

Washington Association of Head Start and ECEAP
Summary of “Improving Head Start Act of 2007”
Final Conference Report
HR 1429

The Term Deficiency (Pages 4-5)

Defines the term “deficiency” as a “systemic or substantial material failure of an agency in an area of performance...”

Unresolved Area of Non-Compliance (Page 13)

This is defined as a failure to correct a non-compliance item within 120 or additional time if authorized by the Secretary of HHS.

Authorization of Funding (Page 14)

Fiscal year 2008: \$7.35 billion

Fiscal year 2009: \$7.65 billion

Fiscal year 2010: \$7.995 billion

Fiscal year 2011 and 2012: Such sums may be necessary

-Please note that these are authorized numbers and this is not an appropriations bill.

This should be looked at as recommendations not hard numbers.

Training and Technical Assistance Funding (Pages 18-20)

A minimum of 2.5% up to 3%

-20% of the training money will go for providing training for Early Head Start programs

Of the remaining amount leftover:

-50% will be sent to local programs to use directly

-25% shall be available to support a state based training system

-25% shall be provided to HHS to help programs address weaknesses identified by the monitoring system

Funding Formula (Pages 21-25)

There are several steps to the funding formula:

1) Each program would get the same amount they received previously as their base amount;

2) Before a Cost of Living amount is paid out funding for the operational set-asides like the training and technical assistance funds (2.5% to 3%), \$42 million for program monitoring, \$20 million for research and evaluation, and 1% payment of territories are paid out.

3) If programs receive an appropriation increase that is enough to cover the full Cost of Living Adjustment and there is at least \$20 million leftover, all programs would receive the COLA and \$10 million will be provided to Migrant programs and \$10 million will be provided to Indian programs for expansion.

4) If programs do not receive a full Cost of Living Adjustment between fiscal years 2008 to 2010 because of a smaller appropriation increase, then 90 percent of the new increase will go to Head Start, Early Head Start, Migrant and Indians programs for a COLA and the remaining 10 percent will be divided evenly between Migrant and Indian programs for expansion.

5) If we receive such a small increase that we do not receive even 50% of our COLA then all programs receive a partial COLA and there is no new money for expansion.

However, both Indian and Migrant programs shall not receive a total cumulative amount of \$50 million each for all the fiscal years.

Quality Set Aside (Page 26)

The quality set-aside is set at 40 percent. This is primarily to increase salaries for teachers and provide professional development training to staff in a variety of areas especially with special populations...

10 percent of funds can be used for transportation services. Funds can also be used to increase hours of operation, and improve community needs assessment.

Funding for the State Early Care and Education Councils (Page 26)

Funding for the councils is capped at \$100 million throughout the 5 year reauthorization. It is also last in line for receiving funding in the formula.

Expansion Dollars (Pages 29-30)

After the COLA is paid out and the Migrant and Indians receive their share, then 40% of what is left over will go to the quality set aside.

After the quality set aside is triggered and paid out another 45% will be available for expansion (50% of the expansion funds will be used for Head Start programs and 50% for Early Head Start programs).

The remaining 15% will be used for the State Early Education Councils and plans.

Here is how the 45% expansion funds will be broken up:

- FY08 – 30% of new funds go to the states serving less than 60% of eligible; 70% to all states based on young children below poverty line
- FY09 – 40% of new funds go to the states serving less than 60% of eligible; 60% to all states based on young children below poverty line
- FY10 – 50% of new funds go to the states serving less than 60% of eligible; 50% to all states based on young children below poverty line
- FY11 – 55% of new funds go to the states serving less than 60% of eligible; 45% to all states based on young children below poverty line

- FY12 – 55% of new funds go to the states serving less than 60% of eligible; 45% to all states based on young children below poverty line

Children with Disabilities (Page 36)

10% of the total number of children actually enrolled in the Head Start agency must be children with disabilities. A 3 year waiver is available for programs that cannot meet this new mandate.

Grants Applications (Page 40)

Those applying to run a Head Start program must coordinate with the McKinney-Vento liaison and must demonstrate how they will provide services to several special populations including foster care and homeless children.

McKinney-Vento (Page 42)

McKinney-Vento Homeless Assistance Act requirements apply to all Head Start programs.

