

Federal Legislative Update

**WSA Fall Conference
October 2007**



Child Poverty In America

- 17% of the 74 million children in this country live below the official poverty line
- The US has the second worst child poverty rate (After Mexico) among 26 rich countries.
- 225,998 children in WA live in poverty or 15.3% of children
- Every 43 minutes a child in WA is born into poverty



Bush: Leaving No Millionaire Behind

The Tax Policy Center at the Urban Institute
From 2001 to 2006 Study

- Families in the top .1% of income or the very richest in the country received an average tax break of \$266,151
- The poorest families those served by ECEAP and Head Start received an average tax break of \$26



Build Head Start Facilities Here in the United States vs. Iraq?

- New funding request for Iraq: \$170 billion
- \$7 billion a month in Iraq
- Head Start only can serve about 5 out of every 10 eligible children
- Cost of fully funding Head Start: About \$7 billion



Bush Seeks \$100 Million Cut in Head Start in 2008

- Congress to send President Labor HHS funding bill week of October 15th
- House Bill: \$75 million increase for Head Start
- Senate Bill: \$200 million increase for Head Start
- Appropriations Staff say conferencing of bills will be fast
- President is likely to veto Labor HHS funding bill
- We need to target Congressman Dave Reichert (Mercer Island) to ensure he supports the override of the expected veto



All Major Programs Supporting Children at Risk

- Will veto bill because it is \$9 to \$11 billion more than he requested in his budget.
- House does not have enough votes to override veto
- President's budget proposal supports cutting Head Start by \$100 million.
- Supports cutting Food Stamps, education programs, Low Income Fuel Assistance, NIH, Legal Services, Community Action Agencies, and veteran's assistance
- Still supports making tax cuts permanent costing (\$3 trillion)



Children Health Care Bill/SCHIP

- **Compromise bill sent to President provided a \$35 billion increase over 5 year for children's health**
- **Goal: to cover the 4 million uninsured children**
- **52,000 additional children in WA would receive help**
- **Tax: Raising cigarettes taxes by 61 cents**
- **Supported by 72 percent of the public**
- **Bush Vetoed the bill**
- **Not enough votes in House for 2/3 override**



The Doctor is Not In

- Rep. “Doc” Hastings has not supported children’s issues
- Only member of the WA delegation to oppose children’s health care bill
- Opposed House Labor HHS bill to provide funding increases to Head Start and Child Care
- Supports President’s Rich Man Tax Cuts
- Supports President’s proposed cuts to children’s programs



Higher Education bill and No Child Left Behind

- Higher Education Reauthorization bill includes student loan forgiveness for teachers working in early education
- No Child Left Behind draft bill discusses transition to public schools, alignment, and coordination with pre-schools including Head Start



Head Start Reauthorization

- Legislation will likely be completed by the end of the year maybe November
- Conferees still not appointed/key staff still working on legislation
- Big issues still in dispute: governance, 130%, state advisory councils



Competition of Head Start Grantees

Senate Bill

- Unresolved Deficiency
- Strengths and weaknesses
- Surprise visits for health and safety
- Can recoup legal fees on appeal if successful
- Funds suspended during termination proceeding

House Bill

- Panel selected by HHS
- Strengths and weaknesses
- 10 months from notice of approved (QIP)
- No federal funds for legal fees on appeals



Update on Competition Language

- Discussions continue on competition language
- Seems to be momentum toward House language, but not a lot of discussion as of yet.
- Senate language is better



Professional Development— Teacher Degrees

Senate Bill

- 50% teachers in each state must have BA Within the Next 6 Years/Goal Language
- By 2012 all teachers must have an Associate Degree
- By 2010 BA's for all education coordinators
- By 2010 CDA for teaching assistants



Teacher Degrees (Con)

House Bill

- 50% Nationwide Requirement for BA
- Conference Report/No Penalties/High Quality
- Within 2 years all newly hired teachers must have an AA Degree or be enrolled in a program they completed within 3 years



Eligibility

Senate

- Raises income eligibility guidelines to 130%
- Strong community needs assessment
- Must prioritize poorest children first



