



Final Rule on Supporting the Head Start Workforce and Consistent Quality Programming – Technical Updates

eclkc.ohs.acf.hhs.gov/policy/pi/acf-ohs-pi-24-06

Final Rule on Supporting the Head Start Workforce and Consistent Quality Programming – Technical Updates ACF-OHS-PI-24-06

U.S. Department
of Health and Human Services

ACF
Administration for Children and Families

1. **Log Number:** ACF-OHS-PI-24-06
2. **Issuance Date:** 10/31/2024
3. **Originating Office:** Office of Head Start
4. **Key Words:** Head Start Workforce; Wages; Benefits; Mental Health; Quality Improvement

Program Instruction

To: All Head Start Preschool and Early Head Start Grant Recipients

Subject: Final Rule on Supporting the Head Start Workforce and Consistent Quality Programming – Technical Updates

Instruction:

On August 21, 2024, the Administration for Children and Families (ACF) published a final rule in the Federal Register, [Supporting the Head Start Workforce and Consistent Quality Programming](#). The rule updates the Head Start Program Performance Standards (the Performance Standards) to increase support and stability for the Head Start workforce. The changes also improve the quality of services Head Start programs provide to children and families.

This Program Instruction (PI) notes a few technical updates to [ACF-OHS-PI-24-05](#), which summarizes the final rule and outlines changes to the Performance Standards. These technical updates are minor

corrections for typographic errors or omissions that do not substantively change the policies described in the final rule.

First, this PI clarifies that the final rule effective date was incorrectly listed as the date of publication, August 21, 2024. The effective date should have been October 21, 2024, to comply with the 60-day delay required by the Congressional Review Act.

The notification regarding the effective date does not change any of the compliance dates specified in the rule. Grant recipients may still implement new flexibilities starting from the date of publication, August 21, 2024. This includes the provision that allows programs to adjust a family's gross income to account for excessive housing costs for the purposes of determining eligibility for Head Start services ([45 CFR §1302.12\(i\)\(1\)\(ii\)](#)), as well as those related to qualification requirements for mental health consultants ([45 CFR §1302.91\(e\)\(8\)\(ii\)](#)) and the annual update to the community assessment ([45 CFR §1302.11\(b\)\(5\)](#)). Programs were able to start using this flexibility from the beginning of the current 2024–2025 program year and this remains unchanged.

This PI also notes two other technical updates to the regulatory text. The final rule inadvertently included an incorrect citation in the requirements for family partnership services, and left out the August 1, 2028, compliance date for staff benefit requirements. A formal correction for both of these issues was published in the [Federal Register](#) on October 31, 2024.

OHS will continue to provide [direction, guidance, and resources](#) that support Head Start programs to understand and implement changes to the Performance Standards.

Thank you for the work you do on behalf of children and families.

Sincerely,

/ Khari M. Garvin /

Khari M. Garvin
Director
Office of Head Start

See PDF Version of Program Instruction:

[Final Rule on Supporting the Head Start Workforce and Consistent Quality Programming – Technical Updates](#) (22.16 KB)

Historical Document



Final Rule to Delay Effective Date for Increasing the CLASS Instructional Support Domain Competitive Threshold

eclkc.ohs.acf.hhs.gov/policy/pi/acf-ohs-pi-24-07

Final Rule to Delay Effective Date for Increasing the CLASS Instructional Support Domain Competitive Threshold ACF-OHS-PI-24-07

U.S. Department
of Health and Human Services

ACF
Administration for Children and Families

1. **Log Number:** ACF-OHS-PI-24-07
2. **Issuance Date:** 11/06/2024
3. **Originating Office:** Office of Head Start
4. **Key Words:** Classroom Assessment Scoring System (CLASS®); Designation Renewal System (DRS); Head Start Program Performance Standards; Competition

Program Instruction

To: All Head Start Preschool and Early Head Start Grant Recipients

Subject: Final Rule to Delay Effective Date for Increasing the CLASS® Instructional Support Domain Competitive Threshold

Instruction:

On November 6, 2024, the Administration for Children and Families (ACF) published a final rule in the [Federal Register](#) that delays the effective date for increasing the competitive threshold of the Classroom Assessment Scoring System (CLASS®) Instructional Support domain. The CLASS competitive threshold is one condition used to determine whether a Head Start agency will be subject to an open competition under the Designation Renewal System (DRS).

The effective date in the Head Start Program Performance Standards (the Performance Standards) that raises the CLASS Instructional Support competitive threshold from 2.3 to 2.5 was August 1, 2025. This final rule officially delays the effective date to August 1, 2027.

Background

On August 27, 2020, ACF published a final rule on DRS changes to improve how the Office of Head Start (OHS) determines whether a Head Start agency will be subject to an open competition to receive another five-year grant. Among other policy changes, this rule established a new competitive threshold for the CLASS Instructional Support domain, one of the seven conditions requiring a Head Start program to enter open competition. The established competitive threshold for the Instructional Support domain was 2.3, and was set to increase to 2.5 on August 1, 2025.

The graduated approach established by the 2020 final rule was designed to allow sufficient time for grant recipients to make necessary quality improvements. However, the unexpected pause in CLASS observations due to the COVID-19 pandemic shortened the five-year implementation time frame to less than two years. The fiscal year 2024 OHS monitoring cycle (2023–2024) was the first time the 2.3 competitive threshold for Instructional Support was fully implemented. OHS is publishing this final rule to allow programs ample time before the increased 2.5 competitive threshold goes into effect.

This decision to delay the Instructional Support competitive threshold increase is also based on OHS' anticipated timeline for adopting CLASS 2nd Edition. In 2022, the developer introduced an updated CLASS tool which requires training, technical assistance, and certification procedures for both OHS and Head Start grant recipients. OHS will ensure necessary systems and supports are in place before its monitoring system implements the updated version.

