

## Using Head Start Regulations to Guide Decision-Making (answers)

**Scenario:** You are a Head Start director. Your program has always included a health services advisory committee. Your assistant director just advised you that the 2007 Head Start Act requires that your program form services advisory committees for all of the other service areas in the program.

*Citation to support response:*

1304.41(b):

Advisory committees. Each grantee directly operating an Early Head Start or Head Start program, and each delegate agency, must establish and maintain a Health Services Advisory Committee which includes Head Start parents, professionals, and other volunteers from the community. Grantee and delegate agencies also must establish and maintain such other service advisory committees as they deem appropriate to address program service issues such as community partnerships and to help agencies respond to community needs.

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**Scenario:** Your family engagement manager meets with you to explain that she is working diligently to ensure that the Policy Council composition mirrors the composition of the Tribal Council/governing body. She says it is difficult to identify parents with the same kinds of qualifications, but she won't give up.

*Citation(s) to support response:*

Sec 642(c)(1)(B)

(1) GOVERNING BODY—

(B) COMPOSITION— The governing body shall be composed as follows:

(i) Not less than 1 member shall have a background and expertise in fiscal management or accounting.

(ii) Not less than 1 member shall have a background and expertise in early childhood education and development.

(iii) Not less than 1 member shall be a licensed attorney familiar with issues that come before the governing body.

(iv) Additional members shall—

(I) reflect the community to be served and include parents of children who are currently, or were formerly, enrolled in Head Start programs; and

(II) are selected for their expertise in education, business administration, or community affairs

Sec 642(c)(2)(A)

(2) POLICY COUNCIL—

(B) COMPOSITION AND SELECTION—

(i) The policy council shall be elected by the parents of children who are currently enrolled in the Head Start program of the Head Start agency.

(ii) The policy council shall be composed of—

(I) parents of children who are currently enrolled in the Head Start program of the Head Start agency (including any delegate agency), who shall constitute a majority of the members of the policy council; and

(II) members at large of the community served by the Head Start agency (including any delegate agency), who may include parents of children who were formerly enrolled in the Head Start program of the agency.

## Using Head Start Regulations to Guide Decision-Making (answers)

**Scenario:** Your service area managers are accustomed to developing program goals that are related to their respective service areas. They are excited to make the shift as a team to developing program goals that will improve the school readiness of the Head Start children in their program. However, they are concerned that this new approach might add more work to their planning process. What would be important for them to consider as a team?

*Citation(s) to support response:*

1307.3 (b)(1)i)(ii)(iii) and 1307.3(b)(2)(i)(ii):

(b) An agency has been determined by the responsible HHS official based on a review conducted under section 641A(c)(1)(A), (C), or (D) of the Act during the relevant time period covered by the responsible HHS official's review under § 1307.7 not to have:

(1) After December 9, 2011, established program goals for improving the school readiness of children participating in its program in accordance with the requirements of section 641A(g)(2) of the Act and demonstrated that such goals:

- (i) Appropriately reflect the ages of children, birth to five, participating in the program;
- (ii) Align with the Head Start Child Development and Early Learning Framework, State early learning guidelines, and the requirements and expectations of the schools, to the extent that they apply to the ages of children, birth to five, participating in the program and at a minimum address the domains of language and literacy development, cognition and general knowledge, approaches toward learning, physical well-being and motor development, and social and emotional development;
- (iii) Were established in consultation with the parents of children participating in the program.

(2) After December 9, 2011, taken steps to achieve the school readiness goals described under paragraph (b)(1) of this section demonstrated by:

- (i) Aggregating and analyzing aggregate child-level assessment data at least three times per year (except for programs operating less than 90 days, which will be required to do so at least twice within their operating program period) and using that data in combination with other program data to determine grantees' progress toward meeting its goals, to inform parents and the community of results, and to direct continuous improvement related to curriculum, instruction, professional development, program design and other program decisions; and
- (ii) Analyzing individual ongoing, child-level assessment data for all children birth to age five participating in the program and using that data in combination with input

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from parents and families to determine each child's status and progress with regard to, at a minimum, language and literacy development, cognition and general knowledge, approaches toward learning, physical well-being and motor development, and social and emotional development and to individualize the experiences, instructional strategies, and services to best support each child.

## Using Head Start Regulations to Guide Decision-Making (answers)

**Scenario:** You are a new Head Start director. Your program has been having difficulty meeting its required nonfederal share. Your Policy Council suggests that you reduce your nonfederal share to 15 percent.

*Citation(s) to support response:*

HSPPS 1301.20 Matching requirements:

- (a) Federal financial assistance granted under the act for a Head Start program shall not exceed 80 percent of the total costs of the program, unless:
  - (1) An amount in excess of that percentage is approved under section 1301.21; or
  - (2) The Head Start agency received Federal financial assistance in excess of 80 percent for any budget period falling within fiscal year 1973 or fiscal year 1974. Under the circumstances described in clause
  - (3) Of the preceding sentence, the agency is entitled to receive the same percentage of Federal financial assistance that it received during such budget periods.
- (b) The non-Federal share will not be required to exceed 20 percent of the total costs of the program.
- (c) Federal financial assistance awarded to Head Start grantees for training and technical assistance activities shall be included in the Federal share in determining the total approved costs of the program. Such financial assistance is, therefore, subject to the 20 percent non-Federal matching requirement of this subpart

## Using Head Start Regulations to Guide Decision-Making (answers)

**Scenario:** Your education manager attended the state network’s quarterly meeting. He asked if it is accurate that effective September 15, all teacher assistants must have an associate’s degree. You advised your education manager to do some research to determine if it is a fact and, if so, determine how it impacts the program.

