

## **1302- Program Operations**

### **Subpart A – Eligibility, Recruitment, Selection, Enrollment and Attendance**

#### **Head Start Performance Standard**

#### **§1302.11 Determining community strengths, needs, and resources**

##### **(a) Service area.**

(1) A program must propose a service area in the grant application and define the area by county or sub-county area, such as a municipality, town or census tract or jurisdiction of a federally recognized Indian reservation.

(i) A tribal program may propose a service area that includes areas where members of Indian tribes or those eligible for such membership reside, including but not limited to Indian reservation land, areas designated as near- reservation by the Bureau of Indian Affairs (BIA) provided that the service area is approved by the tribe's governing council, Alaska Native Villages, Alaska Native Regional Corporations with land-based authorities, Oklahoma Tribal Statistical Areas, and Tribal Designated Statistical Areas where federally recognized Indian tribes do not have a federally established reservation.

(ii) If the tribe's service area includes any area specified in paragraph (a)(1)(i) of this section, and that area is also served by another program, the tribe may serve children from families who are members of or eligible to be members of such tribe and who reside in such areas as well as children from families who are not members of the

tribe, but who reside within the tribe's established service area.

(2) If a program decides to change the service area after ACF has approved its grant application, the program must submit to ACF a new service area proposal for approval.

(b) Community-wide strategic planning and needs assessment (community assessment).

(1) To design a program that meets community needs, and builds on strengths and resources, a program must conduct a community assessment at least once over the five-year grant period. The community assessment must use data that describes community strengths, needs, and resources and include, at a minimum:

(i) The number of eligible infants, toddlers, preschool age children, and expectant mothers, including their geographic location, race, ethnicity, and languages they speak, including:

(A) Children experiencing homelessness in collaboration with, to the extent possible, McKinney-Vento Local Education Agency Liaisons (42 U.S.C. 11432 (6)(A))<sup>11</sup>;

(B) Children in foster care; and

(C) Children with disabilities, including types of disabilities and relevant services and resources provided to these children by community agencies;

(ii) The education, health, nutrition and social service needs of eligible children and their families, including

prevalent social or economic factors that impact their well-being;

(iii) Typical work, school, and training schedules of parents with eligible children;

(iv) Other child development, child care centers, and family child care programs that serve eligible children, including home visiting, publicly funded state and local pre- schools, and the approximate number of eligible children served;

(v) Resources that are available in the community to address the needs of eligible children and their families; and,

(vi) Strengths of the community.

(2) A program must annually review and update the community assessment to reflect any significant changes including increased availability of publicly-funded pre-kindergarten (including an assessment of how the pre-kindergarten available in the community meets the needs of the parents and children served by the program, and whether it is offered for a full school day), rates of family and child homelessness, and significant shifts in community demographics and resources.

(3) A program must consider whether the characteristics of the community allow it to include children from diverse economic backgrounds that would be supported by other funding sources, including private pay, in addition to the program's eligible funded enrollment. A program must not enroll children from diverse economic backgrounds if it would result in a program serving less than its eligible funded enrollment.

## **Plan of Action**

As determined by the community assessment, the Terrell ISD Head Start program is able to serve 149 children within Kaufman County who live within the boundaries of the Terrell Independent School District. A complete community assessment is conducted once every five years with an annual update that includes the collection and analysis of data that describes community strengths, needs and resources that include, but not limited to, services for homeless, foster and children with disabilities. The community assessment also provides analysis for educational, health, nutritional, and social services needs for children and their families. There is an analysis of work, school, and training schedules for parents with eligible children, before and after school childcare needs, while also noting resources and strengths of the community.

## **Monitoring Plan**

Community assessment, Head Start grant

## **Persons Responsible**

HS Director, Health & Family Services Manager, Family Service Staff

## **Timeline**

March/Ongoing

## **§1302.12 Determining, verifying, and documenting eligibility.**

### (a) Process overview.

1. Program staff must:

- (i) Conduct an in-person interview with each family, unless paragraph (a)(2) of this section applies;
- (ii) Verify information as required in paragraphs (h) and (i) of this section; and,
- (iii) Create an eligibility determination record for enrolled participants according to paragraph (k) of this section.