Additionally, the August 2024 publication of the [Supporting the Head Start Workforce and Consistent Quality Programming](#) final rule in the Federal Register changed many requirements in the Performance Standards. Delaying the CLASS Instructional Support competitive threshold increase will allow Head Start programs the time and attention they need to implement the revised Performance Standards.

Please contact your Regional Office with any questions about the extension of the CLASS Instructional Support competitive threshold increase.

Thank you for the work you do on behalf of children and families.

Sincerely,

/ Khari M. Garvin /

Khari M. Garvin
Director
Office of Head Start

See PDF Version of Program Instruction:

[Final Rule to Delay Effective Date for Increasing the CLASS Instructional Support Domain Competitive Threshold](#) (22.59 KB)

Historical Document



Facilities Guidance | ECLKC

eclkc.ohs.acf.hhs.gov/policy/im/acf-ohs-im-24-04

Facilities Guidance ACF-OHS-IM-24-04

U.S. Department
of Health and Human Services

ACF
Administration for Children and Families

- 1. Log Number:** ACF-OHS-IM-24-04
- 2. Issuance Date:** 10/21/2024
- 3. Originating Office:** Office of Head Start
- 4. Key Words:** Facilities; Depreciation; Real Property

Information Memorandum

To: Head Start Grant Recipients and Delegate Agencies

Subject: Facilities Guidance

Information:

The Office of Head Start (OHS) is committed to the provision of services in high-quality [facilities](#) with safe indoor and outdoor learning environments. This Information Memorandum (IM) is intended to support recipients in understanding the Head Start application and funding process for facilities activities. OHS is providing this guidance based on the [recently revised Head Start Program Performance Standards](#) (the Performance Standards) published on August 21, 2024.

This IM supersedes ACF-IM-HS-17-01.

Thank you for your work on behalf of Head Start children and families.

Sincerely,

/ Khari M. Garvin /

Khari M. Garvin
Director
Office of Head Start

See Attachments:

[Facilities Guidance Attachment](#)

See PDF Version of Information Memorandum:

[Facilities Guidance](#) (56.17 KB)

Historical Document



Use of Federal Early Childhood Program Funds to Improve Access to Housing-Related Supports for the Early Childhood Workforce in Tribal Communities

eclkc.ohs.acf.hhs.gov/policy/im/acf-ohs-im-24-05

Use of Federal Early Childhood Program Funds to Improve Access to Housing-Related Supports for the Early Childhood Workforce in Tribal Communities

ACF-OHS-IM-24-05

U.S. Department
of Health and Human Services

ACF
Administration for Children and Families

- 1. Log Number:** ACF-OHS-IM-24-05
- 2. Issuance Date:** 11/01/2024
- 3. Originating Office:** Office of Child Care, Office of Head Start, Office of Early Childhood Development
- 4. Key Words:** Child Care and Development Fund, CCDF, Tribal Lead Agencies, American Indian and Alaska Native Head Start, Region XI, Tribal Home Visiting, Housing, Workforce

Information Memorandum

To: Tribal Child Care and Development Fund (CCDF) lead agencies, American Indian and Alaska Native (AIAN) Head Start award recipients, and Tribal Maternal, Infant, and Early Childhood Home Visiting (MIECHV) recipients

Subject: Use of Federal Early Childhood Program Funds to Improve Access to Housing-Related Supports for the Early Childhood Workforce in Tribal Communities

Related References:

The Child Care and Development Block Grant (CCDBG) Act (42 U.S.C. 9857 et seq.), Head Start Act as amended (42 U.S.C. 9801 et seq.), Social Security Act, Title V, section 511 (42 U.S.C. 711)

Information:

PURPOSE:

This Information Memorandum (IM) provides an overview and guidance to Tribal CCDF lead agencies, American Indian and Alaska Native (AIAN) Head Start award recipients, and Tribal MIECHV recipients regarding how CCDF, Head Start, and Tribal MIECHV funds can be used to address challenges recruiting and retaining an effective Tribal early childhood workforce serving Tribal communities where access to affordable housing is limited. This IM does not reflect a change in ACF's interpretation for how CCDF, Head Start, and Tribal MIECHV funds can be used, it clarifies allowable uses of funds to support costs related to increasing the availability of affordable, accessible housing for the early childhood workforce serving Tribal communities.

BACKGROUND:

The Administration for Children and Families (ACF) is committed to supporting Tribes in recruiting and retaining an early childhood workforce that meets the needs of children and families in Tribal communities. The Office of Head Start (OHS), Office of Child Care (OCC), and Office of Early Childhood Development (ECD) engages in consultation with Tribal leaders to honor the nation-to-nation relationship and to better understand the unique circumstances and experiences of Tribal early childhood programs. In consultations and other engagements, Tribal leaders and program administrators highlighted ongoing challenges recruiting and retaining a qualified workforce across Head Start, child care, and home visiting programs. Challenges include: recruiting individuals with appropriate qualifications and experience (such as knowledge of or expertise in Native culture and language); providing adequate compensation (including both pay and benefits); competing with pay and benefits offered by other employers and non-Tribal entities; and the high levels of stress experienced by staff due to low wages, insufficient benefits, and working conditions, as well as the challenging nature of providing trauma-informed care to young children.

Many Tribal communities have consistently identified the lack of available, affordable housing for program staff as a significant challenge to recruiting and retaining staff to work in the community. The lack of housing is due to a variety of factors, including excessive rent levels in communities with a high cost of living, insufficient resources for Tribal public housing, and lack of economic and built infrastructure that would facilitate construction of new housing.

ACF has received requests for clarification on whether Tribal early childhood funds can be used to address the lack of available, affordable housing to mitigate this barrier to hiring and retaining program staff. This IM clarifies the flexibilities Tribal Lead Agencies and federal award recipients have in using CCDF, Head Start, and Tribal MIECHV funds to improve access to housing-related supports for early childhood teachers and staff. Each federal early childhood program has unique requirements, and the guidance is only applicable to the program that is being discussed in each section. We recognize that many Tribes have significant housing challenges. This IM addresses specific concerns about housing for early childhood teachers and staff that have been brought to our attention. We acknowledge this will not resolve the complexities of the housing challenges in Tribal communities.

