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Office of Head Start
Attn: Director of Policy and Planning
330 C Street SW, 4th Floor
Washington, DC 20201

Re: Comments on Supporting the Head Start Workforce and Consistent Quality Programming
RIN: 0970-AD01

To Whom it May Concern:

These comments are submitted on behalf of the First Five Years Fund (FFYF) in response to the Notice of Proposed Rulemaking (NPRM), Supporting the Head Start Workforce and Consistent Quality Programming, published by the Office of Head Start (OHS) on November 20, 2023. FFYF works to protect, prioritize, and build support for early learning and child care programs at the federal level. We always appreciate the opportunity to provide comments on issues that relate to our core mission: ensuring all children from birth through age five have equitable access to affordable, comprehensive, high-quality early care and education (ECE) to support their healthy development and help them achieve their full potential in school and life. Our primary goal is to align best practices with the best possible policies, and as the leading child care advocacy organization working with policymakers on both sides of the aisle, we strive to find solutions that maintain long-term bipartisan support for ECE programs.

Head Start, as our nation's oldest ECE program, plays a critical role in the lives of families living in poverty – setting young children and their families on a path to thrive in school and outside of the classroom. A large body of research has found Head Start to be a highly effective program that benefits children and their families in both the short and long term. The program represents the best in early learning with its commitment to the whole child, as seen through the bedrock comprehensive services and parent involvement components. Like many programs, Head Start has faced challenges in recent years, especially following the unprecedented Covid-19 pandemic. The proposed changes laid out in the NPRM are clearly intended to begin to address the key stressors facing the program.

While the NPRM includes many of the right goals, we are concerned with sweeping changes to the program being done outside congressional action to reauthorize and the opportunity to provide additional federal investment. For policy changes to have the desired effects, lawmakers must examine the entire program, consider changes, additions and deletions, thereby developing updated legislation that meets the evolving needs of those benefiting from and working within the program. Tying together related sections of the statute, writing, consulting national experts, revising, introducing a bill, holding hearings to learn from those working in programs every day, debating program rules, setting funding levels, and finally coming to agreement are all important pieces of a judicious legislative process.

The Head Start for School Readiness Act of 2007 expired in 2011; the early learning landscape and the needs of families and communities have changed significantly since then. We should take the steps necessary to address issues within the program, update problematic systems, and ensure Head Start evolves in a way that best supports the needs of children, families, and early childhood educators. Additionally, through reauthorization, Congress would have the opportunity to more fully address the ways in which federal early learning programs work together to best support states, communities, and families across the country. Reauthorization serves an important purpose, and the role of Congress in making changes to the Head Start statute needs to be considered and upheld. This is especially relevant for the proposed changes that cannot be implemented without additional federal investment.

Many of the policy changes in the NPRM respond to widely reported concerns with the Head Start program and aim to strengthen it. Those discussed below directly address two of the leading challenges programs are facing: chronic undercompensation for the Head Start workforce and outdated eligibility requirements. Before addressing the policies, it is important to mention none of the proposed changes can be made in a vacuum. Funding is needed to ensure programs can meet important quality standards, fairly compensate the workforce, respond to community needs, and address other outstanding issues. At the current funding level, the only way to finance these improvements is to reduce the number of children able to enroll. Reduction in enrollment beyond the "full enrollment initiative" already underway would be detrimental to the many children and families who should be participating in Head Start programs. Therefore, policy improvements must be accompanied by adequate funding.

Increasing Workforce Compensation - Supporting the Head Start workforce is of the utmost importance, as quality programs depend on high-quality, well-trained educators. But with low pay and lack of basic benefits, early educators continue to leave the field for better paying and/or less demanding jobs. Low compensation is a pervasive issue faced by early learning programs across the country—not just Head Start. It threatens teacher well-being and contributes to teacher turnover and staffing shortages that lower program quality.
To this end, the NPRM makes multiple changes to pay and benefits, including requiring programs to make progress towards pay parity with kindergarten to third grade teachers in similar geographic areas by 2031. Early childhood educators with comparable qualifications, experience, and responsibilities to kindergarten teachers must be paid accordingly. They deserve increased compensation, not only to align with kindergarten to third grade teachers, but also as recognition of the demanding, high-stakes nature of their work. Competitive compensation is critical to recruiting and retaining a qualified workforce in all high-quality ECE settings, including Head Start.

In an Information Memorandum published in September of 2022, OHS identified permanently increasing compensation as the most effective way to recruit and retain qualified staff and strongly encouraged Head Start grant recipients to consider "restructuring their programs as a sustainable mechanism for providing increased compensation and other necessary supports to staff." Requesting a reduction in the overall number of funded slots, while continuing to prioritize services to the children and families who are most in need, was offered as a way to accomplish this goal. Along those lines, we recommend that Head Start providers continue to have the choice to prioritize educator pay over enrollment, with an understanding that programs could have the opportunity to increase slots once the workforce has stabilized.