Eligibility (Con)

House

Upon written request and pursuant to the requirements of this paragraph, a Head Start agency may consider children from low-income families to be eligible for participation in programs assisted under this subchapter if their family income is at or above the poverty line but below 130 percent of the poverty line, if the agency submits an application to the Secretary containing the following information, as specified in rules issued by the Secretary--



Eligibility (House 130% con)

- (i) a description of how the needs of eligible Head Start children, as described in
- (ii) paragraph (1)(A) are being adequately met in the agency's service area;
- (ii) a description of outreach efforts to the community to reach full enrollment under the eligibility guidelines under paragraph (1), including using outreach efforts that are linguistically and culturally appropriate;
- (iii) assurance that the agency will prioritize serving children currently eligible under the guidelines under paragraph (1); and
- (iv) a description of why increasing the number of infants and toddlers being served, as described in paragraph (4), is not appropriate based upon the communitywide needs assessment or the agency's capability.



Eligibility (con)

B) In approving such applications, the Secretary shall take into account the--

- (i) cost of living for families living the area served by the Head Start agency;**
- (ii) the efforts the Head Start agency has undertaken to be fully enrolled under the eligibility criteria in paragraph (1); and**
- (iii) the policies and procedures the Head Start agency will implement to ensure that children currently eligible under the criteria described under paragraph**
 - (1) will be prioritized.**
 - (2) No more than 20 percent of children served by such Head Start agency may be from families above the poverty line.**



Latest on 130%

- House committee staff remain opposed to 130% language
- Are seeking a deal that would cap families over income families at 20%
- Most associations think that is still too low to be very helpful
- WSA proposed language to strengthen Senate language based on point system and outreach



Eligibility-Migrant and Indian Programs

Senate

- Migrant-5 percent
- Indian-4 percent
- Subject to Study
- Funding for Tribal Colleges

House

- Migrant-5 percent
- Indian-3.5%
- More secured funding in House

- Subject to Study



Enrollment

House Bill

- Must be 100% enrolled
- Keep Waiting List

Senate Bill

- 95% Enrollment
- Keep waiting list



Infants and Toddlers (Early Head Start)

Early Head Start Set-Aside

Both House and Senate bills raise set-aside to 20 percent by the end of the 5 year reauthorization



Infants and Toddlers

Seamless Services (Zero to 5)

4)(A) Upon written request and pursuant to the requirements of this paragraph, a Head Start agency may use funds under section 640(a) to serve infants and toddlers if the agency submits an application to the Secretary containing the following information, as specified in rules issued by the Secretary—

(i) the amount of funds under section 640(a) that are proposed to be used in accordance with section 645A(b);



Infants and Toddlers (con)

- (ii) a community-wide needs assessment demonstrating how the use of such funds would best meet the needs of the community;**

- (iii) a description of how the needs of pregnant women, and of infants and toddlers, will be addressed in accordance with section 645A(b), and with regulations prescribed by the Secretary pursuant to section 641A in areas including the agency's approach to child development and provision of health services, approach to family and community partnerships, and approach to program design and management;**



Infants and Toddlers

- (v) assurances that the agency will participate in technical assistance activities (including a planning period, start-up site visits, and national training activities) in the same manner as recipients of grants under section 645A; and
 - (vi) evidence that the agency meets the same eligibility criteria as recipients of grants under section 645A.
- (B) An application that satisfies the requirements specified in subparagraph (A) shall be approved by the Secretary unless the Secretary finds that—
- (i) the agency lacks adequate capacity and capability to carry out an effective Early Head Start program; or
 - (ii) the information provided under subparagraph (A) is inadequate.



Governance-Policy Council

House Bill

- Policy Council Restored except for approval and disapproval of the hiring and firing of Head Start Director
- Secretary will develop impasse policy procedures

Senate Bill

- Policy Council reduced to an advisory role

Training for Board and Policy Council

- Both bills place strong emphasis on training for board and policy council



Governance-Board

House and Senate Board Language

- The bill makes additional requirements regarding the composition of the Governing Body. The Governing Body must reflect the community being served and include at least one person with experience in fiscal management, at least one person with experience in early childhood development, and a licensed attorney with experience in matters that come before the Governing Body.
- The Governing Body must also include at least one individual with knowledge of the Head Start program and its performance standards.