ACF encourages Tribal early childhood programs, within the parameters of federal requirements, to consider the full range of strategies that can be used to address the shortage of early childhood teachers, home visitors, and staff in their communities, including the potential to support housing needs of the early childhood workforce. Promising strategies and additional resources to support the early childhood workforce can be found on [ECD's Workforce Initiative webpage](#).

INFORMATION:

This IM provides information to Tribal communities regarding strategies to identify and improve access to housing-related supports as a recruitment and retention strategy for the early childhood workforce. It offers examples of activities that Tribal communities may implement based on the separate funding source and regulations. Partnering in efforts to increase access to housing in Tribal communities may also be considered in the context of other investments in early care and education facilities, and other efforts to address Tribal housing and facilities issues (such as those supported by the Department of Housing and Urban Development and the Department of Agriculture). This IM encourages Tribal grant recipients to consider how these strategies could align with efforts to use the [Tribal Early Childhood Facilities Combined Application Guide](#), which streamlines administrative requirements and processes for Tribal CCDF and Head Start recipients to braid funds and jointly apply to construct or improve early childhood facilities.

ALLOWABLE ACTIVITIES:

The activities outlined below meet the programmatic purposes and goals of each respective funding source. The following is not a list of required activities, but rather a list of allowable activities that Tribal leaders may consider in addressing the unique circumstances in their communities related to acquiring housing or mitigating excessive housing costs for early childhood teachers and staff (which includes educators in center-based and home-based settings), home visitors, and staff. Investment of program funds to support housing, housing stipends, and all housing related supports for early childhood teachers and staff detailed in this IM must be reasonable, allocable, allowable, and aligned with the goals of the program. This means that investment of program funds would be necessary to meet the goals and objectives of your program and, to be considered reasonable, these costs must not exceed what a sensible person would pay for housing in any given market condition. Finally, an allocable cost can be directly charged to the grant based on the benefit provided. Additional considerations for reasonableness include:

1. Whether the cost is generally recognized as ordinary and necessary for recipient's operation or proper and efficient performance of the Federal award;
2. Whether the cost is supported by sound business practices, arm-length bargaining, laws and regulations, and terms and conditions of the Federal award;
3. Market prices for comparable costs for the geographic area; and
4. Whether cost represents a deviation from recipient's written policies and procedures for incurring costs.
5. Grant recipient would need to ensure that the revision would not take away from their ability to implement the program at the same level.

In addition to being reasonable, the housing-related support cost must also be necessary for the performance of the Federal award and be allocable. A cost is allocable to a Federal award if it meets any of the following standards:

1. Is incurred specifically for the Federal award;
2. Benefits both the Federal award and other work of the recipient; or
3. Is necessary to the overall operation of the recipient and is assignable in part to the Federal award

Tribes should work with their assigned Program Specialists or Federal Project Officers to determine the allowability of expenditures aligned with this guidance and federal cost principals.

Child Care and Development Fund (CCDF)

QCC administers the CCDF to Tribal governments to provide child care assistance for families with low incomes and improve access to affordable, high-quality child care, including early care and school-age programs. Tribal lead agencies may consider using CCDF funds to provide housing-related supports for the child care workforce if it is clear that such expenditures are related to the ability to implement CCDF activities or contribute to the overall quality of child care. Investment of CCDF funds to support housing for the child care workforce may include the following types of expenditures when reasonable, necessary, allocable, and in alignment with the recipient's written policies. Tribal Lead Agencies should work with their assigned Program Specialist to determine if the expenditure is reasonable, necessary, and allocable.

- Facility construction or major renovation:** Tribes are exempt from the state and territory CCDF prohibition on use of funds for construction or minor renovation at 42 USC 9858m(c)(6). This allows Tribes to use CCDF “for the construction or renovation of facilities that will be used to carry out such programs.”¹ With ACF approval, Tribal CCDF lead agencies can use CCDF to construct or renovate child care facilities. ACF approval is not required for minor renovation. CCDF can also be used to construct or renovate housing or living facilities for child care teachers or staff if the Tribal lead agency demonstrates that (1) adequate housing is not available (such as in a remote area), and (2) housing for child care staff is an integral, but subordinate component of an overall construction or renovation project for a facility whose main purpose is to provide child care services primarily to CCDF-eligible children. In other words, if a Tribal lead agency is constructing or renovating a child care facility, and teacher or staff housing is not otherwise available, ACF may approve the use of CCDF to construct or renovate staff housing, either connected to the main building or in a separate facility close by, as part of the same construction or renovation project. If a Tribal lead agency needs to construct or renovate housing for child care teachers or staff separate from the construction or renovation of a child care facility (e.g., the Tribe may already have adequate child care facilities), the lead agency may apply for an extraordinary circumstances waiver in accordance with 45 CFR 98.19. ACF will only approve such waivers in narrow circumstances in which a Tribe demonstrates that it has exhausted other federal funds that can be used for housing, and that lack of housing is a central barrier to implementing CCDF. Any construction or major renovation projects to include living quarters for teacher or staff housing require ACF approval.
- Compensation Strategies:** CCDF requires all lead agencies to set aside funds for activities to improve the quality of child care, defined as “activities ... that are designed to improve the quality of child care services and increase parental options for, and access to, high-quality child care.” (42 USC 9858e(a)(1)) Tribal lead agencies may use CCDF quality dollars to support housing for the child care workforce if the investment is in alignment with the lead agency's assessment of needs and the investment will directly support higher quality child care options for families. Allowable quality expenditures may include, for example, housing stipends to offset teacher or staff living expenses, or transportation stipends to offset costs for teachers or staff who travel a great distance to work in Tribal communities. Housing stipends are allowable for family child care providers who may need to find housing suitable for caring for children or adapt their home to make it suitable for child care. Tribal lead agencies adopting these strategies should describe these activities in their CCDF Plan. These housing investment strategies for the child care workforce may be used within a compensation package to attract high-quality child care teachers and staff.

