

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

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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

 headstart.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

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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)

OCC 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

OHS 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, ~~ACE~~ 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 ~~OCC~~ Regional Office. Contact information for ~~OCC~~ regions can be found at <https://www.acf.hhs.gov/occ/resource/regional-child-care-program-managers>.
- Contact the ~~OHS~~ 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

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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. (United States)~~ Department
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ACF
Administration for Children and Families

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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 (Health and Human Services)~~ 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 (Health and Human Services)~~ and the Office of Head Start (OHS)

This ~~IM (Information Memorandum)~~ 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		WHO
<p>Any setting where Head Start services are provided.</p> <p>Examples include a learning setting, bathroom, playground, facility parking lot, and program-approved transportation and excursions.</p>	AND	<p>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.</p>
		OR
		<p>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.</p>

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 (Office of Head Start). 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 (Office of Head Start). 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 (Office of Head Start) 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 (Office of Head Start) regardless of whether a mandated report is required. Example 1 does not require an incident report to OHS (Office of Head Start), even if a mandated report is required.

It is important for OHS (Office of Head Start) 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 (Office of Head Start) 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 (Office of Head Start) 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 (Office of Head Start) cannot predict all incidents that may occur in Head Start settings. However, OHS (Office of Head Start) 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 (Office of Head Start) 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 (Office of Head Start).
- **Suspected or known maltreatment or endangerment of a child by staff, consultants, contractors, and volunteers.** Definitions and examples of what OHS (Office of Head Start) 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 through 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 (Health and Human Services) 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 (Health and Human Services)~~ official is the program specialist assigned to the grant or any ~~OHS (Office of Head Start)~~ regional leadership official. ~~OHS (Office of Head Start)~~ 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 (Health and Human Services)~~ 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 (Health and Human Services)~~ 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 (Office of Head Start) notes that state, local, and tribal reporting requirements to child welfare agencies are not a substitute for reporting to OHS (Office of Head Start) and programs should not wait to learn the outcome of reports to state, local, or tribal entities before reporting to OHS (Office of Head Start). Generally, these entities are investigating whether a violation of state or local law occurred, whereas OHS (Office of Head Start)'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 (Office of Head Start).

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 (Office of Head Start) 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 (Health and Human Services) official required no later than seven calendar days following the incident. If a program reports an incident to OHS (Office of Head Start) 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 (Office of Head Start) regional leadership official, OHS (Office of Head Start) reviews publicly available information and reports from the grant period. If OHS (Office of Head Start) 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 (Office of Head Start) 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 (Office of Head Start) of what is known in accordance with the reporting timeframe. Programs are encouraged to update the responsible HHS (Health and Human Services) 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 (Office of Head Start) with information that could interfere with their compliance with other legal requirements pertaining to confidential or sensitive information, such as requirements pertaining to protected health information or direct indicators of personally identifiable information of children.

Next Steps

OHS (Office of Head Start) 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 (Office of Head Start) 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 (Office of Head Start)~~ 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](#) (213.15 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



Supporting Food Security and Access to Indigenous Foods for Children and Families in Tribal Early Childhood Programs

 headstart.gov/policy/im/acf-ohs-im-25-01

Supporting Food Security and Access to Indigenous Foods for Children and Families in Tribal Early Childhood Programs ACF-OHS-IM-25-01

U.S. Department
of Health and Human Services

ACF
Administration for Children and Families

1. **Log Number:** ACF-OHS-IM-25-01
2. **Issuance Date:** 01/14/2025
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; Food Security; Indigenous Food Sovereignty

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) grant recipients

Subject: Supporting Food Security and Access to Indigenous Foods for Children and Families in Tribal Early Childhood Programs

Related References:

The Child Care and Development Block Grant (CCDBG) Act (42 U.S.C. 9857 et seq.); The Head Start Act (42 U.S.C. 9801 et seq.) and the Head Start Program Performance Standards (42 U.S.C. 9801 et seq., subchapter B of 45 CFR chapter XIII); the Social Security Act (42 U.S.C. 619), 45 CFR Parts 98 and 99;

Title V, Section 511 of the Social Security Act (42 U.S.C. 711); National School Lunch Act, Section 17 (42 U.S.C 1766), 7 CFR Part 226.

Information:

This IM provides information to Tribal Nations and communities regarding opportunities to use ACF early childhood funding to promote Indigenous food sovereignty and address food insecurity. It offers examples of activities that Tribal Nations and communities may implement based on the specific funding source and federal regulations. Indigenous food sovereignty and food security play an important role in supporting all aspects of a Native child's development, including physical development, early learning, and a child's engagement with their family and culture. ACF encourages Tribal early childhood programs, within the parameters of federal requirements, to consider the full range of strategies that can be used to promote Indigenous food sovereignty and food security for Native children and families.

