

Office of Head Start Administration for Children and Families



HEAD START PERFORMANCE STANDARDS NOTICE OF PROPOSED RULEMAKING

JUNE 2015

Background on NPRM



- Head Start program performance standards (PPS) are the federal regulations that set the rules for all Head Start and Early Head Start programs.
- The *Improving Head Start for School Readiness Act of 2007* called for a review and revision of the PPS to ensure that all Head Start programs provide high quality, comprehensive services that reflect current research, best practice, and program experience.
- The current PPS have over 1400 requirements organized in 11 different sections that have been amended in a piecemeal fashion over the past 40 years.

Overall Approach to Improve Quality



The NPRM is designed to improve Head Start quality by:

- Strengthening program services to reflect research and best practice
- Improving clarity and transparency to support better program delivery for current grantees and attract new prospective grantees
- Reducing administrative burden to allow grantees to focus on high quality service delivery
- Maintaining core Head Start principles, including strong comprehensive services, parent engagement, serving the neediest children, and respecting diversity.

Reorganization



- Reorganizes 11 overlapping sections into five:
 - Program Governance (Section 1301)
 - Program Operations (Section 1302)
 - Administrative & Financial Requirements (Section 1303)
 - Federal Administrative Procedures (Section 1304)
 - Definitions (Section 1305)





PART 1301 PROGRAM GOVERNANCE

PART 1302 PROGRAM OPERATIONS

Eligibility, Recruitment, Selection, Enrollment and Attendance

Program Structure

Education and Child Development Program Services

Health Program Services

Family and Community Partnership Program Services

Additional Services for Children Eligible for IDEA

Transition Services

Services to Enrolled Pregnant Women

Human Resources Management

Program Management and Quality Improvement

Organization



PART 1303 FINANCIAL & ADMINISTRATIVE REQUIREMENTS

Financial Requirements

Administrative Requirements

Protections for Data Sharing

Delegation of Program Operations

Facilities

Transportation

PART 1304 FEDERAL ADMINISTRATIVE PROCEDURES

Monitoring, Suspension, Termination, Denial of Refunding, Reduction in funding, and Appeals

Designation Renewal System

Selection of Grantees through Competition

Replacement of American Indian/Alaska Native Grantees

Head Start Fellows Program

PART 1305 DEFINITIONS

Improving Clarity and Reducing Burden



- **Simplifies regulatory language to improve transparency and accessibility**
- **Streamlines requirements to focus on key aspects of quality inputs**
- **Eliminates redundancies and requirements not linked to high quality services**

Strengthening Education Services



Education requirements are overhauled to reflect research and best practice by focusing on:

- Key areas of development
- Scientifically valid and content rich curricula
- Useable information for teachers to individualize learning activities

Education services for EHS center-based and home-based services are clearly articulated and strengthened





Requirements also support better teacher quality and effective teaching practices by:

- Outlining core competencies for teachers and home visitors
- Targeting professional development to focus on practices that foster better child outcomes
- Strengthening professional development by integrating evidence-based coaching strategies
- Integrating professional development, supervision, and ongoing observations to ensure effective teaching practices and curriculum implementation

Strengthening Education Services: The Head Start Early Learning Outcomes Framework



The Head Start Early Learning Outcomes Framework Ages Birth to Five replaces the 2010 Head Start Child Development and Early Learning Framework.

- The Framework identifies what young children should know and be able to do from birth to age 5.
- As required by the Act, the PPS outlines how programs must align teaching practices, learning environments, curricula, assessments, and professional development with the Framework.
- When fully implemented the Framework and the PPS together will promote high quality service and practice.

Strengthening Education Services (cont'd)



New structural requirements ensure Head Start dollars are going to program models that can improve early learning outcomes:

- *Preschoolers* – proposes new minimums of 6 hours per day and 180 days per year
- *Infants and Toddlers* - codifies interpretation of “continuous” services as a minimum of 6 hours per day and 230 days per year
- Eliminates double-session as a standard program option
- Eliminates home-based option as a standard program option for preschoolers
- Locally designed options can operate alternative models, if a shorter day or year better meets community needs and children are making progress. All other program requirements still need to be met.



Most Preschoolers in Head Start Do Not Receive Enough Early Learning Time



- Only 57% receive services for 6 hours or more a day and only 31% receive services for 180 or more days.
- 28% of children in Head Start receive only 3.5 hours.
- 16% of children in Head Start receive only 128 days.
- Children in programs operating under current minimums receive less than half the learning time children in full school day, full school year programs.

The Need to Increase Head Start Dosage (cont'd)



- Program quality must improve but so must time spent in Head Start to have stronger and more lasting effects.
- Research on full-day, instructional time, summer learning loss, and attendance all indicate that dosage is central to improving child outcomes.
- The NPRM dosage minimums are more in line with state pre-kindergarten programs that have shown strong effects.