2. Program staff may interview the family over the telephone if an in-person interview is not possible or convenient for the family.

3. If a program has an alternate method to reasonably determine eligibility based on its community assessment, geographic and administrative data, or from other reliable data sources, it may petition the responsible HHS official to waive requirements in paragraphs (a)(1)(i) and (ii) of this section.

### (b) Age requirements.

(1) For Early Head Start, except when the child is transitioning to Head Start, a child must be an infant or a toddler younger than three years old.

(2) For Head Start, a child must:

- (i) Be at least three years old or, turn three years old by the date used to determine eligibility for public school in the community in which the Head Start program is located; and,
- (ii) Be no older than the age required to attend school.

(3) For Migrant or Seasonal Head Start, a child must be younger than compulsory school age by the date used to determine public school eligibility for the community in which the program is located.

(c) Eligibility requirements.

(1) A pregnant woman or a child is eligible if:

- (i) The family's income is equal to or below the poverty line; or,
- (ii) The family is eligible for or, in the absence of child care, would be potentially eligible for public assistance; including TANF child-only payments; or,
- (iii) The child is homeless, as defined in part 1305; or,
- (iv) The child is in foster care.

(2) If the family does not meet a criterion under paragraph (c)(1) of this section, a program may enroll a child who would benefit from services, provided that these participants only make up to 10 percent of a program's enrollment in accordance with paragraph (d) of this section.

(d) Additional allowances for programs.

(1) A program may enroll an additional 35 percent of participants whose families do not meet a criterion described in paragraph (c) of this section and whose incomes are below 130 percent of the poverty line, if the program:

- (i) Establishes and implements outreach, and enrollment policies and procedures to ensure it is meeting the needs of eligible pregnant women, children, and children with disabilities, before serving pregnant women or children who do not meet the criteria in paragraph (c) of this section; and,
- (ii) Establishes criteria that ensure pregnant women and children eligible under the criteria listed in paragraph (c) of this section are served first.

(2) If a program chooses to enroll participants who do not meet a criterion in paragraph (c) of this section, and whose family incomes are between 100 and 130 percent of the poverty line, it must be able to report to the Head Start regional program office:

- (i) How it is meeting the needs of low-income families or families potentially eligible for public assistance, homeless children, and children in foster care, and include local demographic data on these populations;
- (ii) Outreach and enrollment policies and procedures that ensure it is meeting the needs of eligible children or pregnant women, before serving over-income children or pregnant women;
- (iii) Efforts, including outreach, to be fully enrolled with eligible pregnant women or children;

- (iv) Policies, procedures, and selection criteria it uses to serve eligible children; Its current enrollment and its enrollment for the previous year;
- (v) The number of pregnant women and children served, disaggregated by the eligibility criteria in paragraphs (c) and (d)(1) of this section; and,
- (vi) The eligibility criteria category of each child on the program's waiting list.

(e) Additional allowances for Indian tribes.

(1) Notwithstanding paragraph (c)(2) of this section, a tribal program may fill more than 10 percent of its enrollment with participants who are not eligible under the criteria in paragraph (c) of this section, if:

- (i) The tribal program has served all eligible pregnant women or children who wish to be enrolled from Indian and non-Indian families living within the approved service area of the tribal agency;
- (ii) The tribe has resources within its grant, without using additional funds from HHS intended to expand Early Head Start or Head Start services, to enroll pregnant women or children whose family incomes exceed low-income guidelines or who are not otherwise eligible; and,
- (iii) At least 51 percent of the program's participants meet an eligibility criterion under paragraph (c)(1) of this section.

(2) If another program does not serve the approved service area, the program must serve all eligible Indian and non-Indian

pregnant women or children who wish to enroll before serving over-income pregnant women or children.

(3) A program that meets the conditions of this paragraph (e) must annually set criteria that are approved by the policy council and the tribal council for selecting over-income pregnant women or children who would benefit from program services.