BACKGROUND: ACF administers three early childhood funding streams in partnership with Tribes through the Office of Early Childhood Development (ECD), the Office of Child Care (OCC), and the Office of Head Start (OHS): Tribal MIECHV, CCDF, and Head Start. Tribes use funding from these three programs to provide services to young children and their families during their most formative years. ACF engages in regular communication with Tribal leaders and program administrators who have expressed interest in better understanding how early childhood funding streams can support food sovereignty and food security for Tribes.

Indigenous Food Sovereignty and Food Security

The Bureau of Indian Affairs (BIA) [describes Indigenous food sovereignty](#) as the ability of Indigenous communities to determine the quantity and quality of the food that they consume by controlling how their food is produced and distributed, with a focus on traditional foods grown or produced by Tribes. Food sovereignty is the right of people to have access to healthy and culturally appropriate food produced by ecologically sound and sustainable methods, which includes the right to define their own food and agricultural systems. Food sovereignty is inextricably linked to community, identity, and tradition. Traditional foods are a critical part of physical, mental, emotional, and spiritual health for Native populations. Growing, preparing, and re-claiming traditional foods restores Tribal Nations and Native communities' connections to medicinal plants and land-based learning. The cultural knowledge needed to hunt, gather, and fish for traditional foods has been compromised in many Tribal communities due to harmful federal policies limiting Tribal Nations' relationship to land, water, and traditional food systems. In Native communities, Indigenous food sovereignty is not an individual concept but a collective and communal relationship. It is a family and community process that supports a historical and traditional relationship to food and well-being.

ACF acknowledges that harmful federal policies have disrupted the intergenerational transfer of knowledge about traditional foods and traditional methods for procuring and preparing food. The historical policies of the U.S. Government did not promote the nutrition and health of Tribal communities, nor did it honor Indigenous food traditions. This IM affirms that Tribes can use early childhood funds to support children's exposure and knowledge to traditional methods for growing and producing food and promote food security in their communities.

The Child and Adult Care Food Program (CACFP) and Indigenous Foods

CACFP is a federal program that provides reimbursements for nutritious meals and snacks to eligible children and adults who are enrolled for care at participating Head Start programs, child care centers, family child care homes, and adult day care centers. CACFP also provides reimbursements for meals served to children and youth participating in afterschool care programs, children residing in emergency

shelters, and adults over the age of 60 or living with a disability and enrolled in day care facilities. The program is administered by the U.S. Department of Agriculture (USDA), Food and Nutrition Service (FNS), Child Nutrition Programs (CNP). The CACFP program is administered via States and Tribes and receive funds from the State. While ACF does not administer CACFP, this IM provides additional information on CACFP policies, as many programs that receive Head Start and CCDF funding also receive CACFP funds.

Meal Patterns for Children

All meals and snacks served in CACFP programs must meet the requirements set forth in the [CACFP Meal Patterns for Children](#). The meal patterns are written in a way that allows program operators to plan menus that reflect the populations they serve and incorporate cultural and local foods. The amount of food that must be offered varies based on the meal or snack, as well as the particular age group being served. The CACFP meal patterns include five meal components: fruits, vegetables, milk, meats/meat alternates, and grains. How individual foods contribute to the meal pattern requirements is referred to as “crediting”. USDA provides numerous resources to assist Program operators in determining how foods credit toward the meal pattern requirements, including the [Food Buying Guide for Child Nutrition Programs](#) (FBG).

Food Buying Guide

The CNP’s FBG is an essential tool that provides food yield information for: 1) planning and calculating the required quantities of food to purchase for CNP (including CACFP), and 2) determining the specific contribution each food makes toward the meal pattern requirements. The FBG enables program operators participating in CNP to comply with the [Dietary Guidelines for Americans](#) and ensure that the meal pattern requirements are met for each component of a federally reimbursable meal. The FBG includes different foods commonly used in CNP and is continually being updated with additional foods and new features. Program operators are encouraged to speak with the State agency that administers the CACFP to determine if a food that is not in the FBG is eligible for reimbursement.

Crediting Indigenous Foods

While the FBG provides a relatively comprehensive list of foods commonly served in CNP, it does not include yield information for every possible food served in reimbursable meals. Crediting of traditional or Indigenous foods that contribute to the meal pattern requirements but are not listed in the FBG may be determined using either of these methods: 1) using yield information of a similar food; or 2) conducting an in-house yield study. In these circumstances, traditional Indigenous food may credit like similar products found in the FBG, [as demonstrated in the table found in TA 01-2024 – Crediting Traditional Indigenous Foods in CNP](#). When traditional Indigenous foods that contribute toward the meal pattern requirements are not listed and are not similar to another food in the FBG, in-house yields may be developed and used. Instructions for developing in-house yields are available online in the “About the Food Buying Guide” section on the home page of the FBG [linked here](#).