Latest on Governance Negotiations

- **91 members of Congress signed national Dear Colleague Letter on Policy Council initiated by WSA**
- **There may be a potential deal on the policy council. At the very least progress has been made and Democrats are united.**
- **Senators Enzi and Alexander still strongly oppose strong role of policy council**



Governance (con)

- In the event that individuals with such experience are not serving on the Governing Body, the Governing Body is encouraged to obtain assistance in these areas from consultants.
- Public agencies operating Head Start programs are permitted to make use of existing employees who have such expertise.



Training Funds

House Bill

- H.R. 1429 maintains a minimum two percent set-aside for training and technical assistance and reserves a minimum of 50 percent of these funds directly for local programs and defines how programs may use these funds.
- The bill requires at least 30 percent of the training and technical assistance set-aside be used by the Secretary to develop a state-based system of training and that technical assistance be available to support local programs.



Training Funds (con)

- The remainder of these funds may be reserved by the Secretary to fund various activities aimed at supporting program quality, including up to \$5 million annually for supporting State Early Learning Councils. H.R.
- 1429 also requires programs to develop and submit annually to the Secretary, training and technical assistance plans.



Training Funds

- House bill makes it clear that funds should be used on fiscal matters, management, and issues identified by PRISM monitoring review.
- Focused on educational outcomes.
- House bill makes it clear that Regional Training Systems will be terminated.



Training Funds

Senate Bill

- The bill changes the training and technical assistance set-aside from at least 2 percent in current law to 2 percent. The committee directs that half of those funds be sent to local grantees so that programs have a reliable source of funding for training and technical assistance activities.



Training Funds-Senate bill (con)

The remaining 50 percent provides the Secretary with adequate flexibility to conduct appropriate Federal training and technical assistance activities to help individual programs meet the Head Start quality standards. The committee encourages the Secretary to maintain the long-standing set-aside for training and technical assistance activities related to providing services to children with disabilities.



Training Funds (con)-Senate Bill

The Senate bill allows training and technical assistance funds to support a regional or State system of early childhood education training and technical assistance. The committee encourages the Secretary to include assistance in HHS' regional system for the Migrant Seasonal Head Start program and the American Indian/Alaska Native programs. The committee encourages the Secretary to provide the training and technical assistance for these two programs through national awards by contractors with knowledge of, and experience in, working with the populations served by these programs.



Training Funds-Teacher Training

Senate Bill

Every Head Start teacher would be required to receive on-going literacy training, including training in methods to promote phonological and phonemic awareness and vocabulary development, and methods to best meet the needs of English language learners.



Training Funds (Con)

Both bills restrict travel to national training conferences. While national training is not prohibited must demonstrate that national training is superior.



Collaboration and Coordination

House Bill

- Early Learning Council
- MOU
- Expanded Role of Collab.

Senate Bill

- State Advisory Council
- Part of Competition Language
- Expanded Role of Collab.
- Centers of Excellence



Collaboration (con)

Senate Bill-The State Advisory Council

In keeping with a desire for greater collaboration among Head Start, early learning programs, and other related programs serving young children in the State, the committee has attempted to formalize coordination efforts in all States in a highly inclusive way across the sectors and settings of early childhood programs.



Collaboration-State Advisory Council (con)

In such efforts, the committee intends to bring together a diverse and wide array of agencies, organizations, and early childhood professionals, including, but not limited to, Head Start, family and center-based child care, and State pre-kindergarten programs. For States with similar pre-existing councils or entities, the committee urges inclusion of additional members--to the maximum extent practicable--in order to meet the list of members suggested by the Committee to serve on the State Advisory Council.



Collaboration

Senate Bill-State Advisory Council

While the Head Start State Collaboration Director is charged with assisting and improving the efforts of Head Start agencies in the State, the committee intends for the State Advisory Councils to encourage greater State level coordination of efforts and understanding of shared goals for young children from birth until school entry.



