

SUPPORTING STATEMENT

Head Start Program Performance Standards - OMB 0970-0148

A. Justification

1. Circumstances Making the Collection of Information Necessary

The Head Start program is authorized under the Head Start Act (the Act), as amended (42 U.S.C. 9801 et seq.). The Act outlines the intent of Congress for the program; types of services offered; population served; and reporting, evaluation, and administrative requirements.

Head Start Program Performance Standards (HSPPS) are the result of the legislative mandate to administer a high quality comprehensive child development program that serves low-income pregnant women, infants and toddlers, preschoolers and their families. HSPPS are the foundation for Head Start's mission to deliver these services. The first set of the HSPPS were published in the 1970s. Since then, they have been revised periodically, most recently in 1998. The HSPPS outline the mandatory regulations that grantees and delegate agencies must implement to operate a Head Start or Early Head Start program. The HSPPS define the objectives and features of a quality program and provide a structure for monitoring and enforcing quality standards.

In the Improving Head Start for School Readiness Act of 2007, Congress directed HHS to develop "scientifically based and developmentally appropriate education performance standards related to school readiness." Congress also instructed that the update "ensure that any such revisions in the standards do not result in the elimination of or any reduction in quality, scope, or types of health, educational, parental involvement, nutritional, social, or other services."

The Administration for Children and Families (ACF) issued a Notice of Proposed Rule Making in June of 2015. ACF received over 1,000 overarching comments or comments related to specific sections of the proposed rule; no comments were directed to the Paperwork Reduction Act (PRA) section. The new program HSPPS incorporate key feedback and set a high bar for Head Start quality. The collection of information contained in this OMB Clearance Package encompasses the new HSPPS.

The information collection aspects of the HSPPS are a part of the many actions that local agencies must take to ensure they administer quality programs for Head Start children and families. **It is important to note that the information collection items included in the HSPPS are entirely recordkeeping requirements for local Head Start programs without any standardized instruments or instructions**; these records are intended to act as a tool for grantees and delegate agencies to be used in their day-to-day operations. The recordkeeping requirements are not collected through standard instruments to provide utmost flexibility for local programs. Although almost all of these records must not be forwarded to the Federal government, overall compliance with the HSPPS is measured through monitoring which may include recordkeeping aspects.

Prior HSPPS Information Collections

The OMB approved collections that required information collections from the prior HSPPS aligned with 45 CFR Part 1301, 1304, and 1309, specifically:

- 45 C.F.R. 1301 describes the requirements for grantee agencies on audits, accounting systems certifications and other provisions applicable to personnel management. *(See OMB control number: 0970-0423)*
- 45 C.F.R. 1304 describes the requirements for Early Childhood Development and Health Services, Family and Community Partnerships and Program Design and Management. *(See OMB control number: 0970-0148)*
- 45 C.F.R. 1309 describes the requirements when applying for a Head Start grant in conformance with the Act. It also specifies the measures which must be taken to protect the Federal interest in facilities purchased with grant funds. *(See OMB control number: 0970-0193)*

Please note that the sample form for eligibility in Sec. 1302.12 will continue to be covered by OMB control number 0970-0374. The burden hours for this requirement are displayed in the burden table.

Restructuring of the new HSPPS Information Collections

Many of the requirements are restructured and reorganized to make them easier to understand and implement. The new HSPPS have five clearly defined sections. **To align with this restructuring of the HSPPS, we are combining the three prior OMB approved collections.**

Although a few prior information collections are no longer required, the following collections are considered new information collections in this OMB Clearance Package:

- **(Completely New)** Sec. 1303.20-24, we require information collections related to the protection for the privacy of child records. Programs must collect parental written consent before disclosing personally identifiable information from child records, must provide an annual notice that notify parents of their rights described in §1303.20 through 1303.24, applicable definitions in 1305, and a description of PII that may be disclosed without parental consent, and programs must maintain, with each child's record, a list of all individuals, agencies, or organizations that have requested or obtained access to PII from child records and their expressed interests.
- Sec. 1302.33, in paragraph (c)(2), we have a new requirement to codify best practice in assessing dual language learners. Specifically, we require programs to assess dual language learners in the language or languages that best capture their skill level that in some cases requires programs to administer language assessments to dual language learners in both their home language and English, utilizing an interpreter as needed. This proposal reflects best practice already used by many Head Start programs and research that demonstrates that children who are dual language learners have different learning experiences across their two languages.

- Sec. 1302.90, we strengthen background check procedures. The new standards require programs to conduct state, local, or tribal, and federal criminal background checks on prospective and current employees, and clear them through available child abuse and neglect and sex offender registries every five years, consistent with new requirements in the federally-supported child care subsidy system. Aligning this requirement with child care will minimize burden on programs that operate with both Head Start and Child Care Development Funds.