The Need to Increase Head Start Dosage (cont'd)



- **In a half-day program there isn't sufficient time for:**
 - Teachers to conduct the full scope of engaging learning activities and provide intentional instruction and learning in small group and one-on-one interactions

AND

 - Programs to provide comprehensive child development services
- **It is clear that current dosage minimums for preschoolers are inadequate to achieve the results researchers and economists have shown are possible.**



Strengthens health services

- Retains core services and streamlining requirements so they are easier to implement
- Ensures children's source of medical care is not an ER or urgent care and it maintains the child's health record
- Improves service system coordination by requiring programs assist families in accessing health insurance
- Strengthens parent education including healthy pregnancy and postpartum care

Strengthens mental health services

- Ensures the use of mental health consultation to promote effective classroom management and support teachers addressing challenging behaviors



Improves parent engagement services

- Targets intensive services to where they are most needed
- Opportunities for parents to participate in evidence-based parenting curriculum

Keeps children safe

- New criminal background check requirements for a comprehensive background check that is repeated every 5 years
- System of management, training, oversight and improvement to implement strong health and safety practices
- Consult *Caring for our Children Basics* to develop



Supporting all Children



Strong services for kids with disabilities

- Updates practices to meet IDEA requirements and strengthen collaboration to better meet the needs of children with IFSPs, IEPs, and 504 plans
- Requires additional services for children with delays significant enough to interfere with school success but who are not IDEA eligible

Improves services for homeless children

- Provides administrative flexibility to facilitate serving homeless children
- Requires programs support highly mobile families through transitions to other Early Head Start and Head Start programs

Improves services for dual language learners (DLLs)

- Requires program-wide intentional approach to serving DLLs
- Improves services to DLLs by supporting bilingualism, integrating research-based approaches, and using appropriate assessments

Supporting Attendance



- **Improves approach to child attendance**
 - Requires better tracking of attendance and additional services where needed to improve child attendance
- **Explicitly addressing expulsion and suspension**
 - Codifies prohibition of expulsion
 - Requires individualized services for children with challenging behaviors to ensure full program participation



Promoting Data-Driven Decision Making



- **Proposes a management system that includes:**
 - Establishing goals and measurable objectives for comprehensive services and school readiness
 - Collecting, aggregating, and analyzing data to monitor progress towards achieving goals
 - Utilizing ongoing oversight to ensure high quality, effective service delivery
 - Identifying and correcting any issues and implement procedures that prevent their recurrence
 - Using data to revise goals and objectives to best meet the needs of children and families and ensure continuous quality improvement





- **Reflects the statutory requirements for program governance**
- **Ensures strong accountability in governance**
 - Affirms the governing body's legal and fiscal responsibility
 - Strengthens the use of data in governing body's oversight of program
- **Maintains the important role of parents**
 - Affirms the policy council's role in setting program direction

Governance (Cont'd)



- **Improves transparency for governance**
 - Establishes impasse procedures and makes them more transparent
 - Outlines how a governing body invokes its authority to establish an advisory committee
- **Increases local flexibility in governance**
 - Gives discretion to local programs to determine appropriate term length for policy councils and policy committees up to 5 years
 - Removes the requirement that every local center establish a parent committee to allow for other innovative approaches to engaging parents in all settings

Administrative and Financial Requirements



- **Eliminates redundancy**
- **Streamlines, updates and clarifies requirements**
- **Increases grantees autonomy in oversight of Delegate Agencies**
- **Clarifies Facility requirements**
- **Maintains Transportation requirements**



Privacy of Child Records



- Ensures privacy of records while balancing the value of sharing data
- Proposed standards consistent with those provided in the Family Educational Rights and Privacy Act (FERPA)
- Proposed standards address:
 - **Parental consent** – Programs must obtain parental consent to disclose PII. There are eight exceptions to this consent.
 - **Parent rights** – Parents have the right to inspect, amend, and a hearing to challenge information in their child’s records. Also, the right to an initial copy of records disclosed.
 - **Record maintenance** – Programs must maintain information on PII disclosures, statements from parents contesting information, and ensure only parents and appropriate officials have access.



Federal Administrative Procedures



- Organizes all regulations about the way OHS operates into one section (1304)
- Streamlines and updates existing regulations on monitoring and adverse actions to clearly align with the Act
- Includes current Designation Renewal System (DRS) requirements
- Streamlines and updates competition and replacement processes

Why no proposed changes to DRS?



- We are not proposing any changes to DRS
- ACF is currently conducting an independent evaluation of the system.
 - Preliminary results are not expected until late this year.
- The final round of competitions for the transition will be completed next year.
- Based on the evaluation and the full transition HHS will re-evaluate DRS requirements in the future.
- HHS will not be able to address any comments on DRS and 45 CFR part 1307 in the final rule.



Estimated Cost of Proposed Rule



- **The quality improvements in the NPRM have a net cost of approximately \$1 billion dollars.**
- **The President's FY 2016 Budget requests nearly \$1.1 billion in additional Head Start resources to support these increases.**
- **These increases, paired with other quality improvements, are essential to Head Start programs achieving and sustaining strong child outcomes.**

What's next?



- Public Comment until August 18th
- HHS considers ALL public comment
- Final Rule issued
- New Program Performance Standards in place on the effective date or dates
- Current regulations remain in effect until the date new regulations are effective

Submitting Comments



- **Step 1: Read the proposed rule.**
- **Step 2: Comments on what is in (or left out of) the proposed rule.**
- **Step 3: Be explicit about what section(s) of the NPRM your comment(s) is relevant to. Please use the paragraph citation:**

Example: On page 33657, in the second column, at paragraph 1305(a)(1)(i)

- **Step 4: Be concise and clearly indicate if you are for, or against the issue(s) you comment on, and explain why.**
- **Step 5: Let us know who you are and how the part of proposed rule you chose to comment on would either affect you, the community, or the children and families Head Start serves.**



<http://www.regulations.gov>

Now we need to hear from you!



- This is a **PROPOSED** rule.
- In developing this NPRM we have heard from many stakeholders including experts, program staff and families.
- But now is the critical time to have your voice heard before a final rule is issued.
- We will consider all the comments we receive and ask for your thoughtful input through that process.

Questions?