Not all traditional Indigenous foods contribute toward the CACFP meal pattern requirements; however, they may still be served. These foods may be included to round out the meal, improve acceptability, and satisfy participant’s appetites. For example, acorns do not credit toward the meats/meat alternates component due to their low protein and iron content, but may still be served alongside a reimbursable meal or snack ([7 CFR 226.20\(a\)\(5\)\(ii\)\(B\)](#)).

Another example, maple syrup, is a traditional Indigenous food that is often used in cooking or baking and does not credit toward a specific meal component. Maple syrup may be used in reimbursable meals, but does not contribute toward the CACFP meal pattern requirements. Program operators should contact the

State agency that administers the CACFP, with any questions about specific State guidelines and how traditional foods may credit in the CACFP. Traditional Indigenous foods may also be used during taste tests or other educational opportunities outside of the meal programs. To help children learn about where their food comes from and the cultural traditions associated with their food, USDA encourages Program operators to engage local, Indigenous knowledge-keepers, agricultural and ethnobotanical educators, and nutrition professionals to guide nutrition education. For more information, visit the [Farm to School Program website](#).

ALLOWABLE ACTIVITIES: The activities outlined below meet the programmatic purposes and goals of each respective ACF funding source. The following is not a list of required activities, but rather a list of allowable activities that Tribal leaders and program administrators may consider in addressing the unique circumstances in their nations and communities related to promoting Indigenous food sovereignty and food security. In general, there are several ways that ACF Tribal early childhood programs can promote Indigenous food sovereignty and food security. Details about promoting food sovereignty and security in specific programs are provided under each respective funding stream. Tribes may consider the following approaches across early childhood funding streams.

- Increasing access to and availability of healthy foods for children enrolled in the home visiting, child care, and/or Head Start program.
- Providing food during programming, including meals and snacks for children during program hours, home visits, group socialization activities, or parent and family engagement activities.
- Providing materials and equipment for center-based or home-based activities focused on Indigenous food sovereignty, such as supplies to create community and/or family gardens, greenhouses, and Indigenous seed hubs.
- Holding family engagement or program activities centering traditional methods of food procurement and processing such as fishing, planting or harvesting, or hunting.
- Ensuring intergenerational knowledge sharing on Indigenous foods and compensating individuals to provide programming on Indigenous foods within the program.
- Providing nutrition education.
- Foraging and harvesting Indigenous and wild plants as part of program activities.
- Cultivating and preparing traditional foods as part of program activities.
- Introducing and reintroducing Indigenous agriculture, diets, foods, and meal preparation.

This list is not intended to be exhaustive, and Tribes should contact their program specialist or federal project officer to understand allowable uses of funds specific to their community.

Child Care and Development Fund (CCDF)

Tribes may expend CCDF funds to cultivate, collect, prepare, and provide traditional foods in child care settings in the manner determined most appropriate by the Tribe. These practices provide children with healthy, nutrient-rich foods as well as critically important educational opportunities, and Tribes are encouraged to incorporate children into the processes of cultivating, collecting, or preparing traditional foods. CCDF funds expended for these activities should primarily be considered as quality expenditures and would count towards the minimum nine percent quality expenditure requirement for CCDF. However, if the Tribal CCDF lead agency is utilizing CCDF funds to incorporate traditional foods into a Tribally operated child care center, those expenditures may be considered either a quality expenditure or a direct services cost.

In addition to incorporating traditional foods into center-based child care settings, Tribal CCDF lead agencies should consider how CCDF could be utilized to assist in incorporating traditional foods in family child care or in-home care settings as well. Tribal lead agencies may utilize CCDF funds to provide meals and snacks during child care hours for children served through family child care or in-home care settings.

These may include distributing items beyond food such as seeds or items to grow food, materials to prepare traditional foods, and instructional materials that child care providers could utilize to expand children's knowledge of traditional foods or nutrition.

Tribal ~~CCDF~~ Lead Agencies operating a Tribally operated child care center may also receive funding from other federal or state food assistance programs such as ~~CACFP~~ administered by the US Department of Agriculture (USDA) Food and Nutrition Service (FNS), but it is not a requirement. ~~CCDF~~ funds may be utilized independent of these programs, and other federal programs such as ~~CACFP~~ do not impose any limitations on allowable ~~CCDF~~ expenses, including the use of traditional foods in the classroom. Tribal ~~CCDF~~ Lead Agencies may also consider using ~~CCDF~~ funds to partner with local child care providers that are licensed or regulated through the state and serving children through the Tribal ~~CCDF~~ program to incorporate traditional foods in those settings.