(4) An Indian tribe or tribes that operates both an Early Head Start program and a Head Start program may, at its discretion, at any time during the grant period involved, reallocate funds between the Early Head Start program and the Head Start program in order to address fluctuations in client populations, including pregnant women and children from birth to compulsory school age. The reallocation of such funds between programs by an Indian tribe or tribes during a year may not serve as a basis for any reduction of the base grant for either program in succeeding years.

(f) Migrant or Seasonal eligibility requirements. A child is eligible for Migrant or Seasonal Head Start, if the family meets an eligibility criterion in paragraphs (c) and (d) of this section; and the family's income comes primarily from agricultural work.

(g) Eligibility requirements for communities with 1,000 or fewer individuals.

(1) A program may establish its own criteria for eligibility provided that it meets the criteria outlined in section 645(a)(2)<sup>12</sup> of the Act.

(2) No child residing in such community whose family is eligible under criteria described in paragraphs (c) through (f) of this section may be denied an opportunity to participate in the program under the eligibility criteria established under this paragraph (g).

(h) Verifying age. Program staff must verify a child's age according to program policies and procedures. A program's policies and procedures cannot require families to provide documents that confirm a child's age, if doing so creates a barrier for the family to enroll the child.

(i) Verifying eligibility

(1) To verify eligibility based on income, program staff must use tax forms, pay stubs, or other proof of income to determine the family income for the relevant time period.

(i) If the family cannot provide tax forms, pay stubs, or other proof of income for the relevant time period, program staff may accept written statements from employers, including individuals who are self-employed, for the relevant time period and use information provided to calculate total annual income with appropriate multipliers.

(ii) If the family reports no income for the relevant time period, a program may accept the family's signed declaration to that effect, if program staff describes efforts made to verify the family's income, and explains how the family's total income was calculated or seeks information from third parties about the family's eligibility,

if the family gives written consent. If a family gives consent to contact third parties, program staff must adhere to program safety and privacy policies and procedures and ensure the eligibility determination adheres to paragraph (k)(2) of this section.

(iii) If the family can demonstrate a significant change in income for the relevant time period, program staff may consider current income circumstances.

(2) To verify whether a family is eligible for, or in the absence of child care, would be potentially eligible for public assistance, the program must have documentation from either the state, local, or tribal public assistance agency that shows the family either receives public assistance or that shows the family is potentially eligible to receive public assistance.

(3) To verify whether a family is homeless, a program may accept a written statement from a homeless services provider, school personnel, or other service agency attesting that the child is homeless or any other documentation that indicates homelessness, including documentation from a public or private agency, a declaration, information gathered on enrollment or application forms, or notes from an interview with staff to establish the child is homeless; or any other document that establishes homelessness.

(i) If a family can provide one of the documents described in this paragraph (i)(3), program staff must describe efforts made to verify the accuracy of the information provided and state whether the family is eligible because they are homeless.

(ii) If a family cannot provide one of the documents described in this paragraph (i)(3) to prove the child is homeless, a program may accept the family's signed declaration to that effect, if, in a written statement, program staff describe the child's living situation that meets the definition of homeless in part 1305 of this chapter.

(iii) Program staff may seek information from third parties who have firsthand knowledge about a family's living situation, if the family gives written consent. If the family gives consent to contact third parties, program staff must adhere to program privacy policies and procedures and ensure the eligibility determination record adheres to paragraph (k) of this section.

(4) To verify whether a child is in foster care, program staff must accept either a court order or other legal or government-issued document, a written statement from a government child welfare official that demonstrates the child is in foster care, or proof of a foster care payment.

(i) Eligibility duration.

(1) If a child is determined eligible under this section and is participating in a Head Start program, he or she will remain eligible through the end of the succeeding program year except that the Head Start program may choose not to enroll a child when there are compelling reasons for the child not to remain in Head Start, such as when there is a change in the child's family income and there is a child with a greater need for Head Start services.

(2) Children who are enrolled in a program receiving funds under the authority of section 645A<sup>13</sup> of the Act remain eligible while they participate in the program.

(3) If a child moves from an Early Head Start program to a Head Start program, program staff must verify the family's eligibility again.

