



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](http://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: 04/22/2024**

**Mr. Khari M. Garvin**  
**Director, Office of Head Start**

On March 27, 2024, the Administration for Children and Families (ACF) conducted a monitoring review of City and County of Denver. We wish to thank the 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, as legal notice to your agency of the results of the program review.

Based on the information gathered during our review, a determination has been made that City and County of Denver is a recipient with at least one area of noncompliance in its Head Start program.

This report provides you with detailed information in each area where program performance did not meet applicable Head Start Program Performance Standards, laws, regulations, and policy requirements.

Please contact your Regional Office for guidance should you have any questions or concerns. Your Regional Office will follow up on the content of this report and can work with you to identify resources to support your program's continuous improvement.

### **DISTRIBUTION OF THE REPORT**

Copies of this report will be distributed to the following:

Ms. Cheryl Lutz, Regional Program Manager  
Mr. Dwight Jones, Chief Executive Officer/Executive Director  
Dr. Al Martinez, Head Start Director

### Grant(s) included as part of this review

Grant Recipient Name	Grant Number(s)
City and County of Denver	08CH010552

### Glossary of Terms

Term	Definition
<b>Area of Concern (AOC)</b>	An area in which the agency needs to improve performance. These issues should be discussed with the grant recipient's Regional Office for possible technical assistance.
<b>Area of Noncompliance (ANC)</b>	An area in 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 areas of performance. This status requires a written timeline for correction and possible technical assistance or guidance from the grant recipient's program specialist. If not corrected within the specified timeline, this status becomes a deficiency.
<b>Deficiency</b>	<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"> <li>(i) a threat to the health, safety, or civil rights of children or staff;</li> <li>(ii) a denial to parents of the exercise of their full roles and responsibilities related to program operations;</li> <li>(iii) a failure to comply with standards related to early childhood development and health services, family and community partnerships, or program design and management;</li> <li>(iv) the misuse of funds received under this subchapter;</li> <li>(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</li> <li>(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;</li> </ul> <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

This section contains an overview of compliance information identified in each Performance Area for all Content Areas. Detailed information can be found in the Review Details section.

### Compliance Information

Content Area	Performance Area	Grant Number(s)	Compliance Level	Applicable Standards	Timeframe for Correction
Significant Health and Safety Incidents	Safety Practices	08CH010552	Area of Noncompliance	1302.90(c)(1)(v)	120 days

## Review Details

This section of the report provides details on findings in applicable Content Areas reviewed during this monitoring event.

### Significant Health and Safety Incidents

#### Performance Area: Safety Practices

##### Area of Noncompliance - 1302.90(c)(1)(v)

##### Summary

**Grant Number(s) Cited:** 08CH010552

**Timeframe for Correction:** 120 days

##### Performance Standard Details

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

##### Finding Details

- The grant recipient did not ensure no child was left alone or unsupervised while under the care of its staff.

Additional details from this review event:

- The grant recipient had an incident of subrecipient staff leaving a child unsupervised in a classroom for 10 minutes.
- On February 12, 2024, a parent dropped their child off in the classroom as the rest of the class was transitioning outdoors. The child went to the cozy corner and the staff did not ensure the child went outside.
- A classroom assistant returned to the classroom from a 10-minute break and found the child asleep.
- In an interview, the subrecipient director stated the classroom was staffed with three classroom assistants that day because the assigned teachers were off. The classroom assistants did not follow the program's active supervision policy.

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