Tribal ~~CCDF~~ Lead Agencies may also use ~~CCDF~~ funds to develop and or implement curriculum that includes Indigenous foods. Lead agencies may also consider contracting with experts in their nations and communities who can contribute to the development of a curriculum or who can provide learning experiences for children in care.

Head Start

Head Start nutrition services play an important role towards achieving healthy outcomes for children. The Head Start Program Performance Standards (Performance Standards) prioritize nutrition services that are culturally and developmentally appropriate and meet each child's individual needs. The standards provide flexibility for Tribal programs to support food sovereignty and food security according to local needs. ~~QHS~~ provided guidance on [Affirming the Use of Indigenous Knowledge to Meet Curricula and Assessment Requirements in American Indian and Alaska Native Head Start Programs](#) that describes the ways in which Tribes can use Indigenous Knowledge to develop and implement curricula. As such, food sovereignty can be incorporated into program curricula and activities, staff development, and family engagement activities. Tribes may use Head Start funds to pay for activities and programs such as field trips and excursions to expose children to traditional methods of growing and procuring food, compensating knowledge bearers and elders to serve as experts, and creating gardens or procuring materials to create traditional foods.

All Head Start grant recipients and their delegate agencies are required to participate in ~~CACFP~~ (45 CFR §1304.23 (b)(1)(i)). Children enrolled in Head Start are automatically eligible for free meals and snacks, including free milk, offered through any of the CNP administered by FNS, without further application or eligibility determination, subject to submission of a Head Start statement of income eligibility or income eligibility documentation by Head Start officials [7 CFR §226.17(b)(8), 7 CFR 220.7(e)(14)(ii)(E), and 7 CFR 210.9(b)(19)(v)].

Due to the variety of sizes and structures of Head Start grant recipients, they may participate in ~~CACFP~~ in several ways. In the cases of AIAN Head Start grant recipients, the recipient or the Tribe receives ~~CACFP~~ funding from the State and each Tribe decides how they will manage the food program for Head Start.

Meals and snacks in Head Start are funded by the USDA FNS' CNP. However, additional Head Start funds may also be used to cover any costs that are not provided by the USDA program. Tribal Head Start programs can be reimbursed for up to two meals and one snack or two snacks and one meal per day through ~~CACFP~~. The amount of reimbursement an institution is eligible for depends on the number of meals and snacks served to children. All children enrolled in Head Start are reimbursed at the free rate. Head Start programs may not profit from ~~CACFP~~. Any reimbursement in excess of food program expenses must be used to maintain, expand, or improve the institution's nonprofit food service program. Meals and snacks paid for by ~~CACFP~~ may not be sent home with the child, as they must be consumed while the child

is at the Head Start facility. Head Start funds may be used to pay for food that is provided to families for consumption at home, if they have a specific programmatic purpose related to family engagement.

Tribal MIECHV

The Tribal MIECHV program provides holistic support for young children and pregnant and new parents. The program aims to improve the overall health of children and families, including health and nutrition. Grant recipients can use their funds to support gatherings and meetings with food included, including traditional foods. Based on the grant recipient's community needs assessment findings, some grant recipients may decide to seek out a model or enhance their program design with teaching around traditional food, budgeting, and nutrition, and this can be done through home visits and/or group connections. Grant recipients can partner with food distribution programs to support the families enrolled in the program in gaining access to food. If there is a specific programmatic purpose (such as connection to a lesson or group connection activity on nutrition), program funds may be used to pay for food that is provided to families for consumption at home. Grant recipients screen families for unmet needs and work with families to connect them to resources, including the Supplemental Nutrition Assistance Program (SNAP), the Supplemental Nutrition Program for Women, Infants, and Children (WIC), and other food access programs.

QUESTIONS: Please direct inquiries to the appropriate office:

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

/ Katie Hamm /

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Deputy Assistant Secretary
Early Childhood Development

/ Ruth Friedman /

Ruth J. Friedman
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Office of Head Start

Resources:

ACE Resources

- [ACE Hunger, Nutrition, and Health Resource Hub](#)
- [Freedom From Hunger Initiative | The Administration for Children and Families \(hhs.gov\)](#)

- [Tribal Food Security, Nutrition, and Physical Activity Resource Guide: Ending Hunger and Improving Physical Wellness](#)
 - This resource guide provides information on federal resources that can address food insecurity and advance food sovereignty in Tribal communities.

OHS Resources

- [Cook's Corner: Recipes for Healthy Snacks](#), while not specific to AIAN communities, has many recipes that could easily be used, especially the ones for vegetables.
- [CACFP Meal Services in Head Start Programs](#) is a collection of four short videos (clipped from the longer 2022 webinar) that cover meal patterns, accommodations, reimbursement, and positive eating environments.