(4) If a program operates both an Early Head Start and a Head Start program, and the parents wish to enroll their child who has been enrolled in the program's Early Head Start, the program must ensure, whenever possible, the child receives Head Start services until enrolled in school, provided the child is eligible.

(k)Records.

(1) A program must keep eligibility determination records for each participant and ongoing records of the eligibility training for staff required by paragraph (m) of this section. A program may keep these records electronically.

(2) Each eligibility determination record must include:

(i) Copies of any documents or statements, including declarations, that are deemed necessary to verify eligibility under paragraphs (h) and (i) of this section;

(ii) A statement that program staff has made reasonable efforts to verify information by:

(A) Conducting either an in-person, or a telephone interview with the family as described under paragraph (a)(1)(i) or (a)(2) of this section; and,

(B) Describing efforts made to verify eligibility, as required under paragraphs (h) through (i) of this section; and, collecting documents required for third

party verification that includes the family's written consent to contact each third party, the third parties' names, titles, and affiliations, and information from third parties regarding the family's eligibility.

(iii) A statement that identifies whether:

(A) The family's income is below income guidelines for its size, and lists the family's size;

(B) The family is eligible for or, in the absence of child care, potentially eligible for public assistance;

(C) The child is a homeless child or the child is in foster care;

(D) The family was determined to be eligible under the criterion in paragraph (c)(2) of this section; or,

(E) The family was determined to be eligible under the criterion in paragraph (d)(1) of this section.

(3) A program must keep eligibility determination records for those currently enrolled, as long as they are enrolled, and, for one year after they have either stopped receiving services; or are no longer enrolled.

(l) Program policies and procedures on violating eligibility determination regulations. A program must establish written policies and procedures that describe all actions taken against staff who intentionally violate federal and program eligibility determination regulations and who enroll pregnant women and children that are not eligible to receive Early Head Start or Head Start services.

(m) Training on eligibility.

(1) A program must train all governing body, policy council, management, and staff who determine eligibility on applicable federal regulations and program policies and procedures.

Training must, at a minimum:

- (i) Include methods on how to collect complete and accurate eligibility information from families and third party sources;

- (ii) Incorporate strategies for treating families with dignity and respect and for dealing with possible issues of domestic violence, stigma, and privacy; and,

- (iii) Explain program policies and procedures that describe actions taken against staff, families, or participants who attempt to provide or intentionally provide false information.

(2) A program must train management and staff members who make eligibility determinations within 90 days of hiring new staff.

(3) A program must train all governing body and policy council members within 180 days of the beginning of the term of a new governing body or policy council.

(4) A program must develop policies on how often training will be provided after the initial training.

### **Plan of Action**

To determine, verify and document a family's eligibility for the Head Start program, the family services staff members will interview each family in person unless there is family need that the in-person

interview cannot be conducted, then a phone interview will be conducted to determine eligibility for the family. A child who is at least three years old on or before September 1<sup>st</sup> will be enrolled in the Head Start program of the school calendar year. Copies of each child's certified birth certificate will verify age. Children who turn three years old on or before September 1<sup>st</sup> and have a disability can be enrolled and will attend the Early Childhood Special Education (ECSE) classroom until transitioned into the appropriate preschool program.

Children will receive priority points depending on their individual situation and regarding their age group as they enter the Head Start program.

At least 90% of children enrolled by the Head Start program will be selected from low-income, foster or homeless families as defined by the McKinney-Vento Act. Ten percent of the total enrollment will be children with a diagnosed disability.

Children whose applications fall within the 130% of the poverty line may be placed in the Head Start program if the capacity for eligible children is not met and all outreach efforts have been exhausted.

The Head Start program will accept any of the following documents as proof of homelessness, foster care, or income for determining the eligibility (see income guidelines) for enrollment in the Head Start program: individual income tax Form 1040 from the previous year, the previous year's W-2 tax form, zero income statements, most recent pay stub from the place of employment for all family members (see Head Start definition of family) , written statements from employer (signed and dated), or specific Public

Assistance/DFPS documents. Staff may contact a third party person to verify income information with the family's consent.