Reduction of Slots (Page 43)

The Secretary is required to set up a process for Head Start agencies to negotiate to reduce their enrollment and maintain the same level of funding, if without reducing enrollment it would jeopardizes service delivery.

Migrant and Indian Collaboration Director (Page 46)

A Migrant and Seasonal Head Start Collaboration Director and an Indian Head Start Collaboration Director will be appointed.

Enrollment of Homeless Children (Page 47)

The Secretary will implement policies and procedures for how homeless children will be identified and prioritized for enrollment. Homeless children will be allowed to attend a program while required documents are obtained.

Curriculum (Pages 48)

All curriculum used in classrooms must be scientifically based.

Re-Competition of Grants (Pages 50-Pages 54)

A panel of 7 members will be selected by the Secretary of HHS to make recommendations on what a high quality program looks like. The panel will be selected within 3 months of the signing of the bill. The panel will look at specific criteria including:

-Annual budget and fiscal management data

-Program reviews

-Annual audits

-classroom quality

-Program information reports

The 7 member panel will review these areas and make recommendations to the Secretary on what they believe is a high quality program.

The panel members will include the following: 1) expert in early childhood accreditation; 2) expert on early childhood development research; 3) expert on governance and finance of non-profits; 4) expert on delivering services to children with special needs; 5) expert on program evaluation; 6) an employee of the office of Head Start; 7) an executive director of a Head Start agency

Within 9 months after the panel is convened the panel shall issue a report to the Secretary on a proposed system for designation renewal.

3 months after receiving the report the Secretary shall publish a notice describing a proposed system for re-competition in the federal register.

The Secretary shall provide at least 90 days for comment.

Not later than 12 months after publishing a notice and receiving comments the Secretary shall implement the new system.

The Secretary is also required to report on the proposed system and public comments to the House Education and Labor Committee and the Senate HELP Committee. If the Secretary decides to deviate from the recommendations and public comments the Secretary provide a rationale in their report to Congress.

Any program that is determined to be delivering a high quality and comprehensive program and does not have any unresolved deficiencies will receive a grant renewal for 5 more years. Those that are not considered high quality and/or have unresolved deficiencies will see their grant opened up to competition by outside providers.

While this process is being developed the current monitoring and grant renewal system remains in place.

A Head Start agency shall not be subjected to the requirements of the system of renewal prior to 18 months after the date of enactment of the bill.

New Applicants in Open Competition (Page 59-69)

If there is an open competition for a grant the Secretary will look at applicants who meet several important criteria including any “past performance in providing services comparable to Head Start services, including how effectively such applicant provided such comparable services.”

This section outlines a variety of criteria for consideration including the plans of the applicant to coordinate with the school system, libraries, and a host of local and state agencies. It also talks about ability to provide transportation to homeless and foster care families, ability to provide substance abuse counseling, work with children with disabilities, involve parents including fathers, and work with children with limited English proficiency.

Priority is given to those who have “demonstrated capacity in providing effective, comprehensive, and well coordinated early education and development services to children and their families.”

In an open competition no non-Indian Head Start program shall receive a grant to run an Indian Head Start program unless there are no qualified applicants. The Secretary can appoint a non-Indian provider for an interim basis, but they must relinquish the grant that when a qualified Indian Head Start provider becomes available.

New Program Performance Standards (Page 71-78)

The Secretary will develop new program performance standards. In developing the standards the Secretary must:

- Consult with experts in the field of early childhood development, child health care, family services, administration, and financial management and with persons with experience in the operation of Head Start programs.
- Take into consideration past experience with the current program performance standards
- Current changes to families living in poverty
- Recommendations from the study on developmental outcomes and assessments for Young Children by the National Academy of Sciences
- Developments in research based practices with early childhood and development, children with disabilities, homeless children, children in foster care, and family services, and best practices with respect to program administration and financial management;
- Needs of an expanded Head Start program
- Child Health Services
- Changes in the population of children who are eligible (including number of foster care and homeless children)
- Effective transition to the public school system
- Regular communication with parents

-Unique challenges faced by Migrant and Seasonal programs

The Secretary must ensure that any changes to the program performance standards will not result in the elimination of or any reduction in quality scope, or types of health, educational, parental involvement, nutrition, social, or other services required under current regulations.