Administration for Native Americans (ANA) Resources

- [ANA Native American Heritage Month 2023 featuring webinars on Indigenous food sovereignty](#)
- [Restoring Kinship Networks and Resiliency Through Indigenous Seed Sovereignty](#)
- [Ending Hunger and Improving Physical Wellness in Native Communities | The Administration for Children and Families \(hhs.gov\)](#)
 - This webpage features the Resource Guide, past ANA food sovereignty webinar, plenary session from ANA Conference, and ANA success stories.

Tribal Early Childhood Research Center (TRC) Resources

- [Learning Circle on Indigenous Food Sovereignty in Early Childhood: Wiba Anung](#)
Partnership between Michigan State University and the Inter-Tribal Council of Michigan to support Tribal early childhood education programs in Michigan. Watch the recording to learn about the team's efforts to develop health-focused curricular materials grounded in connections to Indigenous food practices for use in tribal home visiting and Head Start programs.
- [Learning Circle on the Keres Children's Learning Center \(New Mexico\)](#)
The [Keres Children's Learning Center](#) team is engaged in Indigenous food sovereignty work from early childhood through adolescence in their Keres language and cultural immersion Montessori program. Watch the recording to learn about their community, how they are working with the land to self-sustain what they plant, grow, and harvest and the connection of this work with child, family, and community health, development, and well-being.
- [Learning Circle with Wicoie Nandagikendan \(Minnesota\)](#)
The [Wicoie Nandagikendan Sacred Foods Program](#) in Minneapolis shared how they are growing food, engaging families, connecting with the broader community, and finding creative solutions to support a vibrant Indigenous food sovereignty movement in the city.

USDA Resources

USDA has issued guidance and information on serving traditional Indigenous foods in a CNP such as CACFP. USDA FNS understands the importance of serving traditional Indigenous foods and encourages all operators of CNPs to source locally grown and raised foods. FNS has a variety of resources to assist CNP operators in determining how traditional Indigenous foods may contribute toward a reimbursable meal. Guidance and information on [crediting traditional Indigenous foods in child nutrition programs can be found](#) on the [Serving Traditional Indigenous Food in Child Nutrition Programs webpage](#). USDA has also issued guidance and information on feeding infants and the infant meal pattern requirements in CACFP, including guidance on reimbursable infant meals that include breastmilk, breastmilk, and

breastfeeding onsite. For more information, see [CACFP 11-2023, Feeding Infants and Meal Pattern Requirements in the CACFP: Questions and Answers](#).

- [Nutrition Standards for CACFP Meals and Snacks](#)
- [Food Buying Guide for Child Nutrition Programs | Food and Nutrition Service](#)
- [Crediting Handbook for CACFP | Food and Nutrition Service](#)
- [Information on breastfeeding onsite can be found within this policy memo on meal pattern requirements.](#)
- [Child and Adult Care Food Program Contacts](#)
- [USDA Website – Serving Traditional Indigenous Foods in Child Nutrition Programs](#)
- [Procuring Local Meat, Poultry, Game and Eggs for Child Nutrition Programs | Food and Nutrition Service](#)
- [Crediting Traditional Indigenous Foods in Child Nutrition Programs | Food and Nutrition Service](#)
- [USDA Indigenous Food Sovereignty Initiative](#)

Historical Document

Procedures for Tribal CCDF Lead Agencies and American Indian Alaska Native (AIAN) Head Start Grant Recipients to Jointly Apply to Use CCDF and Head Start Funds for Construction or Major Renovation of Early Childhood Facilities

 headstart.gov/policy/pi/acf-ohs-pi-25-01

Procedures for Tribal CCDF Lead Agencies and American Indian Alaska Native (AIAN) Head Start Grant Recipients to Jointly Apply to Use CCDF and Head Start Funds for Construction or Major Renovation of Early Childhood Facilities ACF-OHS-PI-25-01

U.S. Department
of Health and Human Services

ACF
Administration for Children and Families

- 1. Log Number:** ACF-OHS-PI-25-01
- 2. Issuance Date:** 01/06/2025
- 3. Originating Office:** Office of Child Care; Office of Head Start
- 4. Key Words:** Child Care and Development Fund (CCDF); Head Start; Construction and Major Renovation Procedures for Indian Tribes, AIAN; American Indian and Alaska Native

Program Instruction

To: Tribal CCDF Lead Agencies administering child care programs under the Child Care and Development Block Grant (CCDBG) Act; all American Indian and Alaska Native Head Start Region XI grant recipients, including Head Start Preschool, Early Head Start, and Early Head Start-Child Care Partnerships; and other interested parties

Subject: Procedures for Tribal Child Care and Development Fund (CCDF) Lead Agencies and American Indian and Alaska Native (AIAN) Head Start Grant Recipients to Jointly Apply to Use CCDF and Head Start Funds for Construction or Major Renovation of Early Childhood Facilities

Related References:

Regulations applicable to facilities activities using Head Start funds are found primarily at: Facilities, 45 CFR §1303 Subpart E of the Performance Standards, ACF-IM-24-04, 45 CFR §1303.43.