2. Purpose and Use of the Information Collection

The goal of the HSPPS is to ensure that all children and families enrolled in Head Start are offered high quality services that are responsive to their needs as congressionally mandated. The information collection requirements are designed to support this goal.

Local program staff will use the required information collections (i.e. recordkeeping) to support and improve the day-to-day operation and management of their programs in order to assure quality. Federal staff or federal contractors in their role as program monitors will use the information to assure compliance and promote quality through the provision of training and technical assistance.

3. Use of Improved Information Technology and Burden Reduction

Head Start encourages grantees to acquire electronic recordkeeping systems and allows for the expenditure of grant funds to meet the acquisition costs of automated recordkeeping systems.

4. Efforts to Identify Duplication and Use of Similar Information

In complying with those regulations that require information collection, agencies are specifically directed to use and build upon existing information, whenever it exists. It is the intent of these regulations that duplicity of efforts be avoided, and that information collection occurs only when information is not available from another source.

5. Impact on Small Businesses or Other Small Entities

Not applicable, large numbers of small business and small entities are not impacted.

6. Consequences of Collecting the Information Less Frequently

The HSPPS provide a regulatory structure for the monitoring and enforcement of these standards for over 2,800 programs operated by community-based organizations nationwide. Without appropriate collection of the information required by the standards, a comprehensive assessment of quality services and consequently compliance with regulations could not be assured.

7. Special Circumstances Relating to the Guidelines of 5 CFR 1320.5

Not applicable. None of the circumstances described apply in the collection of this information.

8. Comments in Response to the Federal Register Notice and Efforts to Consult Outside the Agency

Efforts to Consult Outside the Agency

During the development of the proposed HSPPS in the NPRM, we sought extensive input to develop the NPRM. Beginning in 2008 and continuing through 2014, we convened consultations, listening sessions, and focus groups that involved child development experts, subject matter experts, early childhood education program administrators, representatives from Indian tribes, Head Start staff, parents, and other constituent groups. We heard from tribal leaders in our annual tribal consultations. We consulted with national organizations and agencies with particular expertise and longstanding interests in early childhood education. In addition, we analyzed the types of technical assistance requested by and provided to Head Start agencies and programs. We reviewed findings from monitoring reports and gathered information from programs and families about the circumstances of those populations served by Head Start programs. We considered advances in research-based practices with respect to early childhood education and development, and the projected needs of expanding Head Start services. We also drew upon the expertise of federal agencies and staffs responsible for related programs in order to obtain advice on how to promote quality across all Head Start settings and program options. We reviewed the study on developmental outcomes and assessments for young children by the National Academy of Sciences. We also reviewed the standards and performance criteria established by state Quality Rating and Improvement Systems, national organizations, and policy experts in early childhood development, health, safety, maternal health, and related fields. **For a full detailed description of the revisions to the performance standards associated with the recordkeeping requirements from this multi-year process, please see the corresponding rulemaking documents in the federal register.**

Comments from Rulemaking Process

ACF received over 1,000 overarching public comments or public comments related to specific sections in the NPRM; no public comments were directed to the Paperwork Reduction Act (PRA) section.

The new program HSPPS incorporate key feedback throughout the revision process.

9. Explanation of Any Payment or Gift to Respondents

Not applicable.

10. Assurance of Confidentiality Provided to Respondents

Not applicable.

11. Justification for Sensitive Questions

Not applicable.

12. Estimates of Annualized Burden Hours and Costs

Annualized Burden Hours

The burden hour chart in the next page estimates an annual burden of 3,240,283 hours. Please note that the total annual burden includes currently approved information collections from the existing HSPPS. This estimate is based on FY'14 information regarding the number of children and families served and the section numbers are based on the NPRM structure. For some items, burden hours are calculated for individual children and families, for others the burden hours are calculated for grantee and delegate agencies. The Burden Hours table on the next page and corresponding item by item narrative that follows the table indicate the basis for each calculation.

Depending on the standard, the calculated burden hours is based on the individual enrollee (1,061,620), family (988,923), program (2,850), or staff (238,529). In a few cases, only a proportion of one these may only apply. For example, we estimate only 10% of staff (23,853) would receive an initial health examination per year to calculate the total burden hours.