Once a child is enrolled in the Head Start program he/she will be allowed to remain in the program until kindergarten, unless an extenuating reason arises for the child to leave the program.

All applications received for enrollment will state which documents were used to verify eligibility and will be signed by a Head Start staff member.

Head Start staff that knowingly violate any eligibility determination regulations will be handled according to TISD policy.

The Head Start Executive Director and Director receive required training so that all compliance procedures are followed. The information and training is shared with the governing body. Yearly training will be completed after the initial training with all Head Start Family Services staff and any other eligible staff that may determine a family's eligibility for participation in the Head Start program.

### **Monitoring Plan**

Child Plus reports, priority screening instrument, training sign-in sheets, and student's folders

### **Persons Responsible**

HS Director, Health & Family Services Manager, Family Services Staff

### **Timeline**

March/Ongoing

### **§1302.13 Recruitment of children.**

In order to reach those most in need of services, a program must develop and implement a recruitment process designed to actively inform all families with eligible children within the recruitment area of the availability of program services, and encourage and assist them in applying for admission to the program. A program must include specific efforts to actively locate and recruit children with disabilities and other vulnerable children, including homeless children and children in foster care.

#### **Plan of Action**

To ensure that the public is aware of the opportunities for enrollment in the Head Start program, the family services staff will publicize the program in the following ways:

- Send flyers to homes throughout the county with all local elementary school children;
- Social Media promotions.
- Yard Signs
- Community Events (ie Terrell Jubilee, Christmas Parade)
- Advertise through Kaufman County public relations/TISD public relations in Spanish and English;
- Distribute fliers in the Kaufman County Head Start service delivery area, public assistance offices, and low-income apartment complexes;
- Contact agencies and distribute fliers to families that have children with disabilities.

The Head Start Family Services staff and office staff will assist families with completing the enrollment application or any other necessary paperwork for enrollment. A translator will be available to families whose primary language is not English. The Head Start program will obtain more applications for enrollment than slots available to ensure full enrollment is met as allocated in the ACF grant award. These slots will be made available to the families with the greatest need for services. Families that are over income or who are not selected in the top 149 eligible families will be offered enrollment in the state-funded Pre-Kindergarten program.

The W.H. Burnett Elementary campus has 10 full-day preschool classrooms funded through state and local funding.

### **Monitoring Plan**

Child Plus reports, recruitment fliers, and Children's Folders

### **Persons Responsible**

HS Director, Health & Family Services Manager, Family Services staff

### **Timeline**

March/Ongoing

#### **§1302.14 Selection process.**

(a) Selection criteria.

(1) A program must annually establish selection criteria that weigh the prioritization of selection of participants, based on community needs identified in the community needs assessment as described in § 1302.11 (b), and including family income, whether the child is homeless, whether the child is in foster care, the child's age, whether the child is eligible for special education and related services, or early intervention services, as appropriate, as determined under the Individuals with Disabilities Education Act (IDEA) (20 U.S.C. 1400 et seq.)<sup>19</sup> and, other relevant family or child risk factors.

(2) If a program serves migrant or seasonal families, it must select participants according to criteria in paragraph (a)(1) of this section, and give priority to children whose families can demonstrate they have relocated frequently within the past two-years to pursue agricultural work.

(3) If a program operates in a service area where Head Start eligible children can enroll in high quality publicly funded pre-kindergarten for a full school day, the program must prioritize younger children as part of the selection criteria in paragraph (a)(1) of this section. If this priority would disrupt partnerships with local education agencies, then it is not required. An American Indian and Alaska Native or Migrant or Seasonal Head Start program must consider whether such prioritization is appropriate in their community.

(4) A program must not deny enrollment based on a disability or chronic health condition or its severity.

(b) Children eligible for services under IDEA.

(1) A program must ensure at least 10 percent of its total funded enrollment is filled by children eligible for services under IDEA, unless the responsible HHS official grants a waiver.

(2) If the requirement in paragraph (b)(1) of this section has been met, children eligible for services under IDEA should be prioritized for the available slots in accordance with the program's selection criteria described in paragraph (a) of this section.