Head Start

QHS Region XI administers American Indian and Alaska Native (AIAN) Head Start programs, which provide high-quality, comprehensive early childhood services to young children and their families. Region XI AIAN Head Start programs often integrate Native language and culture into their services, as determined by the recipient. Region XI recipients may use Head Start funds to provide housing-related supports for staff if such expenditures are necessary, reasonable, and allocable to implement Head Start services, and align with the recipient's written policies. Grant recipients should work with their assigned Program Specialist to determine if the expenditure is reasonable, necessary, and allocable.

- Compensation strategies:** Head Start funds may be used to support compensation packages that include housing stipends to offset teacher or staff living expenses, or travel stipends to offset costs for teachers or staff who travel a great distance to work in Tribal communities. Programs have flexibility to determine compensation packages for staff, provided that these policies are incorporated into their personnel policies and procedures approved by the governing body and Policy Council or policy committee. Since monetary bonuses likely count as income, recipients should understand income requirements for public benefits to determine how such bonuses may impact staff members' access to these benefits. At their discretion, programs can decide to require a service commitment as a condition of receiving a bonus or financial incentive. However, any service requirement is solely the responsibility of the recipient to establish, implement, and enforce, as appropriate. All costs must be reasonable, allocable, and allowable per Uniform Administrative Requirements (45 CFR §§75.430 and 75.445(b)). It is also important to note that these cost principles apply to non-federal match. Grant recipients should work with their assigned Program Specialist to determine if an expenditure is reasonable, necessary, and allocable.

For more information on the cost principles, programs are encouraged to review resources on the Head Start website: [short video titled, Cost Principles That Guide Head Start Grants Management](#); detailed Individualized Professional Development (iPD) course titled, [Financial Essentials Series](#).²
- Additional services for staff experiencing housing or cost of living challenges:** In [Sec. 636](#) of the Head Start Act, the Head Start purpose is defined, in part, as “the provision to low-income children and their families of health, educational, nutritional, social, and other services that are determined, based on family needs assessments, to be necessary.” As such, programs can offer additional on-site services to staff experiencing housing and/or cost-of-living challenges, if such services are necessary to enable the provision of Head Start services (i.e., the program would otherwise be unable to obtain the staff necessary to provide Head Start services). This may include using Head Start funds to have supports such as laundry, showers, food items, clothing items, and computer or internet access available on-site for staff. Recipients still need to comply with the cost principles in [45 CFR Part 75](#) and any costs incurred need to be necessary and reasonable. Recipients should work with their assigned Program Specialist to determine if costs are reasonable, necessary, and allocable.
- Facility construction or major renovation:** Head Start grant recipients can, with prior approval, use Head Start funds for facility purchase, construction, or major renovation projects “used to carry out Head Start programs.” (Head Start Act, Section 644(f)(1)). Funds can be used for facilities in which Head Start services are being provided. However, if renovating or constructing living facilities for staff could be demonstrated to be an integral but subordinate part of the Head Start facility, one that was shown to be necessary to carry out Head Start requirements in places with demonstrated lack of housing stock, such as in highly rural or remote areas, it may be justifiable. Additionally, living facilities for staff may be justifiable in instances where local housing costs are exorbitant and prohibit staff from residing in the community, or times when market factors might make it extraordinarily difficult for staff to secure a housing loan. [OHS](#) encourages Head Start directors to partner with the Tribal housing authority or other comparable entities to support and oversee housing management and maintenance, ensuring that the complex operational task of managing residential housing is led by those with the most expertise in this area. Head Start funds are prohibited for the sole purpose of constructing teacher, home visitor, or staff housing. As with all construction or major renovation projects, [ACF](#) approval is required.

Tribal Maternal, Infant, and Early Childhood Home Visiting (MIECHV)

[ECD](#) administers the Tribal [MIECHV](#) program, which issues awards to Tribes, Tribal organizations, and urban Indian organizations to develop and implement home visiting programs in AI/AN communities. Recipients have some flexibility in leveraging [MIECHV](#) funds to provide housing-related supports for home visitors and staff as long as it is reasonable, necessary, and allocable to carry out the Tribal [MIECHV](#) program as well as aligns with the recipient's written policies.

- **Compensation Strategies:** Tribal MIECHV funds may be used to support compensation packages that include housing stipends to offset home visitor or staff living expenses, or travel stipends to offset costs for home visitors or staff who travel a great distance to work in Tribal communities. Recipients may use MIECHV funds for compensation packages, provided all costs are reasonable, allocable and allowable per Uniform Administrative Requirements (45 CFR §§75.430 and 75.445(b)). Compensation packages could include housing stipends if recipients present justification for the expense, particularly to recruit and retain high-quality staff. Recipients must provide a narrative within the budget/budget amendment should they make a request for a housing allowance as part of a benefits package justifying it as a reasonable expense in the context of the program, particularly if they struggle to hire or retain staff without this benefit. MIECHV programs have flexibility to include housing stipends in compensation packages for staff and should document this in their personnel policies and procedures. ACF is also available to discuss other compensation mechanism options (e.g., increased wages, cost of living increases, recruitment costs, relocation costs) to offset the cost of living.

Tribal MIECHV funds may not be used for facility construction, purchase, and major renovation.

The Department of Health and Human Services Grants Policy Statement (HHS GPS) states that construction is allowable only when program legislation specifically authorizes new construction, modernization, or other activities, and then the HHS Operating Division (OPDIV) specifically authorizes the costs in the Notice of Award. The MIECHV legislation (Section 511 of Title V of the Social Security Act) does not specifically authorize use of funds for this purpose and the Notice of Funding Opportunity for the Tribal MIECHV program specifically lists facility purchase, construction, or major renovation as unallowable costs. Tribal MIECHV funds are therefore prohibited for facility construction of staff housing, and any construction would need to be through a separate construction federal award.