We appreciate OHS bringing added attention to the critical issues of increased compensation and benefits for early educators, as a well-compensated and highly-trained workforce is critical for Head Start to fulfill its mission. Instead of addressing these pressing challenges through federally mandating certain wages we assert program administrators should be empowered and supported with continued flexibility to directly make determinations about competitive compensation that best meets the unique needs of each program. We encourage OHS to ensure more programs conduct wage and fringe benefits comparability surveys and use the data to improve and enhance a wage and salary administration plan, benefits administration, and compensation policies and practices—these are all crucial components of attracting and retaining qualified staff.

The Improving Head Start for School Readiness Act of 2007 specifically states that each agency shall adopt rules designed to establish specific standards governing salaries, salary increases, and other employee benefits. Given the explicit reference to program autonomy over salaries and benefits currently in statute, the parity directive would be in opposition to current law. Additionally, as we strive to create an equitable, accessible, high-quality system of early learning in this country, policymakers must consider how increasing compensation for Head Start teachers, without also doing so for child care providers, will result in inequity within the field and could have wide-reaching impacts in terms of the availability and accessibility of care.

The NPRM also proposes a pay scale for Head Start employees, a wage floor to ensure that all employees receive a living wage, and comparable wages for EHS and HS teachers. These worthy goals, which OHS should encourage Head Start programs to set for themselves, could help stabilize the workforce. Program administrators should continue to have autonomy over decision-making that best supports the needs of their staff and families. To navigate these and other complex compensation issues, programs should be provided with intensive business and finance technical assistance. Programs should also be encouraged to reach out to their program and fiscal specialists for any needed support with these endeavors.

Expanding Program Eligibility - Head Start was established to serve the children who most need access to high-quality ECE. However, Head Start's current eligibility measures prohibit the program from achieving this goal, as some programs struggle to achieve full enrollment while families in need remain without access to the program. Although ACF does not propose adjusting the income eligibility cut-off or moving away from using the federal poverty level (FPL), it does make an adjustment for housing costs for eligibility determination that would allow many families in need to access Head Start. These expenses are an oversized burden to families in many parts of the country. We support this change as it would not just impact those living in large cities, as families throughout the country have faced rising housing costs in recent years. To account for housing costs without overly burdening program administrators or families, we urge ACF to use a simplified proxy such as one based on HUD Fair Market Rent.

Additionally, we suggest ACF take a more in-depth look at Head Start eligibility as the federal poverty level is an outdated and problematic measure. Using a federal, one-size-fits-all measure does not take into account significant variations in the cost of living across the country. Thousands of families just above the income eligibility cut-off would greatly benefit from access to Head Start, and updating the eligibility guidelines would allow programs to better meet the needs of families in their local community. As state and local governments expand access to public pre-kindergarten, Head Start programs are often competing with these programs to serve the same demographic of children. Aligning Head Start eligibility with that of child care subsidies would allow more seamless collaboration and coordination within the mixed delivery early learning system. Early Head Start - Child Care Partnership (EHS-CCP) grantees in particular have reported difficulty navigating between these different eligibility requirements, and aligning eligibility would reduce the burden on families and increase collaboration between programs.[1]

FFYF has three primary concerns with the proposed rule. Any action taken to improve the design and function of the Head Start program must consider the cost involved to do so. Additionally, great effort has gone into establishing and supporting partnerships between Head Start and other programs, specifically local child care providers. Many of these proposed changes would challenge the foundation on which those partnerships are built. Lastly, the NPRM does not include any examination of the program monitoring or reporting systems. These essential oversight components must also be closely examined.

Dependence on Additional Federal Investment - There has been a problematic history of making important changes to the Head Start program with the assumption that the necessary federal investment will follow. The 2007 reauthorization required that 50 percent of lead teachers have bachelor's degrees with the unwritten assumption that salaries would increase accordingly. Despite a majority of lead teachers now having bachelor's degrees, inflation-adjusted salaries for these teachers have actually decreased over time. Additionally, the 2016 update to the Head Start Program Performance Standards sought to increase program dosage over five years, so that programs moved toward serving children for full-day and full-year. ACF ended up backtracking on this requirement because of insufficient funding. For these reasons, we suggest any final rule is contingent on the adequate additional federal investment needed to implement new regulations.

Lack of Support for Early Head Start - Child Care Partnerships (EHS-CCP) - Since 2013, the partnership grants have offered an innovative and efficient model that maximizes funding by joining together the strengths of child care and Early Head Start. The partnerships increase access to high-quality ECE, while also expanding access to essential services, such as health and developmental screenings, for our youngest children facing barriers. As written, the changes would challenge the very existence of EHS-CCP. We are concerned that the proposed rules would make the partnerships, which are already challenging, even more difficult and expensive for child care programs to implement and adhere to. According to a recent OPRE report, between 2016 and 2022, 37 percent of partnerships dissolved.[2] Among partnerships that dissolved during that time period, nearly 43 percent of EHS program directors that received a 2015 EHS-CCP grant noted that complying with other Head Start Program Performance Standards, beyond ratios and credential requirements, was a major factor.[3] Thirty-six percent noted that difficulty meeting child-adult ratio and group size requirements was a major factor in the dissolution of partnerships.[4]

We urge ACF to consider the ramifications. Formal contractual agreements, which are already a lengthy process to establish, would likely need to be renegotiated to ensure that child care providers and Early Head Start programs can sustain the partnership under new policy changes. Particularly considering the OPRE report found that the most frequently reported (26 percent) minor factor in the dissolution of the partnerships was 'misunderstanding about roles and responsibilities', we urge ACF to provide more guidance and technical assistance to participating child care providers and Early Head Start programs.