In developing new standards that impact Indian programs the Secretary must consult with Indian Tribes, Alaska natives and the National Indian Head Start Directors Association among other experts.

New Assessment Tool (Page 79-Page 84)

The Secretary shall consult with representatives of Head Start agencies and with experts in the field of early childhood education and development, family services, and program management and shall use the study on Developmental Outcomes and Assessment of Young Children by the National Academy of Sciences and other relevant research to develop new assessment tools to be used by Head Start agencies. The assessment tools shall be used to assist children, improve classroom quality, identify the special needs of children, and improving overall performance.

Assessments cannot be used to rank children or reward or sanction individual children or teachers. Nor shall the Secretary use an assessment as the sole method for assessing program effectiveness or making agency funding determinations.

Monitoring of Head Start Agencies (Page 84-91)

Each program will be reviewed at least every 3 years. New programs will be reviewed after the completion of their first year.

Programs will receive a follow-up review if they have 1 or more deficiencies not later than 6 months after the Secretary provides notification of such findings, or not later than 12 months after such notification if the Secretary determines that additional time is needed to address the deficiency prior to the review. Programs can also receive a follow up if they significant areas of noncompliance.

Unannounced site inspections of all centers are ok.

Review team members must be knowledgeable about Head Start and will receive periodic training.

Each review will include both program strengths and weaknesses.

There will also be an effort to create more transparency and reliability with the review system through inter-rater reliability. The monitoring reviews will focus on and use a risk assessment system.

Delegate Agencies (Pages 91-Pages 94)

Each Head Start agency shall establish procedures relating to its delegate agencies including procedures for evaluating, de-funding, and appealing a de-funding decision.

Corrective Action for Head Start Agencies (Pages 94-99)

When a deficiency is identified the agency must correct a health and safety issue immediately or an issue related to financial integrity.

Programs will have 90 days to correct all other deficiencies unless the Secretary gives the agency more leeway in light of the nature and magnitude of the deficiency.

The Secretary will be allowed to terminate the designation of an agency unless the agency corrects the deficiency as specified.

If an agency has a deficiency that will take more than 90 days to correct the agency will put together a quality improvement plan. The deficiency needs to be corrected within 1 year from the time the program receives notice from HHS of approval of their quality improvement plan.

HHS must approve or disapprove a quality improvement plan within 30 days. The Secretary shall provide programs with training and technical assistance to develop and implement a quality improvement plan.

Monitoring Reports Are To Be Public (Page 99)

Within 120 days of the fiscal year the Secretary shall publish a summary report on the findings of reviews and the outcomes of the implementations of the quality improvement plans. The information is to be made available to parents and the public.

Program Self-Assessments (Page 100)

Each year a program must conduct a self-assessment. Based on the self-assessment each agency must submit an improvement plan to the Secretary if needed.

Enrollment (Pages 103-110)

Each program must report enrollment numbers on a monthly basis. If after receiving training and technical assistance a program has an actual enrollment of 97 percent of funded enrollment, the Secretary may recapture, withhold or reduce funding. Recaptured funds shall be redistributed within the state.

Program Governance (Page 117-133)

The Governing body must have one member with a background in early childhood, 1 member in fiscal management or accounting, and 1 member shall be a licensed attorney. Programs are encouraged to have community members including parents on the governing body. Exceptions exist for programs that are public entities and are selected to their positions by public election or political appointment. If a program

cannot find a person with the specific backgrounds listed above then they may employ a consultant or an individual with relevant experience.

The governing body maintains its current role in governing Head Start programs, but its role is more clearly defined especially as it relates to financial matters of the program.

The policy council retains its current role except that it will no longer have the approval or disapproval authority over the hiring and firing of the Head Start Director, Director of Human Resources, and Chief Fiscal Officer.

The Secretary will develop an impasse policy for Head Start programs and provide training and technical assistance for both governing body members and members of the policy council.

Memorandum of Understanding (Page 136)

Within 1 year each program must enter into a memorandum of understanding with the appropriate entity running the public pre-k program. The MOE must be submitted to the State Director of Collaboration not later than 30 days after the parties enter into such memorandum. Exceptions to this requirement are on pages 138 to 139.

