



ADMINISTRATION FOR
CHILDREN & FAMILIES

Office of Head Start | 4th Floor – Switzer Memorial Building, 330 C Street SW, Washington DC 20024 eclkc.ohs.acf.hhs.gov

Program Performance Summary Report

To: Authorizing Official/Board Chairperson

Hon. Mike Johnston
City and County of Denver
201 W Colfax Ave
Dept 1101
Denver, CO 80202 - 5332

From: Responsible HHS Official

Date: 11/16/2023
Mr. Khari M. Garvin
Director, Office of Head Start

From October 12, 2023 to October 19, 2023, the Administration for Children and Families (ACF) conducted a monitoring review of City and County of Denver Head Start and Early Head Start programs to determine whether the previously identified findings had been corrected. The Office of Head Start (OHS) would like to thank your governing body, policy council, staff, and parents of your program for their cooperation and assistance during the review. This monitoring report has been issued to Hon. Mike Johnston, Authorizing Official/Board Chair, as legal notice to your agency of the results of the program review.

Based on the information gathered during this review, we have closed the previously identified findings which are included in this report. For any previous findings that are not included in this report and remain open, the recipient will receive a future follow-up review to determine the compliance status of those findings.

Please contact your Regional Office for guidance should you have any questions or concerns.

DISTRIBUTION OF THE REPORT

Copies of this report will be distributed to the following recipients:

Ms. Cheryl Lutz, Regional Program Manager
Ms. Melissa Janiszewski, Chief Executive Officer/Executive Director
Dr. Al Martinez, Head Start Director
Dr. Al Martinez, Early Head Start Director

Glossary of Terms

Compliant	No findings. Meets requirements of Head Start Program Performance Standard.
Area of Concern	An area for which the agency needs to improve performance. These issues should be discussed with the recipient's Regional Office of Head Start for possible technical assistance.
Area of Noncompliance	An area for which the agency is out of compliance with Federal requirements (including but not limited to the Head Start Act or one or more of the regulations) in one or more area of performance. This status requires a written timeline of correction and possible technical assistance or guidance from the recipient's program specialist. If not corrected within the specified timeline, this status becomes a deficiency.
Deficiency	<p>As defined in the Head Start Act, the term "deficiency" means:</p> <p>(A) a systemic or substantial material failure of an agency in an area of performance that the Secretary determines involves:</p> <ul style="list-style-type: none"> (i) a threat to the health, safety, or civil rights of children or staff; (ii) a denial to parents of the exercise of their full roles and responsibilities related to program operations; (iii) a failure to comply with standards related to early childhood development and health services, family and community partnerships, or program design and management; (iv) the misuse of funds received under this subchapter; (v) loss of legal status (as determined by the Secretary) or financial viability, loss of permits, debarment from receiving Federal grants or contracts, or the improper use of Federal funds; or (vi) failure to meet any other Federal or State requirement that the agency has shown an unwillingness or inability to correct, after notice from the Secretary, within the period specified; <p>(B) systemic or material failure of the governing body of an agency to fully exercise its legal and fiduciary responsibilities; or</p> <p>(C) an unresolved area of noncompliance.</p>

Performance Summary

Service Area	Applicable Standards	Grant Number(s)	Primary Review Finding Status(s)	Timeframe for Correction	Follow-up Compliance Level
Reporting	1302.102(d)(1)(ii)	08CH010552	DEF	N/A	Corrected
Safety Practices	1302.47(a)	08CH010552	DEF	N/A	Corrected
Supervision	1302.90(c)(1)(v)	08CH010552	DEF	N/A	Corrected

Safety Practices

RAN **09/23/2022** **DEF** **1302.47(a)** **Timeframe for Correction: 186 days**

1302.47 Safety practices.(a) A program must establish, train staff on, implement, and enforce a system of health and safety practices that ensure children are kept safe at all times. A program should consult Caring for our Children Basics, available at http://www.acf.hhs.gov/sites/default/files/ece/caring_for_our_children_basics.pdf, for additional information to develop and implement adequate safety policies and practices described in this part.