Collaboration (con)

In particular, the Council is charged with developing a strategic report, based on a statewide assessment of early care and education programs for children from birth to school entry, which includes plans for identifying barriers and opportunities for collaboration between entities carrying out existing early care and education programs; creating a professional development system and career ladder for early childhood educators in the State;



Collaboration (con)

making recommendations for a statewide, unified data collection system; assisting institutions of higher education to develop model programs for early childhood educators; and undertaking efforts to develop and improve State early learning standards.

The committee requires each State Advisory Council to provide opportunities for public input in both its needs assessment and its recommendations, as well as to meet with sufficient regularity to review and revise its plans and recommendations.



Collaboration (State Advisory Council Con)

- The committee also makes available \$100 million for the purpose of awarding one-time incentive grants to States that choose to further develop and implement the recommendations and plans for which the State Advisory Council is responsible.
- Such grants shall be disbursed for a 3-year period and will be used to facilitate the development of a high-quality system of early care and education.



Collaboration (Con)

Members of the State Advisory Council

- (I) the State Director of Head Start Collaboration;
- (II) a representative of the appropriate regional office of the Administration for Children and Families;
- (III) a representative of the State educational agency and local educational agencies;
- (IV) a representative of institutions of higher education;



Collaboration (con)

- (V) a representative (or representatives) of the State agency (or agencies) responsible for health or mental health care;
- VI) a representative of the State agency responsible for professional standards, certification, and licensing for early childhood educators;



Collaboration (Con)

- (VII) a representative of the State agency responsible for child care;
- (VIII) early childhood educators, including professionals with expertise in second language acquisition and instructional strategies in teaching limited English proficient children;
- (IX) kindergarten teachers and teachers in grades 1 through 3;
- (X) health care professionals;
- (XI) child development specialists, including specialists in prenatal, infant, and toddler



Collaboration (con)

- (XII) a representative of the State agency responsible for assisting children with developmental disabilities;
- (XIII) a representative of the State agency responsible for programs under section 619 or part C of the Individuals with Disabilities Education Act (20 U.S.C. 1419, 1431 et seq.);



Collaboration (State Advisory Council Con)

- (XIV) a representative of the State interagency coordinating councils established under section 641 of the Individuals with Disabilities Education Act (20 U.S.C. 1441);
- (XV) a representative of the State Head Start Association (where appropriate), and other representatives of Head Start programs in the State;
- (XVI) a representative of the State network of child care resource and referral agencies;
- (XVII) a representative of community-based organizations;



Collaboration (con)

- (XVIII) a representative of State and local providers of early childhood education and child care;
- (XIX) a representative of Indian Head Start programs (where appropriate) and a representative of migrant and seasonal Head Start programs (where appropriate);



Collaboration-State Advisory Council (con)

- (XX) parents;
- (XXI) religious and business leaders;
- (XXII) the head of the State library administrative agency;
- (XXIII) representatives of State and local organizations and other entities providing professional development to early care and education providers;
- (XXIV) a representative from the Office of Coordinator for Education of Homeless Children and Youths in the State;
- (XXV) a State legislator;
- (XXVI) a representative of other entities determined to be relevant by the Governor of the State.



Collaboration

Senate Bill-State Collab. Coordinator

The committee has enhanced and clarified the current role of the Head Start Collaboration Director and State Advisory Councils. The committee intends to strengthen the role of the Collaboration Director in each State to also promote alignment of Head Start services with State early learning standards and the Head Start Child Outcomes Framework. Each Head Start State Collaboration Office will conduct a needs assessment of Head Start agencies in the State with respect to the collaboration and coordination of services for children, the professional development opportunities for Head Start staff, and the partnerships between Head Start and other organizations.