*Citation(s) to support response:*

### HS Act Sec. 648A. STAFF QUALIFICATIONS AND DEVELOPMENT

(a) Classroom Teachers—

(2) DEGREE REQUIREMENTS—

(B) ADDITIONAL STAFF— The Secretary shall ensure that, not later than September 30, 2013, all—

(ii) Head Start teaching assistants nationwide in center-based programs have—

(I) at least a child development associate credential;

(II) enrolled in a program leading to an associate or baccalaureate degree; or

(III) enrolled in a child development associate credential program to be completed within 2 years.

## Using Head Start Regulations to Guide Decision-Making (answers)

**Scenario:** You are a new Migrant and Seasonal Head Start director. Because of weather conditions and crop reduction and recent MSHS-EHS expansion your program failed to meet its funded (cumulative) enrollment for the program year. During the Risk Management Meeting with the Regional Office, the program specialist and grantee specialist suggested that you revisit your community assessment data and connect with the local Growers Associations to determine if there are unserved agricultural working families. Are there additional strategies that you might explore to improve your cumulative enrollment?

*Citation(s) to support response:*

### **645(a)(1)(B)(iii)(II) of the Head Start Act—Eligibility and Enrollment Requirements:**

(a)(1)(A) The Secretary shall by regulation prescribe eligibility for the participation of persons in Head Start programs assisted under this subchapter.

(a)(1)(B) Except as provided in paragraph (2), such regulation shall provide—

(iii) that programs assisted under this subchapter may include—

(II) from the area served, an additional 35 percent of participants who are not eligible under clause (i) or (ii) and whose families have incomes below 130 percent of the poverty line, if—

(aa) the Head Start agency involved establishes and implements outreach and enrollment policies and procedures that ensure such agency is meeting the needs of children eligible under clause (i) or (ii) (or subclause (I) if the child involved has a disability) prior to meeting the needs of children eligible under this subclause; and

(bb) in prioritizing the selection of children to be served, the Head Start agency establishes criteria that provide that the agency will serve children eligible under clause (i) or (ii) prior to serving the children eligible under this subclause;

## Using Head Start Regulations to Guide Decision-Making (answers)

**Scenario:** You are the director of an Early Head Start (EHS) home-based/Head Start center-based program. The Head Start program is open for nine months; the EHS program is open year-round. Your EHS contract specifies weekly home visits and two monthly group socializations for 12 months a year. Your EHS home-based manager tells you that the home visitors have had to cancel many home visits this year because of unusually bad weather. In addition to conducting the official home visits, staff frequently accompany parents to appointments with social services agencies or drive them to medical visits. To meet the contracted number of home visits, the home-based manager suggests counting these “extra” services as home visits.

*Citation(s) to support participant response:*

- ✓ 1306.33 Home-based program option

*Supporting Information*

[http://eclkc.ohs.acf.hhs.gov/hslc/tta-system/ehsnrc/Early%20Head%20Start/program-options/home-based/intodd\\_pub\\_00034a\\_080205.html](http://eclkc.ohs.acf.hhs.gov/hslc/tta-system/ehsnrc/Early%20Head%20Start/program-options/home-based/intodd_pub_00034a_080205.html)

## Using Head Start Regulations to Guide Decision-Making (answers)

**Scenario:** A new Tribal Chief has been elected, and you have been hired as the new Head Start director. One of your first priorities is to hire staff.

*Citation(s) to support response:*

648A(g)(1)-(3) Staff Recruitment and Selection Procedures

(g) Staff Recruitment and Selection Procedures—Before a Head Start agency employs an individual, such agency shall—

- (1) conduct an interview of such individual;
- (2) verify the personal and employment references provided by such individual; and
- (3) obtain—
  - (A) a State, tribal, or Federal criminal record check covering all jurisdictions where the grantee provides Head Start services to children;
  - (B) a State, tribal, or Federal criminal record check as required by the law of the jurisdiction where the grantee provides Head Start services; or
  - (C) a criminal record check as otherwise required by Federal law

1304.52(k)(1)-(3) Staff and Volunteer Health

- (1) Grantee and delegate agencies must assure that each staff member has an initial health examination (that includes screening for tuberculosis) and a periodic re-examination (as recommended by their health care provider or as mandated by State, Tribal, or local laws) so as to assure that they do not, because of communicable diseases, pose a significant risk to the health or safety of others in the Early Head Start or Head Start program that cannot be eliminated or reduced by reasonable accommodation. This requirement must be implemented consistent with the requirements of the Americans with Disabilities Act and section 504 of the Rehabilitation Act.
- (2) Regular volunteers must be screened for tuberculosis in accordance with State, Tribal or local laws. In the absence of State, Tribal or local law, the Health Services Advisory Committee must be consulted regarding the need for such screenings (see 45 CFR 1304.3(20) for a definition of volunteer).
- (3) Grantee and delegate agencies must make mental health and wellness information available to staff with concerns that may affect their job performance.

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