Classroom Teacher Evaluation (Page 141)

Each program must adopt in consultation with experts in child development and with classroom teachers an evaluation to assess whether classroom teachers have mastery over the requirements set forth in the Act.

Maintain Waiting List (Page 142)

All programs must maintain a wait list.

Transition to Public Schools (Page 143 to Page 149)

In this section they list specific activities for programs to help transition children into the public schools and lay out areas for training and technical assistance.

State Director of Collaboration/Collaboration Grants (Page 150-Page 156)

Collaboration grants shall be used for the following:

1. collaborate with state and local entities
2. help programs work with the Child Care and Development Block grant service providers and the resource and referral network in each state in support of full day and full year programming
3. promote alignment of curriculum with state early learning standards and child outcomes framework
4. promote better linkages with social services agencies and services for children with disabilities

The State Head Start Association must be involved in the selection and on-going direction of the collaboration office.

Not later than 1 year after the state receives a collaboration grant the director of state collaboration must:

1. Conduct an assessment of the Head Start agencies in the state with respect to collaboration and alignment of services and curricula and assessments and as appropriate state early learning standards. It shall be updated on an annual basis.
2. Develop a strategic plan that is based on the assessment.

State Advisory Council on Early Education and Care (Page 156-167)

Existing councils are ok and representatives to the State Advisory Councils are at the Governor's discretion. The Governor shall take steps to ensure that its membership includes, to the extent possible, the following people:

- State agency responsible for child care
- State educational agency
- Representative of local educational agency, higher education, early education providers and development services
- Representatives from Head Start agencies
- State Director of Head Start Collaboration
- Agencies responsible for IDEA, health and mental health, and other agencies determined by the Governor

Duties of the State Advisory Council include the following:

- periodic statewide needs assessment
- identify opportunities and barriers to collaboration and coordination
- increasing the participation of special populations
- Recommendations on a unified data collection system
- Statewide professional development
- Assessment of the capacity of 2 and 4 year universities to provide degrees in early childhood education
- State Early Learning Standards

They shall hold public hearings and allow for public comment. The State Advisory Council shall submit a statewide strategic report to the State Director of Collaboration and the Governor.

The Secretary will award competitive one time start up grants of not less than \$500,000 to eligible states to enable such states to pay for the federal share of developing and implementing a plan.

Page 162 to 166 includes language on how to apply for the grant and the specific uses of funding.

Public Report on Finances (Page 167 and Page 168)

Each agency shall provide for reasonable access to public information and access to books and records of the agency. Each agency must also develop a report that is available to the public on the amount of public and private funds received and their source and an explanation of budgetary expenditures and proposed budget for the fiscal year. Additional information includes: enrollment, the last review and financial audit, percentage of children that received medical and dental exams, information about parent involvement, and outcomes for kids.

Income Eligibility/Participation in Program (Page 170-176)

The following families are categorically eligible for Head Start

1. Families below the poverty line;
2. Families eligible for public assistance or in the absence of child care would potentially be eligible for public assistance;
3. Homeless children;
4. Foster Care Children;

Programs may serve children above the poverty line in the following way:

-10% of families can be above the poverty line;

-An additional 35% can be between 100 to 130% of the poverty line;

Programs must establish and implement outreach and enrollment policies to ensure that programs are serving families below the poverty line first.

Programs must report annually to the Secretary on how they are conducting outreach to families below the poverty line and data on their surrounding community and needs.

Members of the armed services have special exemptions for pay and other allowances.

Part Day to Full Day Conversion (Page 176)

After demonstrating a need, a Head Start agency may apply to the Secretary to convert part day sessions, particularly consecutive part day sessions into full working day sessions.

Zero to 3 (Page 176-179)

A Head Start agency upon written application to the Secretary may serve pregnant women to age 3 without going through a separate Early Head Start grant process. The agency must explain how they will meet the needs of infants and toddlers and follow the

Early Head Start standards and training activities. The application will be accepted unless there is a failure by the agency to fully explain how they will meet the specific requirements.

Early Head Start (Page 180-192)

This section deals with the new training system for Early Head Start providers. It also includes some language on teachers: by 2010 all teachers must have at least a CDA and by 2012 all teachers must have training or equivalent coursework. There is also some language here on home visiting.