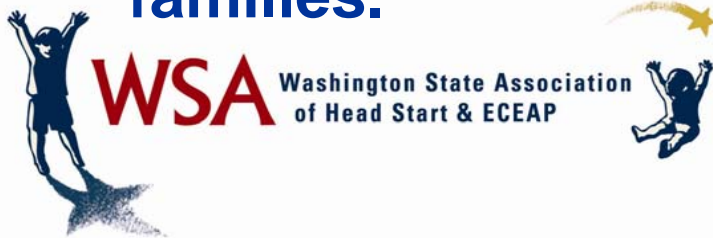
Collaboration (con)

With these changes, the committee also intends to reduce the duplication of services, prevent under-enrollment, and more address gaps in services for Head Start children and families.



Collaboration (con)

The committee feels strongly that the Head Start Collaboration Director should be a position of significant authority, appointed by the Governor and preferably located within the Office of the Governor. This centralized authority will allow for a more comprehensive coordination of services statewide, which will assist in providing `wrap around' child care services, health care, and employment services that are critical to low-income working families.



Collaboration

Senate Bill

- In an effort to engage all community stakeholders, the committee bill specifies that a variety of new entities participate in State collaboration activities. Some of these entities include: State and local educational agencies, State Departments of Health and Human Services, representatives of the State Head Start association, representatives from the State network for child care resource and referral agencies, and community and faith-based organizations.



Collaboration

The addition of these entities will allow all States to develop a more seamless system for the provision of services to needy children and families, as well as leverage the experience, expertise, and resources of a variety of organizations and individuals.



Collaboration (Con)

House Bill

- Requires improved coordination between Head Start and state-funded pre-kindergarten programs through the creation of local memoranda of understanding. The bill provides a clear exemption for Head Start programs if there is no state-funded pre-kindergarten program in the service area or if the pre-kindergarten program is unable or unwilling to work in good faith on a memorandum of understanding with the Head Start agency.



Collaboration (con)

H.R. 1429 clarifies and expands the focus of the State Head Start Collaboration Offices to provide assistance to local programs to better coordinate with other federal, state and local early childhood services. It improves coordination at the state level by reserving up to \$5 million annually for supporting State Early Learning Councils aimed at developing a coordinated delivery system of early childhood services and improving the overall quality of those services. H.R. 1429 requires at least a 50 percent state match to receive these funds.



Collaboration-Centers of Excellence (Senate Bill)

- **The Secretary of HHS would select 146 Centers of Excellence from among nominations submitted by the Governors. The Secretary would name an additional 54 centers, so that there is at least one Center of Excellence in each State, the District of Columbia, and Puerto Rico. It is also the committee's intent that one or more Indian Head Start and Migrant and Seasonal Head Start programs will be recognized as Centers of Excellence. The bill permits exemplary Indian Head Start programs and migrant and seasonal Head Start programs to be nominated by their respective regional office (region 11 and region 12) instead of by a State Governor.**



Collaboration-Centers of Excellence

When making bonus grants, the Secretary shall give a priority to programs that demonstrate that they are of exceptional quality and would serve as exemplary models for programs in their geographic region. The Secretary may also consider the population served by the applicant, especially if they are serving an underserved population. Programs that have a record of doing an exceptional job of serving underserved populations should be given this priority as well.



Collaboration-Centers of Excellence

Head Start programs identified as Centers of Excellence would receive a Federal bonus grant of at least \$200,000 and up to \$500,000 in each of 5 years (in addition to its base funding). It is the committee's intent that bonus grant funding for the Centers would vary depending on the number of children served at a Center of Excellence. It is the hope of the committee that as we continue to work through the legislative process and when new money is available some of this money will be designated for the Centers of Excellence.



Centers for Excellence

The Centers of Excellence bonus grants will be used for centers to:

1. work in their community to model the best of what Head Start can do for at-risk children and families, including getting those children ready for school and ready for academic success;
2. coordinate all early childhood services in their community;
3. offer training and support to all professionals working with at-risk children;
4. track these families and ensure seamless continuity of services from birth to age 8, with an emphasis on working in partnership with public schools to ensure that Head Start children succeed in school;
5. become models of excellence by all performance measures and be willing to be held accountable for good outcomes for our most disadvantaged children; and
6. have the flexibility to serve additional Head Start or Early Head Start children or provide more full-day services to better meet the needs of working parents.