The new HSPPS include three new information collections. **The total burden for the three new collections as estimated is 1,019,473 hours.**

Burden Hours for HSPPS

Standard	Hours	Occurrences	Hours Burden
Part 1301 – Program Governance			
1301.6(a) Establish written impasse procedures for resolving internal disputes	0.70	2,850	1,995
SUBTOTAL			1,995
Part 1302 – Program Operations			
Subpart A – ERSEA			
1302.12(k) Documenting eligibility	.166 (10 min.)	1,061,620	176,937
1302.14(c) Maintain a waiting list	2.00	2,850	5,700
1302.16(b) Manage systematic program attendance issues	5.00	2,850	14,250
SUBTOTAL			196,887
Subpart C – Education and Child Development Program Services			
1302.33(a) and (b) Obtain child developmental screenings and conduct standardized and structured assessment for individualizations	1.00	1,061,620	1,061,620
1302.33(c)(2) Dual Language Learners Assessment**	2.00	332,651	665,302
SUBTOTAL			1,726,922
Subpart D – Health Program Services			
1302.42(a) and (b) Obtain determinations of child health status, source of health care, and identify each child's nutritional health needs	0.66 (40 min.)	1,061,620	707,747
1302.42(e) Documents lack of available funds for assessment and treatment	0.50	2,850	1,425
1302.47(b)(7)(iv) Maintaining records on the administration of medication	0.50	2,850	1,425
SUBTOTAL			710,597
Subpart E – Family and Community Engagement Program Services			
1302.53 (b) & (d) Joint agreements, procedures, or contracts with community organizations and memorandum of understanding with	0.166 (10 min.)	2,850	475

the appropriate local entity responsible for managing publicly funded preschool programs in the service area of the program			
SUBTOTAL			475
Subpart I – Human Resources Management			
1302.90(a) Written personnel policies for staff	0.50	2,850	1,425
1302.90(b)(1)(i)-(iv),(b)(4) Criminal record checks**	0.33 (20 min.)	73,591	24,530
1302.93(a) Ensure all staff has an initial health examination and periodic re-examination	0.25	23,853	5,963
1302.94(a) Regular volunteer screening for tuberculosis	0.166 (10 min.)	2,850	475
SUBTOTAL			32,393
Subpart J – Program Management and Quality Improvement			
1302.101(a)(4) Maintain automated accounting and record keeping system	79.00	2,850	225,150
1302.102(b)-(c) Collect and use data to monitor program performance and continuous improvement, and conduct a self-assessment and community assessment			
1302.102(d)(3) If deficient, EHS or HS program submits Quality Improvement Plan	10.00	100	1,000
SUBTOTAL			226,150
Subpart 1303 – Financial and Administrative Requirements			
1303.12 Submit proof of coverage	0.166 (10 min.)	2,850	475
1303.22-24 Parental Consent, Annual Notice, and Recordkeeping of PII Disclosure** (completely new)	0.33 (20 min.)	988,923	329,641
1303.42-53 Applications for the purchase, construction or renovation of facilities; record retention and submission of documents on facilities	40.00	225	9,000
1303.70(c) Waiver request	1	25	48
1303.72(a)(3) Up-to-date child rosters and lists of adults each child is authorized to be released to are maintained.	2	2,850	5,700
SUBTOTAL			344,864
TOTAL			3,240,283
			1,019,473
**Total for New Collections			
Total for Existing Collections			2,220,810

Annualized Burden Cost

To calculate the cost specific to the recordkeeping requirements for this item of the OMB Clearance Package, we averaged the hourly wage for a teacher and an assistant teacher (\$15.35) as a proxy for the wage associated with the recordkeeping burden hours. We multiply the total number of burden hours by this wage to estimate an annualized burden cost of \$49,738,344.

The annualized burden cost for new recordkeeping requirements is \$15,648,911.

For a comprehensive analysis of the complete and itemized costs associated with the regulatory changes, please see the regulatory impact analysis section in the new HSPPS.

13. Estimates of Other Total Annual Cost Burden to Respondents and Record Keepers

Not applicable. Monetary costs associated with information collection requirements for Head Start are the salaries of the staff performing the duties. Costs are assumed by the Federal Government through the provision of program operating costs.

14. Annualized Cost to the Federal Government

Not applicable.

15. Explanation for Program Changes or Adjustments

Combined three prior OMB approved information collections. We increased prior information collections that remain due to an increase in the number of responses (e.g. increase in funded programs and enrollment). The burden hours from collections no longer required are removed.

16. Plans for Tabulation and Publication and Project Time Schedule

Not applicable. There are no plans for publication or tabulation.

17. Reason(s) Display of OMB Expiration Date is Inappropriate

OMB expiration date should not be displayed since there is no single standard form related to this OMB Clearance Package. Due to the comprehensive nature of this OMB Clearance Package, displaying an expiration date on any viewable format of the HSPPS for the public would be inappropriate.

18. Exceptions to Certification for Paperwork Reduction Act Submissions

Not applicable.

B. Statistical Methods(used for collection of information employing statistical methods)

No Statistical Methods of Analysis are conducted.

1. Respondent Universe and Sampling Methods

Not applicable.

2. Procedures for the Collection of Information

Not applicable.

3. Methods to Maximize Response Rates and Deal with Nonresponse

Not applicable.

4. Test of Procedures or Methods to be Undertaken

Not applicable.

5. Individuals Consulted on Statistical Aspects and Individuals Collecting and/or Analyzing Data

Not applicable.