Appeals, Notice and Hearing (Page 192-194)

Program funding may be terminated or reduced after the recipient has been afforded reasonable notice and opportunity for a full and fair hearing. A full and fair hearing includes the following:

- Right to file an appeal no later than 30 days
- Access to a full and fair hearing of the appeal not later than 120 days

No federal funding can be used to pay the legal fees on an appeal.

Audits and Records (Page 195)

Each program must submit to the Secretary annually a complete accounting of administrative expenses including salaries and compensation. Not later than 30 days after the completion of a program's audit each program must submit to the Secretary a copy of the management letter and any audit findings.

Training and Technical Assistance System (Pages 196-215)

Training funds are focused on the following:

- Activities to correct program and management deficiencies
- Ensuring school readiness of children
- Work to enhance the professional development of classroom staff and home visitors/family literacy/parenting skills
- Foster professional development systems
- Family Literacy
- Community Needs Assessment (especially needs of homeless families)
- Providing full day/full year services
- Infants and toddlers
- Sound management and financial practices
- Secure and maintain adequate facilities
- Home Based Services/Serving mobile populations

- Serving special populations (homeless families, limited English Proficiency, children with disabilities)
- Assisting rural communities/especially in recruitment and retention of Head Start teachers/Professional Development/Barriers to Outreach/Parent Involvement/Barriers to health screenings/governance
- Childhood obesity
- Support for Indian Head Start programs

The Secretary will contract with an organization to administer a centralized child development and assessment program leading to recognized credentials for early childhood staff.

The Secretary will also support local programs in the training of personnel in the following areas:

- Limited English proficiency
- Providing services to children determined to be abused or neglected
- Helping families cope with community violence
- Mental health support
- Children with disabilities
- Migrant and Seasonal Farm-workers
- Homeless Families

The Secretary is also supposed to help recruit and train professionals who would like to serve as Head Start teachers.

Funds that sent directly to local programs should be used in the following ways:

- Meet or exceed the performance standards
- Trained and qualified staff/including staff that are trained to work with children with limited English proficiency and children with disabilities
- Management and implementation of Head Start services
- Literacy growth in children
- Jumpstart College Students in the Classroom
- Appropriate learning environments
- Improve the training and qualifications of classroom staff
- Help staff better work with children that have health problems, need child counseling, children who experience chronic violence or homelessness, children who experience substance abuse in their families, and children under age 3

-Parenting skills and involvement

-Literacy development in children (specifically literacy training for Head Start teachers-
Page 211)

The entity receiving funding for the new state based training system must consult with the following:

-Local Head Start agencies

-State Collaboration office

-State Head Start Association

Indoor Air Quality (Page 215)

The Secretary will work with federal agencies and other experts on issues of air quality related to children's health.

College Grants (Page 215-221)

Grants are available to historically black colleges, Hispanic serving institutions and Tribal colleges and universities.

Teacher Degrees (Pages 222-235)

- By 2013 50% of all Head Start teachers must have a BA degree in early childhood education or a BA degree and coursework equivalent to a major relating to early childhood education, with experience teaching preschool aged children.
- By 2013 all education coordinators must have a BA degree in early childhood development or a BA and equivalent coursework.
- By 2013 all teaching assistants must have at least a CDA and be enrolled in a program leading to an associate or baccalaureate degree or enrolled in a child development associate credential program to be completed within 2 years
- All programs must describe progress towards these goals annually.
- The Secretary of HHS cannot impose any penalties or sanctions on an individual agency, program or staff for not meeting these goals
- If a classroom does not have a lead teacher that meets the new credentialing goals than through September 2011 they must have a teacher with a CDA, a state awarded certificate for preschool teachers, or a teacher with an associate degree in early childhood, or an associate degree in related field or a BA degree and admitted to Teach for America.
- By October 2011 all teachers must have at least an AA degree in early childhood or in a related field with experience teaching pre-school aged children. This is a hard requirement and is not a goal.
- If a program cannot meet the credentialing requirements for an AA degree or the other requirements they may request a 180 day waiver ending on or before

September 30, 2011 if they can demonstrate that the agency has attempted unsuccessfully to recruit an individual who has the qualification to meet the requirement but has an individual enrolled in a program that grants a credential, degree, or certificate and will receive such credential, certificate or degree not later than 180 days