(c) Waiting lists. A program must develop at the beginning of each enrollment year and maintain during the year a waiting list that ranks children according to the program's selection criteria.

**Plan of Action**

An ERSEA Committee will meet annually to determine if changes need to be made to the selection criterion. If changes are recommended by the ERSEA Committee the Policy Council will discuss and vote on the Priority Screening Instruments used for ranking families most in need in the Terrell ISD area. Each application will be ranked and given priority according to the selection criteria. Head Start children will be placed in the program on the basis of the following selection criteria: income eligibility, public assistance, children with disabilities, teenage working and non- working parents, children of single parent families, homeless, and foster children. Ten percent of the total enrollment will be children with disabilities.

Children with disabilities do not have to meet income guidelines. Up to 10% of enrolled children may be from families that exceed income guidelines. Up to 30% of enrolled children may fall within the 130% poverty line.

All Head Start applications received from the beginning of enrollment through May 1 will be the first enrollment cycle. The end of the school year will be the second enrollment cycle. The third cycle will begin as the summer break begins through July 30. If a fourth cycle is needed it will be ongoing. A prioritized waiting list will be maintained. Vacancies will be filled within 30 days of a child withdrawing, unless there are 30 or fewer days left in the school year.

### **Monitoring Plan**

Monthly program reports (shared at policy council meetings), Child Plus reports, and Head Start waiting list

### **Persons Responsible**

Health & Family Services Manager, Family Services Staff

### **Timeline**

August - July

### **§1302.15 Enrollment.**

(a) Funded enrollment. A program must maintain its funded enrollment level and fill any vacancy as soon as possible. A program must fill any vacancy within 30 days.

(b) Continuity of enrollment.

(1) A program must make efforts to maintain enrollment of eligible children for the following year.

(2) Under exceptional circumstances, a program may maintain a child's enrollment in Head Start for a third year, provided that family income is verified again. A program may maintain a child's enrollment in Early Head Start as described in §1302.12(j)(2).

(3) If a program serves homeless children or children in foster care, it must make efforts to maintain the child's enrollment regardless of whether the family or child moves to a different service area, or transition the child to a program in a different service area, as required in §1302.72(a), according to the family's needs.

(c) Reserved slots. If a program determines from the community assessment there are families experiencing homelessness in the area, or children in foster care that could benefit from services, the program may reserve one or more enrollment slots for pregnant women and children experiencing homelessness and children in foster care, when a vacancy occurs. No more than three percent of a program's funded enrollment slots may be reserved. If the reserved enrollment slot is not filled within 30 days, the enrollment slot becomes vacant and then must be filled in accordance with paragraph (a) of this section.

(d) Other enrollment. Children from diverse economic backgrounds who are funded with other sources, including private pay, are not considered part of a program's eligible funded enrollment.

(e) State immunization enrollment requirements. A program must comply with state immunization enrollment and attendance requirements, with the exception of homeless children as described in §1302.16(c)(1).

(f) Voluntary parent participation. Parent participation in any program activity is voluntary, including consent for data sharing, and is not required as a condition of the child's enrollment.

### **Plan of Action**

Once a child is enrolled in the Head Start program he/she will be allowed to remain in the program until kindergarten, unless an extenuating circumstance arises for the child to leave the program. The Head Start program will fill all vacancies within 30 days, until 30 days prior to the end of the school year. Once a child has been selected for enrollment in the Head Start program, their slot is secure without re-verifying the family's income. Based on the community assessment, three percent of slots may be reserved for the use of foster or homeless children. If at the end of 30 days a reserved vacancy is not filled with a child that is foster or homeless, the slot will be considered vacant and a child from the waiting list will fill the vacant slot.

The child's immunization records are checked regularly, and parents receive reminder letters and a phone call before the child's immunizations are due. Parents are referred to the health care providers listed in the Community Resource Guide. The Family Services Case Managers assist with appointments and transportation as necessary to ensure that each Head Start child is current with the

EPSDT Periodicity schedule. All immunization records are updated as needed and recorded in the child's electronic Head Start file.