Community Partnerships

Early childhood programs can also consider strategies to strengthen existing partnerships and build new ones to increase access to supports and services for staff housing. This can mean leveraging state, Tribal, local, and private initiatives as partners to meet community needs more effectively. Community partners that programs can work with include, but are not limited to:

- [Head Start Collaboration Offices \(HSCOs\)](#)
- [State McKinney-Vento coordinators](#)
- Local continuums of care
- [Public housing authorities](#) and [Section 8 Housing Choice Vouchers](#)
- Tribal housing authorities
- [Low Income Home Energy Assistance Program \(LIHEAP\)](#)
- [Community action](#), faith-based, culture-sensitive, and other nonprofit organizations

Programs can start by reviewing general information about help with rent and housing on the [Consumer Financial Protection Bureau website](#). They can also reach out to their local [Public Housing Agency](#), or [Tribal housing authority](#), to determine whether staff could be eligible for a housing voucher or other resources. Developing and maintaining partnerships with housing agencies and liaisons is one of the best ways to stay up to date on programs, policies, and resources that might be available for staff. This means programs can help staff quickly connect with meaningful resources for which they may be eligible, including rental assistance.

Tribal Early Childhood Facilities Combined Application Guide

ECD, OCC, and OHS recently announced a [Tribal Early Childhood Facilities Combined Application Guide](#). This guide aims to streamline application submission and review process for Tribal CCDF and

Tribal Head Start programs that jointly apply to construct, renovate, or improve early childhood facilities. These applications may include facility construction to include staff housing that aligns with allowable activities noted in this IM.

Additional Resources to Support the Tribal Early Childhood Teachers, Home Visitors, and Staff

ACF published [guidance](#) for [CCDF administrators](#) and [Head Start programs](#) that strongly encourages leaders to invest in strategies to recruit and retain a strong, diverse early childhood workforce, including increasing staff compensation, strengthening early childhood professional development and career pathways, and continuing to be bold in strategies that align with their community needs and demonstrate the value of their work.

Questions

Please direct inquiries to the appropriate office:

- Contact the Regional Program Manager in the appropriate ~~QCC~~ Regional Office. Contact information for ~~QCC~~ regions can be found at <https://www.acf.hhs.gov/occ/resource/regional-child-care-program-managers>.
- Contact the ~~QHS~~ Region XI Program Office with any questions.
- Contact your Tribal ~~MIECHV~~ Federal Project Officer with any questions.

/Katie Hamm/

Katie Hamm
Deputy Assistant Secretary
Early Childhood Development

/Ruth Friedman/

Ruth Friedman
Director
Office of Child Care

/Khari M. Garvin/

Khari M. Garvin
Director
Office of Head Start

See PDF Version of Information Memorandum:

[Use of Federal Early Childhood Program Funds to Improve Access to Housing-Related Supports for the Early Childhood Workforce in](#) (125.76 KB)

Historical Document



Reporting Child Health and Safety Incidents

eclkc.ohs.acf.hhs.gov/policy/im/acf-ohs-im-24-06

Reporting Child Health and Safety Incidents ACF-OHS-IM-24-06

U.S. Department
of Health and Human Services

ACF
Administration for Children and Families

1. **Log Number:** ACF-OHS-IM-24-06
2. **Issuance Date:** 11/07/2024
3. **Originating Office:** Office of Head Start
4. **Key Words:** Child Incidents; Reporting; Health and Safety

Information Memorandum

To: All Head Start Grant Recipients

Subject: Reporting Child Health and Safety Incidents

Information:

The Head Start Program Performance Standards (the Performance Standards) at [45 CFR §1302.102\(d\)\(1\)\(ii\)](#), updated on August 21, 2024, require programs to submit reports, as appropriate, to the responsible U.S. Department of Health and Human Services (HHS) official immediately, but no later than seven calendar days, following an incident. This includes reports of any significant incident that affects the health or safety of a child.

This Information Memorandum (IM) clarifies reporting requirements of 45 CFR §1302.102(d)(1)(ii–iii), including:

- The responsible HHS official to whom programs must report
- The reporting timeframe
- Consequences for failure to report during the given timeframe
- Circumstances under which the obligation to submit a report for significant incidents regarding the health and safety of children applies
- Examples of significant child health and safety incidents that must be reported to HHS and the Office of Head Start (OHS)

This IM supersedes ACF-IM-HS-22-07.

Reportable Incidents That Affect the Health and Safety of Children

Grant recipients are required to report all significant incidents that affect the health and safety of a child that occur in a Head Start setting where services are provided (e.g., playground, program-approved transportation, learning setting, bathroom, program-approved excursion, facility parking lot), **and** involve either 1) a child who participates in a setting that receives Head Start funds **or** 2) a staff, contractor, or volunteer who participates in a setting that receives Head Start funds.

As illustrated in the table below, a reportable incident must meet the “Where” condition in the left column and at least one of the “Who” conditions in the right column.

WHERE	AND	WHO
Any setting where Head Start services are provided.		A child that receives services fully or partially funded by a Head Start grant, or a child that participates in a classroom at least partially funded by a Head Start grant.
Examples include a learning setting, bathroom, playground, facility parking lot, and program-approved transportation and excursions.		OR A staff member, contractor, or volunteer that participates in either a Head Start program or classroom at least partially funded by a Head Start grant, regardless of whether the child involved receives Head Start services.

The two examples below further illustrate the kinds of child health and safety incidents that must be reported.

Incident Example 1: An incident occurs on an elementary school playground that is used by a Head Start classroom on site. The incident involved a third-grade teacher using inappropriate discipline with a third-grade student, resulting in the student’s hospitalization. The third-grade teacher involved is not a Head Start volunteer and does not participate in the classroom in any way, nor is the teacher’s position funded by Head Start resources.