Regulations applicable to facilities activities using CCDF funds are found primarily at: Section 658O(c)(6) of the CCDBG Act, 42 U.S.C. § 9858m(c)(6). 45 C.F.R. §§ 98.2, 98.83(g), 98.84, ACYF-PIQ-CC-99-01, and CCDF-ACF-PI-2023-01.

Background:

Both Tribal CCDF Lead Agencies and AIAN Head Start grant recipients may request to use their respective program funds for construction or major renovation of early childhood facilities. All Tribal CCDF Lead Agencies, including those with CCDF plans approved for integration in a Public Law (P.L.) 102-477 plan, must first request and receive approval from the Administration for Children and Families (ACF) Office of Child Care (OCC) before using CCDF funds for construction or major renovation. AIAN Head Start grant recipients may apply for one-time Head Start funding for early childhood facilities projects or use available base grant funds with approval from the Office of Head Start (OHS) Region XI Office. In recent months, a few AIAN Head Start grant recipients have integrated Head Start into a P.L. 102-477 Plan; further guidance for these recipients is forthcoming. This Program Instruction sets forth the uniform procedures for a combined facilities application process when Tribes would like to use both CCDF and Head Start funds for an early childhood facility construction or major renovation project.

Instruction:

Overview

ACF has received feedback from Tribal leaders and Tribal early childhood program administrators about the burdensome process for applying to carry out facilities projects using Head Start and CCDF funds, especially when Tribes wish to use funds from both programs for a project. In response, ACF developed a [Tribal Early Childhood Facilities Combined Application Guide](#) for Tribal CCDF and AIAN Start grant recipients to braid funds and jointly apply for the use of CCDF and Head Start funds to construct or renovate early childhood facilities.

The [Tribal Early Childhood Facilities Combined Application Guide](#) (combined facilities application) is designed to streamline the process for Tribal CCDF Lead Agencies and AIAN Head Start programs to submit joint applications to use federal CCDF and Head Start funds to construct or conduct major renovations of early care and education facilities in Tribal communities. Tribes should have a project defined prior to submitting an application. The following guidance outlines the required steps for an application, as outlined in the combined facilities application, and answers some basic questions about projects that would qualify to use the combined facilities application.

The procedures outlined in this guidance only apply to requests to use both CCDF and Head Start funds for construction or major renovation through a combined facilities application process. These procedures apply uniformly to both direct-funded and P.L. 102-477 CCDF recipients, except where any additional flexibilities for P.L. 102-477 Tribes are specifically noted. In recent months, a few AIAN Head Start grant recipients have integrated Head Start into a P.L. 102-477 plan, and applicability of these procedures to these recipients is still being determined; further guidance is forthcoming.

If a Tribe constructs or renovates more than one facility, it must seek ACC approval for *each* project, even if the projects use identical plans and specifications.

Eligible Construction or Major Renovation Projects

The construction or major renovation of a building, structure, or facility is considered an eligible project for this combined application if it meets the definitions of construction or major renovation for both CCDF and Head Start as outlined below (note: requirements for projects using modular units are described later in this document).

Construction: The act of building a facility that does not currently exist, excluding renovations, alterations, additions, or work of any kind to existing buildings.

Major Renovation: A proposed project qualifies as a major renovation eligible for a combined funding project if it meets the following criteria:

CCDF: Based on *both* the cost of renovations and the extent of alterations to the facility. Specifically, renovations that cost over \$350,000 for centers and \$50,000 for family child care homes are considered *major* renovation when they make significant changes to the structure, function, or purpose of the child care facility. These cost thresholds will be adjusted annually for inflation and published on the OCC website. Applicants should visit the [OCC website](#) to view the updated thresholds.

Head Start: Any individual or collective group of renovation activities related to the same facility that has a cost equal to or exceeding \$350,000 in Head Start funds. Renovation activities that are intended to occur concurrently or consecutively, or altogether address a specific part or feature of a facility, are considered a collective group of renovation activities. Unless included in a purchase application, minor renovations and repairs are excluded from major renovations. To maintain alignment with the National Defense Authorization Act (NDAA), the major renovation threshold will increase to account for any increases made to the simplified acquisition threshold beyond \$350,000. Tribes that jointly apply to use both Tribal Child Care and Development Fund (CCDF) and Head Start funds toward major renovations may comply with the CCDF threshold for major renovation if it is higher.

