HOME GROWN

January 19, 2024

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

RE: **#RIN: 0970-AD01 Supporting the Head Start Workforce and Consistent Quality Programming**

To whom it may concern:

Home Grown is grateful for this opportunity to provide comments in response to the Office of Head Start (OHS) Notice of Proposed Rulemaking (NPRM) entitled "Supporting the Head Start Workforce and Consistent Quality Programming," introduced to add new guidance and clarity to the Head Start Program Performance Standards (HSPPS).

The mission of Home Grown is to increase access to and the quality of home-based child care inclusive of family child care (FCC) and family friend and neighbor (FFN) care. Home Grown works to remove policy barriers, strengthen home-based child care practices and business models, and support the growth and recognition of the sector so that all providers offer quality care and parents have early learning and care options.

We appreciate the Biden-Harris Administration's persistent use of the powers of the executive branch to recognize the value of high-quality early learning opportunities for young children, the urgent need of families across the United States to access quality child care (particularly families with limited resources) and the need of the early learning workforce to earn family-sustaining wages for their critically necessary work. Our recommendations aim to ensure that family child care (FCC) providers, who constitute a vital part of the Head Start workforce, can share in the benefits of the changes proposed by the Administration for the Head Start workforce and help meet the need for high-quality, accessible and affordable early care and education.

In particular, we are concerned about the impact of this NPRM on family child care homes. We believe that its recommendations, though well-intentioned, are likely to have the unintended consequence of driving family child care providers to discontinue delivery of Head Start services, especially in the absence of sufficient funding or if those managing Head Start partner relationships do not have sufficient clarity to ensure appropriate implementation of HSPPS in family child care settings. In many communities where family child care is parents' preferred, or the only, setting for the delivery of Head Start, the withdrawal of family child care providers will reduce the number of children and families who participate in the program. We urge OHS to streamline performance standards to focus on an asset-based framework that creates the flexibility necessary for an experienced and highly qualified workforce to respond to child, family, and community level needs across a wide range of settings (including family child care) for Head Start services. Further, we encourage OHS to eliminate duplication of monitoring and reporting requirements and instead embrace the opportunity for interagency coordination between state Head Start Collaboration offices and state offices administering early childhood systems. Finally, we encourage OHS to ensure robust technical assistance is available to Head Start grantees to ensure the relevance of implementation of HSPPS in family child care settings in ways that capture the richness of the family child care context and the skill of the family child care provider.

Home-Based Child Care is Preferred by Many Families and Fills Important Gaps

Home-based child care (HBCC) includes a range of providers offering child care in a home. It includes licensed or registered family child care (FCC), and family, friend and neighbor care, as an alternative to a commercial (center) or institutional (school) setting. We note that in Head Start regulation "home-based" services have a different meaning and are defined as Head Start services delivered in the child's own home, typically via home visiting. The term in Head Start regulation for Head Start provided in a residential setting (usually by a non-relative) is family child care. For the remainder of this comment letter, we use language consistent with the Head Start regulations and focus on family child care.

Nearly three-quarters of a million children under the age of 13 receive child care and early learning services in a FCC setting. For many families, family child care is a **first choice** for quality care. Family child care is particularly critical for children whose families need full-day, full-year care and for families who work nontraditional hours. Family child care providers also serve high percentages of families from marginalized communities of color (including Black, Latinx, immigrant, and Indigenous), families of children with special needs, families experiencing poverty, as well as families living in rural communities (Bromer, Melvin, et al., 2021; Henly & Adams, 2018).

Head Start is the most significant federal funding source for high-quality, comprehensive early childhood services for the most at-risk young children and their families in the United States. Head Start has a long history of partnering with family child care, with examples of Head Start (HS) partnerships with family child care programs throughout the 50-year history of the program. In the 1990's these became particularly visible with the development of Early Head Start (EHS) and the need to partner with family child care to ensure access for infants and toddlers to EHS. Today 3.5% (6,707) of infant and toddler EHS program slots operate in FCC settings, 9.5% (2,574) of migrant or seasonal Head Start slots operate in FCC settings and .2% (1,286) of Head Start slots are administered in FCC settings.

Many of the Head Start priority populations are primarily served in family child care settings, so ensuring the Head Start framework is supportive of current FCC Head Start partners is essential. Head Start's ability to meet the needs of these populations will rely in large part on its accessibility to new FCC partners. The inclusion of FCC in Head Start is a critical opportunity to improve the quality of FCC and bolster the sustainability of FCC providers while enabling Head Start to meet its mission.

Home Grown generally supports the intent of the proposed changes, with refinements noted below including:

- Applying the modified compensation and benefits (standards) to FCC Head Start partners.
- Aligning requirements and reporting among state and federal early learning systems.
- Streamlining performance standards to focus on an asset-based framework that creates the flexibility necessary for an experienced and highly qualified workforce to respond to child, family, and community level needs across the wide range of settings for Head Start services.