Immunization requirements for children enrolled in the Head Start Program will comply with state immunization requirements, with the exception of homeless children.

Parent participation, although encouraged in the Head Start program, is not a condition of the child's enrollment in the program. All parental participation in program activities is voluntary.

### **Monitoring Plan**

Child Plus reports, monthly program reports

### **Persons Responsible**

HS Director, Health & Family Services Manager, Family Service Staff

### **Timeline**

August - July

## **§1302.16 Attendance**

(a) Promoting regular attendance. A program must track attendance for each child.

(1) A program must implement a process to ensure children are safe when they do not arrive at school. If a child is unexpectedly absent and a parent has not contacted the

program within one hour of program start time, the program must attempt to contact the parent to ensure the child's well-being.

(2) A program must implement strategies to promote attendance. At a minimum, a program must:

- (i) Provide information about the benefits of regular attendance;
- (ii) Support families to promote the child's regular attendance;
- (iii) Conduct a home visit or make other direct contact with a child's parents if a child has multiple unexplained absences (such as two consecutive unexplained absences); and,
- (iv) Within the first 60 days of program operation, and on an ongoing basis thereafter, use individual child attendance data to identify children with patterns of absence that put them at risk of missing ten percent of program days per year and develop appropriate strategies to improve individual attendance among identified children, such as direct contact with parents or intensive case management, as necessary.

(3) If a child ceases to attend, the program must make appropriate efforts to reengage the family to resume attendance, including as described in paragraph (a)(2) of this section. If the child's attendance does not resume, then the

program must consider that slot vacant. This action is not considered expulsion as described in § 1302.17.

(b) Managing systematic program attendance issues. If a program's monthly average daily attendance rate falls below 85 percent, the program must analyze the causes of absenteeism to identify any systematic issues that contribute to the program's absentee rate. The program must use this data to make necessary changes in a timely manner as part of ongoing oversight and correction as described in § 1302.102(b) and inform its continuous improvement efforts as described in § 1302.102(c).

(c) Supporting attendance of homeless children.

(1) If a program determines a child is eligible under § 1302.12(c)(1)(iii), it must allow the child to attend for up to 90 days or as long as allowed under state licensing requirements, without immunization and other records, to give the family reasonable time to present these documents. A program must work with families to get children immunized as soon as possible in order to comply with state licensing requirements.

(2) If a child experiencing homelessness is unable to attend classes regularly because the family does not have transportation to and from the program facility, the program must utilize community resources, where possible, to provide transportation for the child.

## **Plan of Action**

In promoting regular attendance, the HS Family Services staff will attempt to contact parents or guardians daily when a child is

unexpectedly absent. Repeated absences will be handled through the Terrell ISD Truancy Procedures. If serious illness was the cause of the absence, then a periodic follow-up call will be made until the child returns to school.

All contacts and attempts to contact will be documented in Child Plus database.

When the monthly attendance rate for the program falls below 85%, the ERSEA Committee will convene and an analysis of the causes of absenteeism will be made, as well as an analysis of absenteeism patterns by reviewing past monthly attendance records. The ERSEA Committee may make recommendations to the Policy Council for policies to help remediate any determined causes of low attendance rates.

If a child's absence is determined to be because the family has no transportation due to homelessness, the family will be offered free transportation services for the child(ren) to and from school by local school bus transportation.

All TISD policies for attendance will be adhered to.

### **Monitoring Plan**

Child Plus attendance reports, TISD policy for attendance, and communication logs

### **Persons Responsible**

HS Director, Health & Family Services Manager, Education Manager, Family Services staff