Applications using the Guide are *not* required for projects that meet the definition of Minor Renovation in CCDF and Head Start programs.

Minor Renovation:

CCDF: Renovations that cost less than \$350,000 for centers and \$50,000 for family child care are considered minor renovations. These cost thresholds will be adjusted annually for inflation and published on the Office of Child Care website. In addition, renovations that exceed these cost thresholds but do *not* make significant changes to the facility's structure, function, or purpose, *and* improve the health, safety and/or quality of child care services, are considered *minor*. Note: A Tribal Lead Agency does not need to submit a request or receive approval to spend CCDF funds on minor renovation.

Head Start: Improvements to facilities, which do not meet the definition of major renovation (above). Examples of minor renovations include, but are not limited to, upgrading playgrounds, renovating bathrooms, installing railing, ramps, or automatic doors to make the facility more accessible without any structural changes. Note: Head Start Grant Recipients do not need to submit a facilities application for minor renovations.

Combined Application Process

Initial Consultation with ACF

When considering a facilities project for construction or major renovation (as applicable and allowable) that would use both CCDF and Head Start funds, recipients should follow the process outlined in the Tribal Early Childhood Facilities Combined Application Guide, starting with an initial consult with their assigned Regional Program Specialists in both OHS and OCC, as well as the Office of Grants Management to make them aware that they intend to submit a combined facilities application and to ensure that the project is eligible for the combined facilities application. After the consultation call(s) is held, if the Tribe wishes to move forward with a combined facilities application, they would then request to set aside CCDF funds for construction and follow the procedures for Head Start detailed below.

Requesting Funds for Facilities Projects

Head Start

Head Start grant recipients may submit a written request for one-time funding for the above-described purposes or use available base grant funds with approval from the Regional Office. Head Start grant recipients may request to apply for one-time funding, or request to use base grant funds, to determine preliminary eligibility of a planned real property activity in advance of submitting a full facilities application. If approval is granted, recipients can use funds to develop their application, regardless of the outcome of the preliminary eligibility under 45 CFR §1303.42 and the application under 45 CFR §1303.44.

Note that OHS has limited funds available for one-time funding applications and may not be able to fund all requests for facilities activities. Requests for Head Start facilities funding will be subject to funding priorities established by OHS.

CCDF

Under the CCDF program, Tribal CCDF Lead Agencies may request to set aside funds from their discretionary and/or mandatory CCDF funding allocation to use for construction or major renovation, which may be used for new or ongoing construction or major renovation projects once approved. CCDF lead agencies may also use their CCDF funds set aside for construction or major renovation for planning costs in accordance with the uniform procedures established by the Tribal CCDF Program Instruction (CCDF-ACF-PI-2023-01) prior to receiving approval of a construction or major renovation project. *Funds cannot be expended for construction or major renovation costs until ACF approval is granted in accordance with the combined application guide.* Note that if funds are used for planning costs, and a subsequent application is not approved, the Tribe must repay those funds expended on planning costs using non-CCDF funds, in accordance with CCDF-ACF-PI-2023-01.

Once a Notice of Award is issued for the funds requested to be set aside for construction, the Tribe can begin to develop their application.

Note: Cost allocation requirements apply to the planning/pre-application phase, and Tribes must cost allocate appropriately for jointly-funded facilities projects, in alignment with Uniform Guidance, [45 CFR § 75](#).

Developing the Application

In the combined facilities application, available at <https://www.acf.gov/ecd/tribal-early-childhood-facilities>, Tribes will provide:

- Project Narrative

- Cost Estimates
- Supporting Documents
- Modular Unit Narrative, Cost Estimates, and Supporting Documents (*If applicable*)

Before applying, Tribes will work collaboratively with OHS and OCC to receive support in developing required application materials, as outlined in the combined facilities application. Technical assistance is available to support Tribes with the application requirements upon request. Once all required application materials are prepared, OCC and OHS will complete a coordinated review of the draft application. If revisions are necessary or application materials appear incomplete, ACF will continue to provide coordinated support and technical assistance to the Tribe. Tribes with CCDF plans approved for integration in a P.L. 102-477 plan must also coordinate their application submission and approval with the BIA. For information on coordination, please contact the BIA.

Submitting Real Property Standard Forms

The Real Property Standard Form (SF-429) is required for **all** facilities projects at the time of approval of the application, along with required attachments. These forms must be submitted through GrantSolutions.gov to complete the facilities application, and additional information can be found in the Guide. For assistance gaining access to Grant Solutions, reach out to the assigned OGM Specialists.