Workforce Supports: Staff Wages (§ 1302.90)

Family Child Care providers play a critical role in Head Start delivery and should be well compensated

We appreciate the proposed rules that have the potential to stabilize the financial well-being of family child care providers serving as Head Start partners. Family child care is an essential part of the Head Start system and plays an essential role in meeting the Administration's goals for broad access to affordable, high-quality care. Family child care providers need to be compensated equitably as their peers in the Head Start workforce. Home Grown applauds the language in the NPRM which indicates that **proposed wage standards should apply to contracted staff and that contract language for Head Start partnership agreements must provide for wages comparable to what the recipient organization would provide if they were the employer.** This ensures that family child care providers may benefit from the proposed changes seeking to stabilize the financial well being of the Head Start workforce. We strongly recommend that this language remain in the final rule.

Sufficient Resources Are Imperative

The policies included in the NPRM reflect positive and necessary improvements that, if adequately funded, will help to stabilize our early care and education system. Without sufficient resources, however, it will be extremely challenging for Head Start programs to fully and faithfully implement the changes.

The NPRM stipulates that the current staffing challenges in Head Start programs result in under enrollment and points to under enrollment as an opportunity to fund critical changes to benefits and compensation packages offered to the Head Start workforce. The open-ended timeline outlined in the NPRM for implementation of these strategies makes it difficult to assess the degree to which current under enrollment can support wage and benefits increases over the next 7 years. Though using Head Start under enrollment to support increased staff wages and benefits offers a solution that would stabilize the Head Start workforce and enable enrollment to capacity, it is also a solution that may have the unintended consequence of convincing appropriators that decreased funding for Head Start is opportune given under enrollment, making future requests for increases to the Head Start program difficult to achieve.

If there is no new funding from Congress, the field needs flexibility in the implementation of these provisions, not unlike the balance that was agreed to a decade ago when Congress only partially funded the move to full day programming. At that time, programs applied for additional funding and proposed extending their program hours or days, but were not forced to do so in the absence of funding. The tradeoff between this NPRM and loss of access is otherwise drastic.

We also offer these additional recommendations in the compensation and benefits section *(§1302.90)* of the NPRM:

- We support the NPRM guidance which outlines an approach for determining a Head Start pay scale with a pay floor and a compensation structure that uses local inputs to move towards wage parity with public school teachers. **We recommend State Head Start offices be responsible for the interagency coordination, data collection, and analysis necessary to meet the pay scale and a pay floor requirement to reduce the burden of the administrative process at the Head Start grantee level.**
- We acknowledge the NPRM guidance that elevates the importance of considering an individual's experience when establishing wages, in addition to qualifications. **Home Grown supports a compensation approach that recognizes and values the strengths of the existing Head Start workforce (whether they be credentialed, experienced, or both) and offers pathways for continued skill building in the form of professional development, coaching, credential programs, and apprenticeship among other strategies**.
- **We support the NPRM guidance encouraging Head Start grantees, not just those with collective bargaining agreements, to engage Head Start staff and Head Start partners as they work to meet revised wage and benefits standards.** We would further recommend that this be a requirement for all Head Start grantees with detailed process guidance offered (similar to guidance provided for the Head Start Policy Council) outlining necessary participants, appropriate decision makers, and process products to ensure equity and transparency.
- **We recommend that public school teacher salaries, including preschool teachers and K-3 teachers, be used as benchmarks for achieving worthy wage for the Head Start workforce, but not used as a cap or ceiling for the compensation structure**. While achieving parity with public school teachers is an important step towards improving wages for the Head Start workforce, it is important to acknowledge that compensation for preschool-Grade 3 workforce is also widely variable and generally insufficient for the experience, credentials, responsibility, and skill of public school teachers. So we also recommend that ultimately other professions who care for children in the same age range and for those who have similar functional responsibilities, such as nurses, school psychologists, speech and language pathologists, and program administrators be considered as professions that would inform the long term compensation structure for the Head Start workforce.
- **We recommend that within the timeline outlined for meeting the new wage and benefits standards, additional concrete and measurable midpoint benchmarks be established with additional timelines for review of cost of living adjustments included to ensure that the workforce experiences immediate and progressive**

change throughout that phase-in period. Measurable implementation benchmarks would also enable clear annual funding requests for the Head Start budget to federal appropriators. Further, while we acknowledge the need to leverage the length of the implementation period with available federal appropriations, as described in the NPRM, the urgent need for the Head Start workforce to earn family sustaining wages and benefits commensurate with their skill and expertise necessitates a shorter implementation period than the 7 year timeline outlined.

