

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

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

Final Rule on Supporting the Head Start Workforce and Consistent Quality Programming ACF-OHS-PI-24-05

U.S. Department
of Health and Human Services

ACF
Administration for Children and Families

1. **Log Number:** ACF-OHS-PI-24-05
2. **Issuance Date:** 08/21/2024
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

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.

The Office of Head Start (OHS) first proposed these changes in a notice of proposed rulemaking (NPRM), published on November 20, 2023. During the NPRM comment period, OHS received approximately 1,300 public comments, including from Head Start programs; national, regional, and state Head Start associations, labor unions; research organizations; individual Head Start staff and families; and members of the U.S. Congress. The final rule takes into consideration and is responsive to the public comments.

The updated Performance Standards respond to structural concerns affecting the sustainability of Head Start programs. They provide clear federal requirements for:

- Wages and benefits to support the Head Start workforce
- Better integration of mental health across all aspects of Head Start programming
- Quality improvement and clarity of requirements in other topic areas

The final rule is effective immediately. Programs are expected to comply with some of the updated requirements 60 days after the rule is published (October 21, 2024). Programs are granted more time to comply with several requirements, including new wage and benefit requirements, as noted in the Effective and Compliance Dates section of the rule.

Workforce

This rule supports Head Start programs in maintaining a diverse and well-qualified workforce by ensuring staff are more fairly compensated, which in turn promotes more stable, higher-quality services for enrolled children and families. Previously, the Performance Standards did not include any specific requirements for staff wages or benefits, which has generally led to low compensation for staff and high staff turnover rates for programs.

Staff Wages

The updated Performance Standards require programs to provide competitive wages for staff by August 1, 2031. Specifically, the rule will require programs to establish or update a pay scale for all positions. It will also require programs to pay Head Start educators annual salaries that are comparable to public school preschool teachers or 90% of public kindergarten teachers, accounting for responsibilities, qualifications, experience, and work schedule. The updated Performance Standards will also require programs to pay all staff a wage sufficient to cover basic costs of living and to ensure wages are comparable across Head Start Preschool and Early Head Start programs.

The final rule includes a small agency exemption for Head Start agencies with fewer than 200 funded slots. These small agencies must develop a pay scale for all employees and make measurable improvements in wages for staff over time. However, small agencies are not required to pay wages that are comparable to public school preschool teachers (or 90% of public kindergarten teachers), nor are they required to comply with the pay floor policy described above.

The final rule includes flexibility for the Secretary of the Department of Health and Human Services to establish in 2028 a waiver process for most of the rule's wage requirements, if needed, due to low appropriations over the prior four years. The waiver would be for programs that are already meeting quality benchmarks and would otherwise have to reduce enrolled Head Start slots to implement these requirements.

Staff Benefits

By August 1, 2028, the updated Performance Standards will require programs to provide or facilitate access to high-quality affordable health care coverage; offer paid leave; and offer access to short-term, free or minimal-cost behavioral health services for fulltime staff. For part-time staff, programs will be required to facilitate access to high-quality, affordable health care coverage. Programs will also be required to facilitate access to affordable child care and to the Public Service Loan Forgiveness program or other applicable student loan debt relief programs for any eligible staff members.

The final rule also includes flexibility for small agencies with 200 or fewer funded slots. As with wages, these small agencies must still make measurable improvements in benefits for Head Start staff over time.

Staff Wellness

The updated Performance Standards require programs to cultivate a culture of wellness that empowers staff as professionals and supports them to effectively accomplish daily job responsibilities in a high-quality manner. As part of this larger effort to promote the wellness of Head Start staff, by August 1, 2027, programs must provide each staff member with regular breaks during their work shifts that are of adequate length based on hours worked.

Mental Health

In the updated Performance Standards, mental health is integrated more intentionally and consistently across program systems to better support children, families, and staff. Programs are required to take a multidisciplinary approach to foster a program-wide culture of wellness. The Performance Standards also clarify the role and responsibilities of mental health consultants, and allow for behavioral health support specialists to be used in coordination with a mental health consultant. These changes address workforce shortages while maintaining a focus on high-quality, integrated mental health supports.

Other Quality Improvements

The updated Performance Standards enhance and clarify requirements in other topic areas to promote consistent high-quality services and support child well-being. These changes include:

- More reasonable caseloads for family service workers
- Promoting child safety in Head Start programs
- Preventing and addressing lead exposure in the water and paint of Head Start facilities
- Updates to the community assessment process
- Enhanced services for expectant families
- Requirements for programs to identify barriers to program enrollment and attendance, such as lack of transportation

Finally, the changes include some clarifications to promote better transparency and clarity of understanding for recipients.

Members of the Head Start community are urged to take the time to read the final rule in its entirety, including the section-by-section discussion of public comments. OHS will continue to provide [direction, guidance, and resources](#) that support our shared mission to prepare Head Start children and families for school and beyond.

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](#) (41.24 KB)

Historical Document