

## Allowability of Parent Transportation as Non-Federal Share

ACF Administration for Children and Families	U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES	
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### PROGRAM INSTRUCTION:

**TO:** Head Start and Early Head Start Grantees and Delegate Agencies

**SUBJECT:** Allowability of Parent Transportation as Non-Federal Share

### INSTRUCTION:

The purpose of this Program Instruction is to provide grantees with information on what constitutes allowable non-federal share, particularly with regards to the transportation of Head Start children to and from the Head Start center.

### BACKGROUND:

On May 25, 2007, the President signed Public Law 110-28. There are two provisions in this law that impact Head Start programs.

The first is that it mandates that the requirements of Section 1310.12(a) of title 45, Code of Federal Regulations shall take effect 30 days after the date of enactment of this Law. Section 1310.12(a) is that part of the Head Start Transportation Regulation that specifies the types of vehicles that must be used by those Head Start agencies that provide transportation services when transporting enrolled children to and from the Head Start center. This provision was initially to have taken effect on January 18, 2006 but its implementation had been deferred. It will now take effect on June 24, 2007.

The second provision, in effect, establishes a third type of vehicle that can be used to transport Head Start children. Specifically, it allows a vehicle that meets all of the specifications of an Allowable Alternate Vehicle except those "relating to Federal seat spacing requirements, and Federal supporting seating requirements related to compartmentalization" to be used for Head Start transportation. This provision further requires the Secretary to consider the findings of a study currently underway by the Department of Transportation on occupant protection on Head Start transit vehicles and to "revise as necessary the allowable alternate vehicle standards described in part 1310 (or any corresponding similar regulation or ruling) relating to allowable alternate vehicles used to transport children for a Head Start program."

### NON-FEDERAL SHARE

The implementation of 45 CFR Part 1310.12(a), as discussed above, requires that each agency providing transportation services must ensure that children enrolled in its program are transported on a school bus, an allowable alternative vehicle, or a vehicle as described above (i.e. a vehicle which meets all the specifications of an allowable alternate vehicle except seat spacing). This means that any Head Start agency providing transportation services can not, as of June 24, 2007 provide such services in an automobile, minivan or any other non-compliant vehicle. Head Start funds can not be used to cover the costs of any transportation that is not in a compliant vehicle and, therefore, Head Start grantees cannot claim as non-federal share any costs incurred in transporting Head Start children who are not being transported in compliant vehicles. The costs incurred by parents in transporting their children to and from a Head Start center will no longer be able to be counted as non-federal share. (While OHS encourages all programs to consider providing transportation services to its enrolled children, nothing in this Program Instruction is intended to suggest that parents, at their own discretion, can no longer transport their children to or from the Head Start center.)

OHS understands that many grantees have relied on parent transportation to generate part of their non-federal share. Each OHS Regional Office has been instructed to work closely with any grantee that will be impacted by this change and to explore appropriate options for finding alternative sources of non-federal share. Grantees are encouraged to seek non-federal share support from their community and to seek collaborative arrangements with State Pre-K programs that could provide non-federal resources to the program. Programs are also encouraged to work with their local school districts to explore the school system's willingness to transport Head Start children, at no or reduced costs, to Head Start centers using school system buses.

Regions will also consider, on a case-by-case basis, giving grantees that are significantly impacted by this change a one year (partial) waiver of Head Start's non-federal share requirement in order to allow these grantees to work with their community to explore other sources of non-federal share. Such waivers will be granted only when programs can demonstrate they have exhausted all potential sources of non-federal share and will be granted on the condition that during the waiver period grantees will be moving to find ways to meet their required match for their succeeding budget period. OHS does not anticipate granting waivers for more than one year because of this change.

Please direct any questions on this Instruction to your OHS Regional Office.

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