLSY, and SPD for gathering data and conducting analysis on Head Start.	(Sec. 19) Strikes current law provision for use of SIPP, NLSY, and SPD for conducting analysis on Head Start.	(Sec. 20) Retains provision in current law.
Study and Report on Services to LEP Children and Families	No provision.	(Sec. 19) Calls for a study to be conducted within one year of the enactment of this act on the status of limited English proficient children and families in Head Start and Early Head Start programs. The Secretary shall prepare and submit a report, containing results of the study (the criteria of which are outlined in the bill).	(Sec. 20) Comparable to House bill with regard to the study's content, however the report is not required to be submitted to Congress until September of 2011.
Study of Status of Head Start Participants in Hurricane-Affected Areas	No provision.	(Sec. 19) The Secretary shall conduct a study on the status of children and families participating in Head Start and Early Head Start programs in areas affected by Hurricanes Katrina and Rita, to be submitted to Congress within one year of enactment of this act. On the basis of this report, the Secretary is to also submit disaster plan recommendations.	No provision.

	Current Law	Current Regulations (when applicable)	H.R. 1429, House Version	H.R. 1429, Senate Version (an amended version of committee-passed bill S. 556)
<b>SEC. 650 REPORTS.</b>				
Expenditure Report on Set-asides	No provision.		(Sec. 20) Not later than 60 days after the end of each fiscal year, the Secretary is to submit to the House Education and Labor and Senate HELP Committees a report detailing the different amounts of expenditures from the 13% set-asides and the activities funded.	No provision.
Fiscal Protocol Report	No provision.		(Sec. 20) The Secretary shall conduct an annual review to assess whether the design and implementation of the triennial PRISM reviews include compliance procedures that provide reasonable assurance that Head Start agencies are complying with fiscal laws and regulations. Findings are to be provided to the House Education and Labor and Senate HELP Committees within 30 days of completing the annual review.	No provision.
Report Tracking Use of Individual Education Plans (IEPs)	No provision.		(Sec. 20) The Secretary shall track the use of Head Start Individualized Education Plans by Head Start agencies, and report to Congressional committees one year after enactment of this act.	No provision.

Current Law	Current Regulations (when applicable)	H.R. 1429, House Version	H.R. 1429, Senate Version (an amended version of committee-passed bill S. 556)
<b>SEC. 653. WAGES AND COMPENSATION</b>			
Federal Rate Limitation	No provision in the Head Start Act. However, the FY2005 appropriations act (P.L. 108-447) stated in Sec. 205 that none of the funds appropriated for Head Start could be used to pay the compensation of an individual, either as direct costs or any proration as an indirect cost at a rate in excess of Executive Level II.	(Sec. 20) Notwithstanding any other provision of law, no federal funds shall be used to pay all or any part of the compensation of an individual employed by a Head Start agency, either as direct or indirect costs or any proration thereof, at a rate in excess of the rate then payable for level II of the Executive Schedule.	(Sec. 22) Same as House bill.
<b>NEWLY PROPOSED SEC. 656A. LIMITATION ON CERTAIN USES OF FUNDS</b>			
Limitations on use of funds	No provision comparable to House bill.	(Sec. 22) No funds may be used for publicity or propaganda purposes, or to produce any prepackaged news story intended for broadcast or distribution (unless clearly identified as prepared or funded by HHS).	No provision.

Current Law	Current Regulations (when applicable)	H.R. 1429, House Version	H.R. 1429, Senate Version (an amended version of committee-passed bill S. 556)
<b>SEC. 656. POLITICAL ACTIVITIES</b>			
<p>Current law states that Head Start programs shall not be carried on in a manner involving use of program funds, the provision of services, or the employment or assignment of personnel in a manner supporting or resulting in the identification of such programs with (1) any partisan or nonpartisan political activity or any other political activity associated with a candidate, or contending faction or group, in an election for public or party office; (2) any activity to provide voters or prospective voters with transportation to the polls or similar assistance in connection with any such election; or (3) any voter registration activity. The Secretary, after consultation with the Office of Personnel Management, shall issue rules and regulations to provide for the enforcement of this section which shall include provisions for summary suspension of assistance or other action necessary to permit enforcement on an emergency basis.</p>	<p>Regulations not issued.</p>	<p>No change to current law.</p>	<p>(Sec. 24) Amends current law's provision to state that Head Start programs and any individual employed by, or assigned to such programs, during the hours such individual is working on behalf of the program, shall not engage in (1) any partisan or nonpartisan political activity or any other political activity associated with a candidate, or contending faction or group, in an election for public or party office; or (2) any activity to provide voters or prospective voters with transportation to the polls or similar assistance in connection with any such election. The Senate bill drops any reference to a prohibition on voter registration activity. The bill retains current law's provision regarding the Secretary consulting with OPM and issuing rules and regulations, except changes "shall" to "may."</p>

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