- If a program cannot meet the 100% AA requirement that goes into effect on October 1, 2011 than they may request a 3 year waiver of the clause if they can prove they have tried unsuccessfully to recruit an individual with the minimum qualifications or they have an individual in the classroom who is working towards their degree and will receive it in a reasonable time period and each classroom has a minimum of a teacher with a CDA or a state awarded certificate for preschool teachers.
- Each Head Start teacher must attend not less than 15 clock hours of professional development
- Each teacher that receives financial assistance from a program to pursue a degree shall teach or work in a Head Start program for a minimum of 3 years after receiving a degree or repay the total or prorated amount of the financial assistance received
- The Secretary shall issue new training and qualifications requirements for family service workers
- Each Head Start employee who works directly with children will have a professional development plan

Research and Evaluation (Page 235-Page 239)

Funds are available to develop, test and disseminate new ideas for addressing the needs of low income preschool children including children with disabilities, homeless children, children who have been abused and neglected, and children in foster care. Funds are also available for innovative ideas with home base care and mobile families.

Funding is also available for the dissemination of best practices to expand the availability of quality services. Funds are available to identify strategies that promote good oral health care and provide effective linkages to quality dental services through pediatric referral network, for infants and toddlers participating in Early Head Start programs and children participating in other Head Start programs. Funds are also available to promote good vision health.

Study on Children with Limited English Proficient Children (Pages 239-242)

Within 1 year the Secretary shall conduct a study on the status of children with limited English proficiency and their families participating in Head Start and Early Head Start.

Head Start Assessments/Bye Bye NRS (Page 243-Page 245)

NAS will develop a report on assessments. The results of the study should be integrated into each assessment conducted by Head Start programs. It is likely that the Secretary will develop a new national assessment. The National Reporting System (NRS) is terminated.

Indian Head Start Study (Page 245-249)

The Secretary will conduct a study on the needs of American Indian, Alaska Native and recommendations for best practices in a variety of areas.

Migrant and Seasonal Head Start Program Study (Page 249-253)

The Secretary will conduct a study on the needs of Migrant and Seasonal Farm worker families within Head Start.

Study on Emergency Preparedness (Pages 253-255)

The Secretary shall evaluate the federal, state, and local preparedness of Head Start programs, including Early Head Start programs to respond appropriately in the event of a large scale emergency.

Fiscal Protocol (Page 258-Page 259)

The Secretary shall conduct an annual review to assess the monitoring review process. They must provide reasonable assurances that Head Start agencies are complying with applicable fiscal law and regulations.

Disability Related Services (Page 259-260)

The Secretary shall track the provision of disability related services for children to determine whether Head Start agencies are making timely referrals to the State or local agency responsible for providing services under IDEA. The Secretary will also help identify any barriers to service delivery.

Childhood Obesity (Page 260-Page 261)

The Secretary shall report to Congress on efforts to reduce and prevent obesity in children participating in Head Start.

You Can't More Than the Secretary of HHS (Page 261-Page 262)

No person working for Head Start can be paid or compensated more than the Secretary of HHS which about \$162,000 a year. Compensation includes salary, bonuses, value of vacation time, severance. It does not include health insurance, retirement, disability or other pension.

Voter Registration (Page 263-Page 264)

No funds can be used to conduct voter registration activities. However, programs may open their doors during normal hours of operation and allow use of their facilities for voter registration activities conducted by outside groups to register Head Start parents to vote.

Centers of Excellence (Page 266-Page 278)

-Designate 200 centers of excellence

-Make bonus grants to centers of excellence (exceptional programs that will serve as a model for programs in the same geographic area)

-Must be nominated by Governor/Submit application to Secretary

-The Secretary shall select one center from each state, one Indian program, one Migrant or Seasonal program, and one from Puerto Rico

-Designated for a five year term

-Not less than \$200,000 per year

-Funds used to disseminate best practices, provide services to additional children, meeting the needs of Early Head Start children, full day/full year programming, improve coordination and collaboration, professional development training for staff, effective transitions to public schools, partnerships with higher education

-Separate authorization of funds. Does not come out of existing Head Start funding.

Improper Payments (Page 280)

The Secretary must submit a report to Congress that HHS has completed a risk assessment to determine programs and activities that are at significant risk of making improper payments.