



To: Senator Ted Kennedy, Chairman, Senate Health Education Labor and Pension Committee.

From: Lucia Palacios, President, Wassy Tesfa, Vice President Public Policy, & Edward Condon, Executive Director

Re: Comments on Discussion Draft, to reauthorize the Head Start Act

February 7, 2007

The California Head Start Association, Board of Directors appreciates the opportunity to comment on the draft legislation to reauthorize Head Start. We acknowledge and honor the work of Senators Kennedy, Enzi, Dodd and Alexander as well as their staff to advance legislative language toward the reauthorization and improvement of Head Start services.

The California Head Start Association is a membership organization representing the interest of over 150 agencies throughout California communities, funded to serve over 104,000 children birth to age five and their families.

This draft, over 150 pages, offers a number of needed improvements, updates and clarifications. In particular, we are pleased to see the Senate address the critical issues of income eligibility (130% of FPL), elimination of the National Reporting System, conversion of funding to serve infants & toddlers based upon community needs assessments, reasonable standards for enrollment (95%), increased set-asides for Migrant, Tribal & Early Head Start, Quality Improvement Set-Aside, and the enhancement to monitoring of programs (PRISM).

We believe these elements capture the expectation of a reauthorization discussion, first to improve efforts and systems and second to institutionalize best practices emerging from experts and programs closest to daily operations.

Further review of the draft legislative language does provoke a number of major concerns in the areas of Policy Councils, Centers of Excellence, State Advisory Councils and the terms deficiency and re-competition. Lastly, we are troubled with the funding levels in both the authorization section of the bill as well as the

un-funded challenges the specified teacher qualification will bring to local programs over the five-year period of the Head Start authorization.

Explanation of Major Concerns

- **Policy Council:** It is fundamental and well established in current Head Start Performance Standards that Policy Councils share to the maximum extent the responsibility of program development, planning, and accountability. To this end, (page 52) we encourage the language to clarify that the Policy Council must approve or disapprove operational policies, procedures and standard annual/monthly reports, funding applications and self-assessments by directly tying in to the responsibilities outlined for the governing bodies. While the current bill references this tie-in by stating "consistent with subparagraph C (i) (VIII)" it is recommended that the wording state that "in addition to the responsibilities outlined in Section C (ii) (VIII)". We believe the legislation must obligate the Secretary to design a shared decision-making policy as a component to Head Start Grant funding terms and conditions and this component must be included within the protocols of program performance monitoring.

Policy Council plays a key role in the development and support of Head Start staff. We strongly encourage you to clarify the language in this bill (page 52, F, ii, "program staff") so to align with the definition articulated in the Office of Head Start Program Information, 06-01. We believe this would clarify the bill to include "employment and dismissal of program staff including key personnel. By expanding the language Policy Councils will retain their full authority currently exercised in the area of Human Resources.

Lastly, protocols for consultation and collaboration must be designed in a manner that assures informed and transparent procedures that are promulgated by the Secretary. (Page 52, iii (6) information sharing). We would advocate for the development and recommendation of guidelines that guaranteed information be provided by program key personnel as opposed to governing bodies and that Policy Councils are provided not less than annual trainings on the systems being reported.

- **Centers of Excellence: \$40 million Investment:** It is of great importance to promote excellence throughout the local, regional and national Head Start delivery system. However, we believe the most critical indicator and highest priority for local programs must be the development and retention of staff. We oppose the "general nature" of the Centers of Excellence, the separate funding stream and the minimal impact of such funding would have to expand collaboration and community partnerships. We believe in this era of declining or stagnating revenues and increasing mandates, all

additional efforts must either be invested in the Quality Set-Aside to support wage and benefit pressure, operational costs to stay in line with inflation as defined by the Consumer Price Index, or in the expansion to underserved populations identified in Migrant, Tribal and Early Head Start service areas.

- **State Advisory Councils:** We believe this element of the bill is significantly misdirected and if operational will compound and distract the emerging needs of state early learning communities as well as protecting the current federal investments in Head Start. This element of the bill maybe best inserted in TANF legislation or Title 1 legislation language.

In many states, building early care and education systems, advisory councils have been established and are funded from state general funds. Inclusion in the Head Start reauthorization presents the opportunity for future Head Start funds to be diverted from local programs, training or quality improvement and regional technical assistance to state-by-state system building. However valuable, this is not the role of Head Start. State collaboration should be focused on the development of systems that enhance local programs ability and opportunity to meet the needs of its service area.

- **Terms of Deficiency & Re-competition:** The California Head Start Association strongly encourages the monitoring and assessment of program performance. We believe the stewardship of federal funds to support the development of young children and families must be closely watched and routinely evaluated. With that in mind, we find the draft legislation ambiguous and expressing conflicting goals. If the legislation is to promote continuous program improvement, excellence and highly evolved systems, then the termination or threat of re-competing a service area must be invoked upon a number of tangible factors in addition to systemic or substantial failure identified in program monitoring. A programs failure to fully enroll, meet state/local health standards, maintain appropriate accounting procedures, achieve goals outlined in annual community assessment as well as triennial program performance should be the basis for a formula established by the Secretary to effectively identify under-performing organizations. Also, as an incentive to program improvement, we believe the bill must state the resolved deficiencies would return an agency to a status that would not force a grant re-competition unless an agency has a pattern of being an under performing organization for 50% or more of a 36 month period.

The critical nature of the term “deficiency” cannot be over stated or defined in general terms. To this end we would recommend the authors strike the following elements of the bill. (page 4, (A)) Strike ii – to general, strike ii – covered under the term “systemic”, strike vi – to far reaching and

unmanageable in current funding climate, strike (C) – covered under other elements of bill, strike (D) covered under the term systemic, strike (E) should be aligned with the term systemic or substantial failure.

In addition, the current bill lacks clarity related to the ability of a grantee to terminate a delegate for poor performance. We suggest clear articulation on the roles and responsibilities of both parties engaged in this contractual relationship. In particular, we find the legislation lacking the means to codify the flow through of responsibilities that must apply to delegate organizations.

- **Funding Authorization & Teacher Qualifications:** The draft legislation calls for \$300 million per year for the next five years (\$1.5b) which would improve our local agencies ability to meet past un-funded expense, \$875m (past lost cola and cuts) as well as provide close to \$625m for emerging growth and quality.

We believe this bill should strengthen the appropriations formula (Page 8) to ensure Head Start funds are first to offset the inflationary cost all programs are managing – Head Start, Early Head Start, Tribal and Migrant programs. Over the past several years significant erosion has occurred in Head Start’s power to sustain infrastructure, retain staff and expand local collaborations as required by federal performance standards and state/local regulations.

However, these funds are considerably short if the objective is to adequately raise salaries equal to or competitive to the pay of AA/BA level personnel in State Preschool and K-12 systems. In California alone, the cost to close the wage gap for our teachers if we were to have 50% at the BA level would consume \$25m annually or 3% (2500 teachers @ \$10K wage gap). Nationally this cost would equal \$204m annually or \$1.02 b. We believe a funding authorization of \$400m annually, \$2b over five years most acutely reflects an amount that would best serve and secure local programs ability to provide quality services and be most competitive in staff retention.

As stated earlier, on behalf of the Board of Directors of the California Head Start Association, we greatly appreciate the opportunity to comment on the draft Senate legislation intended to reauthorize the Head Start program.