Determination: This incident does not require an incident report to OHS. The incident is considered significant, as it required the student to be hospitalized. The incident also met the conditions of the “Where” column, as it occurred in a setting where Head Start services are provided (i.e., the playground used by the Head Start program). However, it did not meet the conditions of the “Who” column, as neither the child nor the teacher involved participated in a program or classroom at least partially funded by a Head Start grant.

Incident Example 2: An incident occurs in a mixed-funded classroom where Head Start services are provided. The incident involved the assistant teacher using inappropriate discipline with a student in the classroom, resulting in the student’s hospitalization. The individual student involved is not funded by a Head Start grant.

Determination: This incident does require an incident report to OHS. The incident is considered significant, as it required the student to be hospitalized. The incident also met the conditions of the “Where” column, as it occurred in a setting where Head Start services are provided (i.e., a mixed-funded Head Start classroom). While the individual child involved is not funded by a Head Start grant, they participate in a classroom at least partially funded by a Head Start grant. Because the child participates in a

classroom supported by Head Start resources, that is sufficient to meet the conditions of the “Who” column and would require an incident report to OHS regardless of the funding source that provides the salary for the adult involved. Furthermore, in this case, the condition of the “Who” column is also met by the adult, as the assistant teacher is a staff member that participates in a classroom at least partially funded by a Head Start grant.

A Note on Mandated Reporting: Both example incidents above may require a mandated report to the state, local, or tribal child protective agency if the inappropriate discipline meets the definitions under the [Federal Child Abuse Prevention and Treatment Act](#). Programs should refer to their state, local, or tribal laws about mandated reporting of child abuse and neglect, including what their definition of abuse is, and use the more stringent definition to determine if a mandated report is warranted. Example 2 requires an incident report to OHS regardless of whether a mandated report is required. Example 1 does not require an incident report to OHS, even if a mandated report is required.

It is important for OHS to receive the appropriate incident reports as the incidents may have broader implications for all children served in the classroom or program. The IM appendix includes a graphic to help clarify the settings and participants that may result in a recipient submitting an incident report.

OHS outlines minimum expectations for reportable incidents that affect the health or safety of a child in 45 CFR §1302.102(d)(1)(iii). These examples are provided to support programs in understanding what OHS considers a “significant incident” that rises to the level of requiring an incident report.

It is not possible to provide an exhaustive list of significant incidents that affect children’s health and safety because OHS cannot predict all incidents that may occur in Head Start settings. However, OHS considers the following types of incidents to require submission of a report. These illustrative examples are designed to provide Head Start grant recipients with an understanding of the types of incidents that require reporting:

- **Any mandated reports regarding agency staff or volunteer compliance with federal, state, tribal, or local laws addressing child abuse and neglect or laws governing sex offenders.** OHS requires an incident report if a program becomes aware of a report of suspected child abuse and neglect to child protective services or law enforcement agencies that identified agency staff or volunteers as a potential perpetrator. Mandated reporting of confirmed or suspected child abuse and neglect in other cases, such as by a parent or caregiver not funded by a Head Start grant in the child’s home, does not need to be reported to OHS.
- **Suspected or known maltreatment or endangerment of a child by staff, consultants, contractors, and volunteers.** Definitions and examples of what OHS considers behaviors that have potential to maltreat or endanger a child are provided under 45 CFR §1302.90(c)(1)(ii).
 - *Corporal punishment or physically abusive behavior* is defined as intentional use of physical force that results in, or has the potential to result in, physical injury. Examples may include, but are not limited to, hitting, kicking, shaking, biting, pushing, restraining, force feeding, or dragging.
 - *Sexually abusive behavior* is defined as any completed or attempted sexual act, sexual contact, or exploitation. Examples may include, but are not limited to, behaviors such as inappropriate touching, inappropriate filming, or exposing a child to other sexual activities.
 - *Emotionally harmful or abusive behavior* is defined as behaviors that harm a child’s self-worth or emotional well-being. Examples may include, but are not limited to, using seclusion, exposing a child to public or private humiliation, or name calling, shaming, intimidating, or threatening a child.
 - *Neglectful behavior* is defined as the failure to meet a child’s basic physical and emotional needs, including access to food, education, medical care, appropriate supervision by an adequate caregiver, and safe physical and emotional environments. Examples may include, but

are not limited to, leaving a child unattended on a bus, withholding food as punishment, or refusing to change soiled diapers as punishment.

- **Serious harm or injury of a child resulting from lack of preventative maintenance** of a Head Start facility (e.g., in a classroom, bathroom, on a playground), bus, or other approved program transportation.

Serious injuries require immediate professional medical attention, such as hospitalization, including for example:

- Broken bones
 - Severe sprains
 - Chipped or cracked teeth
 - Head trauma
 - Deep cuts
 - Contusions or lacerations
 - Animal bites
- **Serious harm, injury, or endangerment of a child resulting from lack of supervision** while in the care or under the supervision of program staff. Lack of supervision includes leaving a child alone and unattended anywhere on the grounds of a Head Start facility (e.g., in a classroom, bathroom, on a playground), as well as outside the facility in a parking lot, on a nearby street, or on a bus or another program-approved transportation or excursion while under the care of the Head Start program.

As stated above, serious injuries require immediate professional medical attention.

This update to the Performance Standards represents a change from the prior policy of reporting all instances when a child has been unsupervised for any length of time. Instead, the requirement is that programs report any incident in which there has been serious harm, injury, or endangerment resulting from the lack of supervision.