The grant recipient did not ensure it established, trained staff on, implemented, and enforced a system of health and safety practices that ensured children were kept safe at all times.

On March 1 and September 6, 2022, children were left unsupervised while under the care of staff. As more fully described under 1302.90(c)(1)(v), two children were unsupervised. The pattern of child health and safety incidents indicated the program lacked a system to ensure staff were knowledgeable of and demonstrated adequate active supervision of children.

The grant recipient did not ensure it established, trained staff on, implemented, and enforced a system of health and safety practices that ensured children were kept safe at all times; therefore, it was not in compliance with the regulation.

Follow-up

Corrected **Timeframe for Correction: N/A**

The grant recipient implemented or enforced a system of health and safety practices that ensured children were kept safe at all times. The program revised subrecipient contracts, provided and tracked training for all staff, and increased classroom observations.

In an interview, the recipient and subrecipient staff stated the contracts were revised and included requirements for ongoing active supervision and immediate reporting of any incidents. Subrecipients were required to review and revise their individual policies and procedures related to active supervision and reporting, and updates were shared with the recipient.

Training was provided to all staff, including subrecipients. Following the incidents, the recipient met with each subrecipient to review revisions to contract requirements and trained each subrecipient on active supervision and reporting regulations. A review of agendas found meetings were held during 2022 and 2023 to discuss active supervision methods and any issues.

The recipient enhanced monitoring within each subrecipient. The subrecipient directors stated active supervision was added to health and safety checklists. In addition, subrecipients submitted comprehensive monthly reports to the recipient that included information on any incidents. The recipient also required Classroom Climate Checklists to be completed with immediate feedback to the subrecipient directors. The climate visits included observations of teacher/child interactions and the mental wellness of classroom children and staff. The assistant recipient director stated he received the reports, compiled data, shared any concerns with education managers, and monitored observation completion.

The grant recipient implemented or enforced a system of health and safety practices that ensured children were kept safe at all times. This area of deficiency is corrected.

Supervision

RAN **09/23/2022** **DEF** **1302.90(c)(1)(v)** **Timeframe for Correction: 186 days**

1302.90 Personnel policies. (c) Standards of conduct. (1) A program must ensure all staff, consultants, contractors, and volunteers abide by the programs standards of conduct that: (v) Ensure no child is left alone or unsupervised by staff, consultants, contractors, or volunteers while under their care.

The grant recipient did not ensure no child was left alone or unsupervised while under the care of its staff. Two incidents of children being unsupervised occurred at the subrecipient's Family Star Northwest Center preschool.

On March 1, 2022, a Head Start child was left unattended on an enclosed playground for approximately 15-20 minutes. A review of documents showed at approximately 1:00 p.m., a child was left unattended on the playground as the remainder of the classroom transitioned indoors. A review of witness statements found the staff counted the children to return indoors; however, one child remained on the playground unaccounted for.

At approximately 1:13 p.m., an Early Head Start (EHS) teacher looked outside and saw the child by the door. The EHS teacher brought the child into her own classroom and called the center director. The center director notified the classroom staff, who were unaware the child had been left on the playground. The program notified the child's parent of the incident on March 1, 2022.

An anonymous report was made to state licensing, who then conducted an interview with staff on May 11, 2022. Licensing determined the child was left unattended on the playground for approximately 15-20 minutes. On June 2, 2022, the program reported the incident to the Regional Office. A review of the employee's consultation form found the primary teacher miscounted children and did not follow name-to-face counting procedures. The teacher received a disciplinary write-up and additional training.

A second incident occurred on September 6, 2022. There was a teacher assistant and a co-teacher with 12 children in the classroom while the lead teacher was on lunch break. When the lead teacher returned from her lunch break at approximately 12:01 p.m., she immediately noticed a child was missing. The front desk staff was notified, and a search was conducted inside and outside the building. The child was found approximately one-tenth of a mile from the parking lot. Upon review of video footage, the child was seen exiting the building at 12:04 p.m. and exiting the parking lot at 12:08 p.m.