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[1] Child Trends, "Common Facilitators and Barriers to Early Head Start-Child Care Partnership Implementation"

[2] Office of Planning, Research and Evaluation, "Findings from the Early Head Start – Child Care Partnerships Sustainability Study"

[3] Ibid.

[4] Ibid.

***Inadequate Monitoring and Reporting Systems* -** Absent a reauthorization, a close examination by OHS of the current monitoring and reporting systems is necessary to ensure they are properly working to identify areas of concern before they become large-scale issues. Moreover, these systems should support ongoing monitoring at the program level so grantees are always improving by implementing their own quality review and improvement systems. The current outcomes-based monitoring system is a departure from the previous system which was more prescriptive. Perhaps a combination of the two is the best solution. To determine the best process by which Head Start grantees are certified as continually providing the country's best in high-quality services, the system of checks and balances used to monitor programs must continually be revised and revisited.

Priorities for Head Start Reauthorization

Head Start is unique in its goal to address the needs of the whole child and its ability to adapt to meet the unique needs of a community. The 2016 overhaul of the Head Start Program Performance Standards made important changes to improve quality, but more is needed to strengthen the program which can only be done through reauthorization. Reauthorization should explore ways to maintain the core of the Head Start program while increasing access for children and families most in need, especially infants and toddlers. Additionally, reauthorization should:

- **Expand eligibility based on assessments of community and program needs as they relate to the number of children served, compared to the unmet need**. In areas where there remains an unmet need, programs should have the option to expand eligibility beyond 100% FPL. Congress should consider whether State Median Income (SMI) or Area Median Income (AMI) would be a better measure than FPL. One potential option for Congress' consideration would be to align Head Start eligibility with the 85% SMI used by the Child Care and Development Block Grant (CCDBG). This would encourage coordination and collaboration in a mixed delivery system. Additional consideration should be given to the possibility of community-wide eligibility in particularly high-need areas, and expanding categorical eligibility to align with other social services.

- **Permanently authorize and expand the Early Head Start-Child Care Partnerships (EHS-CCP) program.** The EHS-CCP are a cost effective way to expand access to high-quality, comprehensive ECE services. Currently, the EHS-CCP are included in annual appropriations. By authorizing the program, Congress could set priorities within the program based on what has been learned from recent years of implementation. Congress should also expand the partnerships beyond EHS to include three- through five-year-olds, creating Head Start - Child Care and/or Head Start - Pre-K partnerships.

- **Explore ways to create a more seamless continuum of care** by linking Early Head Start more closely to other early learning programs, specifically the Maternal, Infant, and Early Childhood Home Visiting (MIECHV) program.

- **Infuse trauma-informed care into all Head Start services.** This is especially important in the wake of the Covid-19 pandemic when many children faced increased hardships. Programs and parents have reported an increase in behavioral challenges in recent years and Head Start staff must be equipped to support these children.

- **Support community partnerships,** for example, those between Head Start and institutions of higher education as a way to imbed a professional development system within high-quality early learning.

- **Improve the technical assistance (TA) system by polling the field to determine what is needed.** For example, offering stronger business/finance TA could help programs navigate issues of pay and benefits.

- **Improve the Designation Renewal System (DRS) to ensure that grantees continue to provide high-quality services to children and families.** DRS, a product of the 2007 Head Start reauthorization, was created to improve quality by building accountability into the program. The end of indefinite grants and the implementation of re-competition that can result in higher-quality providers replacing low-performing grantees have given OHS the means to support continuous quality improvement in the program. Reauthorization is an opportunity to implement what OHS has learned from DRS thus far and make needed changes.

- **Explore the extent to which Head Start can and should leverage or partner with states to maximize the quality and reach of the program.** The early education landscape has changed drastically since Head Start's unique federal to local structure was designed almost 60 years ago. As states continue to strengthen their early education programs, Congress should consider whether there are ways Head Start and states can work together to create a more cohesive early education system.

FFYF commends the Administration for bringing needed attention to the challenges facing the Head Start program and for putting forth proposed policies to address issues. The vast number of policy changes proposed by ACF shows a breakdown in internal functioning on a program-by-program basis, which can best be examined and right-sized by giving programs the funding they need to be successful. We encourage the Administration to work with Congress to prioritize reauthorization of the Head Start Act. By updating the program, Head Start will be well equipped to serve children, families, and early childhood educators for decades to come.

Sincerely,

Sarah Rittling
Executive Director
First Five Years Fund