## **Timeline**

August - May

### **§1302.17 Suspension and expulsion.**

#### **(a) Limitations on suspension.**

- (1) A program must prohibit or severely limit the use of suspension due to a child's behavior. Such suspensions may only be temporary in nature.
- (2) A temporary suspension must be used only as a last resort in extraordinary circumstances where there is a serious safety threat that cannot be reduced or eliminated by the provision of reasonable modifications.
- (3) Before a program determines whether a temporary suspension is necessary, a program must engage with a mental health consultant, collaborate with the parents, and utilize appropriate community resources – such as behavior coaches, psychologists, other appropriate specialists, or other resources – as needed, to determine no other reasonable option is appropriate.
- (4) If a temporary suspension is deemed necessary, a program must help the child return to full participation in all program activities as quickly as possible while ensuring child safety by:
  - (i) Continuing to engage with the parents and a mental health consultant, and continuing to utilize appropriate community resources;

- (ii) Developing a written plan to document the action and supports needed;
- (iii) Providing services that include home visits; and,
- (iv) Determining whether a referral to a local agency responsible for implementing IDEA is appropriate.

(b) Prohibition on expulsion.

(1) A program cannot expel or unenroll a child from Head Start because of a child's behavior.

(2) When a child exhibits persistent and serious challenging behaviors, a program must explore all possible steps and document all steps taken to address such problems, and facilitate the child's safe participation in the program. Such steps must include, at a minimum, engaging a mental health consultant, considering the appropriateness of providing appropriate services and supports under section 504 of the Rehabilitation Act to ensure that the child who satisfies the definition of disability in 29 U.S.C. 705(9)(b)<sup>14</sup> of the Rehabilitation Act is not excluded from the program on the basis of disability, and consulting with the parents and the child's teacher and:

- (i) If the child has an individualized family service plan (IFSP) or individualized education program (IEP), the program must consult with the agency responsible for the IFSP or IEP to ensure the child receives the needed support services; or,

(ii) If the child does not have an IFSP or IEP, the program must collaborate, with parental consent, with the local agency responsible for implementing IDEA<sup>19</sup> to determine the child's eligibility for services.

(3) If, after a program has explored all possible steps and documented all steps taken as described in paragraph (b)(2) of this section, a program, in consultation with the parents, the child's teacher, the agency responsible for implementing IDEA (if applicable), and the mental health consultant, determines that the child's continued enrollment presents a continued serious safety threat to the child or other enrolled children and determines the program is not the most appropriate placement for the child, the program must work with such entities to directly facilitate the transition of the child to a more appropriate placement.

### **Plan of Action**

Use of suspension is temporary in nature and may not be used due to a child's behavior without first exhausting all resources, such as consulting with a behavior specialist, psychologist, parent conferences with WHB counselor and the campus principal/HS director. Then consideration for suspension is a last resort to ensure

the safety of the child and other participants and staff of the Head Start program.

Expulsion based on a child's behavior is prohibited unless all resources have been exhausted and it is determined that the child's presence in the Head Start program poses a continued serious threat to the child or other enrolled children. Should a child's placement in the Head Start program be deemed not appropriate, then the campus principal/HS director will assist the child and family in facilitating a transition to another program.

### **Monitoring Plan**

Child Plus reports, students' files, TXEIS reports

### **Persons Responsible**

HS Director

### **Timeline**

August - May

### **§1302.18 Fees**

(a) Policy on fees. A program must not charge eligible families a fee to participate in Head Start, including special events such as field trips, and cannot in any way condition an eligible child's enrollment or participation in the program upon the payment of a fee.

(b) Allowable fees.

(1) A program must only accept a fee from families of enrolled children for services that are in addition to services funded by Head Start, such as childcare before or after funded Head Start hours. A program may not condition a Head Start child's enrollment on the ability to pay a fee for additional hours.

(2) In order to support programs serving children from diverse economic backgrounds or using multiple funding sources, a program may charge fees to private pay families and other non-Head Start enrolled families to the extent allowed by any other applicable federal, state, or local funding sources.

**Plan of Action**

Under no circumstances will the TISD Head Start program solicit, encourage, or in any way condition a child's enrollment or participation in any activities for the program on a fee of any kind. All services provided through the TISD Head Start program will be free of charge.

The TISD Head Start program does not offer additional services nor is it funded by multiple sources other than Head Start funds; therefore, no allowable fees will be charged to any participant.

**Monitoring Plan**

Head Start students' folders

### **Persons Responsible**

HS Director

### **Timeline**

Ongoing