Endangerment involves conduct that puts children at reasonable risk of harm and can be considered similar to [supervisory neglect](#) or failure to supervise. Examples of endangerment can include, but are not limited to:

- Leaving children in situations where they have access to dangerous chemicals or toxins, choking hazards, or life-threatening substances
- Unsupervised or unrestricted exposure to vehicular traffic, extreme temperatures, risk of drowning, or risk of leaving the facility alone
- Leaving children alone with access to unknown or unauthorized adults
- Leaving a child unsupervised such that their basic needs are not met
- Knowingly failing to protect a child from maltreatment perpetrated by another caregiver in the program

When determining whether lack of supervision resulted in endangerment, programs should examine each situation on a case-by-case basis and consider factors such as:

- The child's age and developmental needs
- Length of time the child was left unsupervised
- Inherent dangers of the child's unsupervised environment

This policy requires programs to conduct thorough assessments of risk based on the potential harm to children. Programs should be able to demonstrate how they made their determination considering all

relevant factors including those described above.

- **Unauthorized release of a child** from a Head Start facility, bus, or other approved program transportation to a person without the permission or authorization of a parent or legal guardian and whose identity had not been verified by photo identification.

“Responsible HHS Official” to Whom Programs Submit Incident Reports

For reporting significant incidents regarding the health and safety of children in settings where Head Start services are provided, the responsible HHS official is the program specialist assigned to the grant or any OHS regional leadership official. OHS regional leadership officials include supervisory program specialists, regional program managers, and regional program directors.

This individual or individuals are referred to as “the responsible HHS official” throughout this IM for ease of reference. It may also be necessary for programs to report these occurrences to other local, state, or tribal entities as required by applicable laws, such as child protective services, law enforcement, or child care licensing agencies.

Incident Reporting Timeframe and Compliance

Programs are required to submit all incident reports, as appropriate, to the responsible HHS official immediately, but no later than seven calendar days following the incident (45 CFR §1302.102(d)(1)(ii)). This timeline must be met regardless of investigations by other entities such as relevant local, state, tribal, or federal law enforcement. The Appendix includes an illustration of the required reporting timeline.

OHS notes that state, local, and tribal reporting requirements to child welfare agencies are not a substitute for reporting to OHS and programs should not wait to learn the outcome of reports to state, local, or tribal entities before reporting to OHS. Generally, these entities are investigating whether a violation of state or local law occurred, whereas OHS’s responsibility is to provide oversight with regard to the Head Start Program Performance Standards. However, programs are encouraged to indicate that an investigation or adjudication is underway when they submit an incident report to OHS.

The required reporting timeframe begins when someone in a program — including any program staff, contractors, or volunteers, including those at a delegate agency of a Head Start grant recipient — learns that an incident occurred or learns of an allegation that an incident occurred. To ensure consistency in implementing this requirement, OHS recognizes the day a program (agency, delegate agency, or partner of a Head Start grant recipient) learns of an incident as “Day 0,” with reporting to the responsible HHS official required no later than seven calendar days following the incident. If a program reports an incident to OHS on or after “Day 8,” the program will not be in compliance with this requirement.

To ensure programs report significant incidents regarding the health and safety of children to their assigned program specialist or OHS regional leadership official, OHS reviews publicly available information and reports from the grant period. If OHS discovers that a program failed to report a significant incident for which a report was required within the required timeframe, the program is subject to receiving a monitoring finding, which may include a deficiency determination.

Information Required in Incident Reports

OHS understands that, in some circumstances, a program may not have all the information at the time an incident is reported. Even still, the priority is to inform OHS of what is known in accordance with the reporting timeframe. Programs are encouraged to update the responsible HHS official with additional information as it becomes available. For example, in the case of ongoing investigations or pending

adjudication by other authorities such as local, state, tribal, or federal law enforcement, programs should deliver status changes or determinations related to the incident as permitted.

Programs should not provide OHS with information that could interfere with their compliance with other legal requirements pertaining to confidential or sensitive information, such as requirements pertaining protected health information or direct indicators of personally identifiable information of children.

Next Steps

OHS and Head Start programs share the goal of providing a safe environment where children learn and grow. Promoting health and safety and preventing significant incidents in Head Start programs is everyone's responsibility.

We encourage program leadership and staff to complete freely available online training and professional development courses on the Office of Head Start's [Individualized Professional Development \(iPD\) Portfolio](#). Although these courses are not necessarily specific to OHS incident reporting requirements, they support programs in promoting child safety and preventing significant incidents:

- The [iLookOut for Child Abuse: A Mandated Reporter Training for Head Start Staff](#) course focuses on protecting child safety and preventing and identifying child abuse and neglect in accordance with federal requirements for reporting to child protective services or law enforcement agencies. The course is available in English and Spanish.
- [Preventing Injuries in Early Childhood Programs](#) is a two-part course that will help you make your early childhood program a safe place for children to grow, learn, and explore.
- [Active Supervision in Early Childhood Programs](#) is a two-part course that will help you learn and implement the six strategies of active supervision.

OHS is committed to continuous quality improvement and will continue to provide support and guidance in preventing incidents that jeopardize children's health and safety. If you have any questions regarding this IM, please contact your Regional Office.

By working together to prevent, swiftly identify, report, and correct health and safety incidents, we can better support child health and well-being in Head Start programs. Thank you for your work on behalf of children and families.

/ Khari M. Garvin /

Khari M. Garvin
Director
Office of Head Start

See Attachments:

[Appendix](#)

See PDF Version of Information Memorandum:

[Reporting Child Health and Safety Incidents](#) (144.93 KB)

Historical Document



Fiscal Year 2025 Monitoring Process for Head Start Recipients

eclkc.ohs.acf.hhs.gov/policy/im/acf-ohs-im-24-07

Fiscal Year 2025 Monitoring Process for Head Start Recipients ACF-OHS-IM-24-07

U.S. (United States) Department
of Health and Human Services

ACF
Administration for Children and Families

1. **Log Number:** ACF-OHS-IM-24-07
2. **Issuance Date:** 11/08/2024
3. **Originating Office:** Office of Head Start
4. **Key Words:** Monitoring; FY 2025; CLASS®

Information Memorandum

To: All Head Start Recipients

Subject: Fiscal Year 2025 Monitoring Process for Head Start Recipients

Information:

[Section 641A](#) of the Improving Head Start for School Readiness Act of 2007 (the Act) requires the Office of Head Start (OHS) to implement ongoing monitoring of all programs receiving federal funds.