In a follow-up interview, the Head Start director shared that due to the commotion of losing and finding the child, no one was entirely sure what time the child left the classroom nor when the child was actually found. Both the co-teacher and teacher assistant were terminated. The child's parent, child care licensing, and the Regional Office were notified on the day of the incident.

The grant recipient did not ensure no child was left alone or unsupervised while under the care of its staff; therefore, it was not in compliance with the regulation.

**Follow-up
Corrected**

Timeframe for Correction: N/A

The grant recipient ensured no child was left alone or unsupervised while under the care of its staff. The program trained subrecipients and monitored the implementation of active supervision of children.

In an interview, the Head Start director stated the recipient required subrecipients to review policies and procedures related to the ongoing active supervision of children with staff and track their completion. A review of training documents found the recipient and subrecipients provided training during June, August, and September 2023. Training also included content area meetings with staff during July, August, and September 2023.

The Head Start director stated the recipient enhanced oversight by providing monitoring tools to the subrecipients. The program also increased active supervision monitoring within each center. A review of documents found the new Classroom Climate Checklist was used by observers to ensure all classroom staff implemented active supervision strategies.

A comprehensive checklist for classroom environments and teacher/child interactions was completed twice per year with feedback to staff on strengths and areas to improve. A review of documents found the checklist results were used to enhance the monthly health and safety checklists that were completed by classroom staff.

A review of the program's revised health and safety checklist included a scored system based on staff implementing the classroom's active supervision procedures, such as completing a sign-in and sign-out sheet, posting reporting requirements, and implementing active supervision and zoning.

The grant recipient ensured no child was left alone or unsupervised while under the care of its staff. This area of deficiency is corrected.

Discipline - Reporting

RAN 09/23/2022 DEF 1302.102(d)(1)(ii) Timeframe for Correction: 186 days

1302.102 Achieving program goals. (d) Reporting. (1) A program must submit: (ii) Reports, as appropriate, to the responsible HHS official immediately or as soon as practicable, related to any significant incidents affecting the health and safety of program participants, circumstances affecting the financial viability of the program, breaches of personally identifiable information, or program involvement in legal proceedings, any matter for which notification or a report to state, tribal, or local authorities is required by applicable law.

The grant recipient did not report to the responsible Health and Human Services (HHS) official immediately or as soon as practicable, related to any significant incidents affecting the health and safety of program participants.

The program had a child supervision incident occur at a subrecipient's center on March 1, 2022. The program did not report the incident to the Regional Office until June 2, 2022, 3 months after the incident occurred. The subrecipient did not report the incident to the recipient after it received the licensing report stating the incident was founded. In a follow-up interview, the subrecipient's center director stated she did not think the incident was reportable.

The grant recipient did not report to the responsible HHS official immediately or as soon as practicable, related to any significant incidents affecting the health and safety of program participants; therefore, it was not in compliance with the regulation.

Follow-up

Corrected

Timeframe for Correction: N/A

The grant recipient reported to the responsible Health and Human Services (HHS) official immediately or as soon as practicable, related to any significant incidents affecting the health and safety of program participants.

In an interview, the Head Start director and management team members stated the recipient met with all delegates to review procedures and ensure expectations were clear for reporting any incidents to the recipient within 24 hours. They also stated and a review of documents confirmed that the 24-hour reporting expectation was written into the subrecipients' contracts and the program's procedural manual. A review of documents found the recipient required all subrecipients to retrain all staff on reporting requirements during August 2023.

In an interview, teaching staff stated the program created and shared a Checklist Guidance that outlined who, how, and when to report incidents. Teachers stated the list was very helpful. Teachers also stated an email address was created specifically for reporting, and the email automatically went to the whole team to ensure awareness of incidents.

The grant recipient reported to the responsible HHS official immediately or as soon as practicable, any significant incidents affecting the health and safety of program participants. This area of deficiency is corrected.

----- End of Report -----