Collaboration-Centers of Excellence

The committee intends that a Center of Excellence that uses its bonus grant for activities related to infants and toddlers must demonstrate existing expertise in providing services to this age group. The developmental needs of infants and toddlers are unique and require teachers that have knowledge of infant and toddler development.

The committee has included Early Head Start, Migrant and Seasonal Head Start, and Indian Head Start programs as participants in the Centers of Excellence Program. The committee feels that all Head Start programs could benefit greatly by the exemplary practices modeled in Early Head Start programs for infants and toddlers, as well as practices tailored to the needs of children in Indian, Migrant, and Seasonal Head Start programs.



Outcomes

- **House and Senate bills terminate NRS**
- **House and Senate encourage rewriting of education and performance standards**
- **NAS panel to develop new assessment**



Monitoring

House and Senate Bills

- Requires the triennial review use a 'risk-based assessment' system that is less focused on a checklist of more than 1,200 items, and more focused on a broad view of program quality service delivery and sound fiscal management.
- Includes new requirements regarding the qualifications of the review team in order to respond to serious concerns about the qualifications of the members of the review teams.



Monitoring

- Requires triennial reviews address program weaknesses and strengths. The current model of focusing solely on program deficits runs counter to central principles of typical grant review systems and leads to an unnecessarily hostile relationship between Head Start agencies and review teams.
- The Committee believes triennial reviews can be invaluable to improving program quality, but only if they are conducted in a manner in which Head Start programs are collaborators in their own improvements.



Monitoring

House Bill-PRISM and Training Connection

- In addition, H.R. 1429 requires the review findings be presented to Head Start agencies in a manner that allows them to inform the development and implementation of their plan for training and technical assistance. The Committee believes a strong connection between the review process and the training and technical assistance system is vital to program quality, and H.R. 1429 requires this connection be established. In addition, the Committee believes a strong fiscal management protocol is needed in the triennial reviews, requires such a protocol be implemented and requires the Secretary to report to Congress on the Department's efforts to ensure strong fiscal controls at all levels of the Head Start program.



Accountability

House Bill-Suspension, Termination of Funding

The Committee encourages the Secretary to use his or her authority under current law and new authorities under this legislation to terminate expeditiously any grantee that is found to have recurring deficiencies. Furthermore, the Committee recognizes the Secretary's existing authority to issue immediate suspensions of funding to any agency in emergency situations. In such instances, funding to the grantee is suspended and an interim organization provides services until a replacement agency can be identified or the Secretary determines it is appropriate to resume funding to such agency.



Accountability

The Committee recognizes and reaffirms the rights of a grantee to appeal a termination decision, but is concerned that some reviews have been reported to continue several years. The Committee notes that seven months or several years is too long for children to endure programs with demonstrated deficiencies and urges the Departmental Administrative Boards to move swiftly to render decisions on such matters.



Accountability

Senate

Bill requires that the Secretary conduct an annual review of grantee financial status. Requires each center to maintain and submit a complete accounting of its administrative expenses, including salaries and compensation, to the Secretary.

House and Senate Bills

Cap compensation at rate of Secretary of HHS



Transportation

Senate Bill

Transportation study

House Bill

Waivers and a percentage quality funds available for transportation



Voter Education

- Deal reached on voter education language
- No federal funds can be used for voter education activities
- But outside community organization can register parents to vote during hours of operation



Action Steps

Children's Health Care Bill Override: Action Needed Immediately

1. Contact Rep. Hastings and Rep. Reichert and ask them to support an override of the President's veto on behalf of the 52,000 children in WA who need health coverage

Funding: Action Needed Week of October 15th

2. Contact Senator Murray's office and ask her to support at least a \$200 million increase for Head Start.
3. Contact Congressman Dave Reichert's office regarding funding for Head Start. Ask him to support overriding the President's veto of the Labor HHS funding bill.

Head Start Reauthorization: Action Needed Immediately

4. Contact Senator Murray's office about Head Start reauthorization
 - Focus on policy council and 130%