This Information Memorandum (IM) outlines the OHS (Office of Head Start) monitoring process for fiscal year 2025 (FY25). It describes the types of monitoring reviews that recipients may experience, highlighting Focus Area 1 (FA1), Focus Area 2 (FA2), Classroom Assessment Scoring System (CLASS®), Risk Assessment Notification (RAN), and unannounced reviews.

This IM (Information Memorandum) supersedes ACF-OHS-IM-24-02 with updates to the FY25 monitoring implementation format.

FY25 Monitoring Review Types and Start Dates

Review Type*	FY25 Implementation Format	Start Date
FA1 (Focus Area 1)	FA1 (Focus Area 1) reviews are conducted through a virtual format.	December 2024
FA2 (Focus Area 2)	FA2 (Focus Area 2) reviews are conducted through on-site monitoring.	December 2024
CLASS®	CLASS reviews are conducted again this year using either self-recorded videos or on-site formats.	October 2024

Review Type*	FY25 Implementation Format	Start Date
Follow-up Reviews	Follow-up reviews are conducted either virtually or on site.	Start dates will coincide with the end of the corrective action period.
RAN (Risk Assessment Notification)	RAN (Risk Assessment Notification) reviews are conducted through a virtual format.	As needed
Other	Special reviews may be conducted at any time, on site or virtually, without notice.	As needed

* Monitoring reviews may be conducted with or without prior notification to the recipient. OHS (Office of Head Start) reserves the right to conduct unannounced reviews at any time.

FA1 (Focus Area 1) Reviews

The FA1 (Focus Area 1) review is an opportunity for recipients to describe their approach and plan for providing high-quality services to children and families. It typically occurs in the first or second year of the grant period. This focus area determines if programs are meeting the requirements of the Head Start Program Performance Standards (the Performance Standards), Uniform Guidance, and Head Start Act. The FA1 (Focus Area 1) informs OHS (Office of Head Start)' understanding of each recipient's foundation for program services — staffing structure, program design and governance, education, health and family services, and fiscal infrastructure. The FA1 (Focus Area 1) review also allows OHS (Office of Head Start) to assist recipients in fulfilling application commitments, provide resources to address any identified issues, and support recipients in reaching their goals.

FA2 (Focus Area 2) Reviews

The FA2 (Focus Area 2) review is an opportunity for recipients to demonstrate their implementation of high-quality services to children and families that meet Head Start requirements. It typically occurs in the third or fourth year of a grant period. This focus area broadens OHS (Office of Head Start)' understanding of each recipient's performance and determines if programs are meeting the requirements of the Performance Standards, Uniform Guidance, and Head Start Act.

CLASS® Reviews

Section 641A(c)(2)(F) of the Act requires OHS (Office of Head Start) to assess the quality of teacher–child interactions using a valid and reliable observation measure. For the upcoming FY25 monitoring year, OHS (Office of Head Start) will continue to use the 2008 edition of the Classroom Assessment Scoring System (CLASS®) Pre-K Teacher–Child Observation Instrument. Scores from CLASS observations will count toward Designation Renewal System (DRS) determinations using the competitive thresholds established in the [Final Rule on DRS \(Designation Renewal System\) Changes](#).

For FY25, recipients that are scheduled for a CLASS monitoring review will have the option to self-record and submit their own videos (Video Review) or request a traditional on-site review with certified CLASS observers (On-site Review).

American Indian and Alaska Native (AIAN) Head Start programs have the option to do a self-review for the CLASS. OHS (Office of Head Start) will transmit a letter to AIAN (American Indian and Alaska Native) grant recipients with additional information on this option.

All recipients will have the opportunity to attend information sessions specifically developed to discuss FY25 CLASS options, including a group of sessions convened specifically for American Indian and Alaska Native recipients.

RAN (Risk Assessment Notification) Reviews

OHS (Office of Head Start) conducts Risk Assessment Notification reviews, as necessary, to address child health and safety incidents. They are initiated when OHS (Office of Head Start) needs to gather more information about significant incidents affecting program participants' health and safety. These reviews have a specific focus on abuse, neglect, inappropriate conduct, inadequate supervision, or unauthorized releases in Head Start programs.

RAN (Risk Assessment Notification) reviews:

- Ensure prompt and accurate reporting of serious incidents
- Investigate contributing program or management factors
- Communicate necessary corrective actions
- Provide feedback to improve program management and prevent future incidents

Other Reviews

Special reviews are conducted, as needed, to explore concerns outside of the typical FA1 (Focus Area 1) or FA2 (Focus Area 2) schedule. OHS (Office of Head Start) reserves the right to conduct unannounced reviews at any time.

Scheduling

Each year, recipients are required to submit an accurate calendar of availability, which is used to schedule monitoring reviews. The availability calendar also gives recipients a way to inform OHS (Office of Head Start) as to when their program is not operational and when children are not in session. Recipients should immediately update their calendars as changes in program availability occur. Please note that OHS (Office of Head Start) has very limited capacity to accommodate requests to reschedule reviews and can only do so under exceptional circumstances.

Monitoring reviews can also be conducted with or without prior notification to the recipient that it will take place.

Communications

Recipients scheduled to receive a monitoring review in FY25 will receive a notification letter 45 calendar days before the start of the event. They can also expect a planning call with their assigned coordinator to discuss their review. During the initial call, recipients should share their program's current service delivery options. OHS (Office of Head Start) Review Reports are typically issued within 60 calendar days of the monitoring review.

If you have any questions regarding the FY25 monitoring season, please contact your regional office.

Thank you for the work you do on behalf of children and families.

Sincerely,

/ Khari M. Garvin /

Khari M. Garvin
Director
Office of Head Start

See PDF Version of Information Memorandum:

[Fiscal Year 2025 Monitoring Process for Head Start Recipients](#) (31.09 KB)

Historical Document