Required forms include:

- SF-429 Cover Page – The GrantSolutions system automatically requires the submission of the cover page with each attachment.
- SF-429-A General Reporting or No Property – must be submitted annually
- SF-429-B Request to Acquire, Improve, or Furnish – This form is required concurrent to submission of the facilities application. This form is required whenever a grant recipient is seeking ACF approval to use funds to engage in purchase, construction, or major renovation of facilities.

Submitting the Application

All applicable submission requirements outlined in the Tribal Facilities Combined Application Guide must be completed prior to submitting the application to ACF for approval. The application requirements align with both the current requirements for the Tribal CCDF Program Instruction (CCDF-ACF-PI-2023-01) related to requesting funds for construction or major renovation, and Head Start Program Performance Standards 45 CFR §1303.44 (a)(1). When the application is ready to be submitted, the Tribe will be required to submit their application in the Head Start Enterprise System (HSES). Technical assistance for gaining access to HSES and submitting the application is available at ohsfacilities@acf.hhs.gov.

Application Review

Upon submitting an application in HSES and the Real Property Reporting Forms (SF-429) in Grant Solutions, the formal review process is initiated. During the review process, OHS and OCC will reach out to the Tribe if revisions, additional or missing information, or clarification is needed. The application may be sent back to the Tribe to make revisions, and the Tribe would then resubmit the application in HSES.

Application Approval

Upon approval of the application in HSES, the Tribe will receive an approval notification from OCC and OHS, containing the following materials.

- An approval letter from ~~OCC~~.
- A Notice of Award from ~~OHS~~

Funds cannot be expended until ~~ACF~~ approval is granted through both ~~OHS~~ and ~~OCC~~.

Executing the Project

After the Tribe receives the approval materials, a joint funding approval notification meeting will be held with the Tribe, ~~OCC~~, and ~~OHS~~ to review the project execution timeline and communication expectations based on the approved application. The Tribe will continue to meet with ~~OCC~~ and ~~OHS~~ to share project status updates and receive technical assistance as needed.

Project Amendments

If a Tribe wishes to make any material changes in scope, nature, or project costs of a project once the original application is approved, the Tribe must work with ~~OHS~~ and ~~OCC~~ to submit and receive approval for an amended application that describes the changes and scope of work.

Project Completion

Upon completion of the facilities project, the documents below must be submitted by the Tribe.

- A description and specifications of the facility, including the details specified in section A of the Tribal Early Childhood Facilities Combined Application Guide.
- Certification of facility safety from licensed professional, as specified in Section C Document 4 in the Tribal Early Childhood Facilities Combined Application Guide.
- Estimate of facility's value, as specified in Section C Document 9 in the Tribal Early Childhood Facilities Combined Application Guide.
- ~~OHS~~ grant recipients should review the 1303 Post Approval Checklist which identifies 15 individual items to be submitted by the Tribe. The applicability of these items varies by project. ~~OHS~~ grant recipients should work with ~~OHS~~ to determine which documents apply to this project.
- Tribal ~~CCDF~~ Lead Agencies utilizing ~~CCDF~~ funds should refer to the Attachment E: Documents and Deadlines to be Submitted to the ~~OCC~~ Regional Office, to ensure all required components are submitted.

Additional Requirements for Modular Units

Modular Units are defined as a structure such as a trailer (usually prefabricated) made at another location and moved to a site (and permanently affixed to the land) for use by a recipient of an ~~ACF~~ program. If applicants are proposing a modular unit, they must respond to all applicable application requirements in the Narrative, Cost Estimate, and Supporting Documents sections of the Tribal Facilities Application guide, as well as the requirements outlined in Appendix 1-Section D of the Tribal Facilities Application Guide, the requirements in [ACF-IM-HS-20-02: Head Start Modular Units](#) and requirements outlined in ~~CCDF~~-ACF-PI-2023-01.

Note

Please note that future Program Instructions may replace or supersede this Program Instruction. Please contact your ~~OCC~~ and ~~OHS~~ Program Specialists to ensure you have the most recent Program Instruction.

Questions

Please direct inquiries to the appropriate office:

- Contact the Regional Program Manager in the appropriate OCC Regional Office. Contact information for OCC regions can be found at <https://www.acf.gov/occ/resource/regional-child-care-program-managers>.
- Contact the OHS Region XI Program Office with any questions.

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Ruth J. Friedman
Director
Office of Child Care

/ Khari M. Garvin /

Khari M. Garvin
Director
Office of Head Start

See PDF Version of Program Instruction:

[Procedures for Tribal CCDF Lead Agencies and AIAN Head Start Grant Recipients to Jointly Apply to Use Funds for Facilities](#) (214.97 KB)

Historical Document