- **We recommend a clear process be developed to outline how funding would be equitably distributed to help programs close the pay parity gap.** This would be necessary given the wide funding disparities that currently exist among grant recipients and which do not necessarily relate to grant size or other consistent factors.
- Home Grown comments in response to the Child Care Development Fund NPRM of 2023, highlight the role of a sufficient payment rate, and the role of predictable, reliable payment mechanisms for public child care funding sources to stabilize the economic well being of child care providers. Changes to public payment systems seeking to ensure timely, reliable, and predictable payments to child care providers are particularly important to stabilize the business model and expected revenue for FCC providers who operate on a small scale, with thin margins, and who face difficulty accessing lines of credit. **As with CCDF contracts, Head Start partner agreements can be structured to reduce FCC provider uncertainty and stabilize supply by offering sufficient compensation to provide FCC pay parity and benefits, along with ensuring timely, predictable prospective payment for contracted Head Start seats so that FCC have revenue to cover operating costs and to meet the salary and pay scale requirements outlined in this NPRM.**
- **Home Grown recommends that OHS encourage the use of exemplar Head Start Partnership agreements for FCC to support Head Start grantees in designing payment arrangements that are supportive of current and prospective FCC Head Start partners. Home Grown also recommends that the final rule encourage Head Grantees to ensure payments to FCC Head Start partners are sufficient, timely, low burden, automated, technology accessible, and accessible to those speaking multiple languages.** Ensuring the FCC providers who serve high need and highly mobile families have access to a living wage and benefits stabilizes supply specifically for these populations. This also ensures that FCC providers can afford to provide Head Start services, instead of offloading subsidized care slots for other payment arrangements.
- **We support the NPRM's recognition that TA will be needed for Head Start grantees to revise their salary scale and pay structure to meet the new guidance.** We note the critical importance of ensuring that the methodologies used to develop pay scales are relevant and appropriate for identifying the true cost of care in a family child care setting and that the methodologies can identify the family sustaining wage for a family child care provider who embodies both the role of teacher, but also the administrator. Lessons learned about including family child care providers in these recent child care policy wins would be important to designing relevant wage and compensation TTA resources for state Head Start Offices and Head Start grantees:

    - Center for the Study of Child Care Employment State Actions on Compensation
    - Prenatal -5 Fiscal Strategies Active State projects
    - District of Columbia Early Childhood Educator Pay Equity Fund
- We applaud the Office of Head Start for its inclusion of benefits in this new proposed rule. **We further recommend strong language be added that ensures that when health insurance and other additional benefits are offered by Head Start grantees to staff, they are also extended to FCC Head Start partners.** In addition, we support the language of the NPRM which encourages Head Start grantees to provide an insurance plan that offers coverage competitive with the coverage and direct cost of silver, gold, or platinum plans in the Marketplace. NSECE data indicates that 30% of FCC are accessing health insurance through a spouse and the remaining are either uninsured or using a range of public insurance products. FCC Head Start partnerships provide a critical opportunity for FCC providers delivering Head Start services to buy into insurance options and other additional benefits via a Head Start Grantee (Staffed Network, School District, or Community Based Organization). This approach is relevant not just for health insurance but for enhanced health benefits, dental plans, vision plans, flexible savings accounts, retirement savings plans, dependent care, or life, disability, and long-term care insurance**.**
- **We recommend adding retirement savings plans to the list of required benefits included in the Head Start performance standards.** Federal Reserve 2020 data indicates that in all age groups, Black and Hispanic families are far less likely to have retirement accounts. Ensuring Head Start grantees offer retirement plans to the Head Start Workforce, including FCC partners, is a step towards addressing longstanding inequities in wealth building opportunities for black and brown women.
- We support the NPRM's recognition that access to Public Service Student Loan Forgiveness (PSLF) is a critical benefit necessary to create credential pipelines and to ensure a qualified workforce has the opportunity to build wealth through a family sustaining wage and by eliminating burdensome student debt. Currently, family child care providers, who are often sole proprietors, are ineligible for PSLF loan forgiveness. **In comments to the administration in 2023, Home Grown outlined a set of recommendations to ensure that family child care providers can access loan forgiveness along with the rest of the early childhood workforce.**
    - We urge OHS to play a role in influencing the Department of Education to ensure FCC Head Start partners may be considered eligible under this loan forgiveness program.
    - Head Start grantees can play a role in both making FCC Head Start partners aware of the program and providing employment verification necessary to complete the loan forgiveness application.
- We support the recommendation that benefits offerings be reviewed every 5 years to assess the needs and interests of the workforce. **We further recommend that FCC Head Start partners be included in the assessment of workforce needs as it relates to benefits and in the decision making process for determining new benefits offerings.**
- **We applaud the NPRM's recognition that TA will be needed for grantees to update their benefits offerings to meet the new guidance.** We note the critical importance

of ensuring the TA resources offer best practice guidance for leveraging benefits to family Child Care providers. Lessons learned about including family child care providers in these recent child care policy wins would be important to designing relevant benefits TTA resources for state Head Start Offices and Head Start grantees:

- California retirement and health care benefits for the childcare workforce won through collective bargaining
- Home Grown: Holistic Compensation Approaches Prioritize Benefits Access
- Home Grown: Opportunities for States to Improve Benefits Access for Home-based Child Care Providers
- Home Grown: Who Cares for the Caregivers: Insights from Providers' Experience with Health Care

Ratios in Family Child Care Settings (§ 1302.23)

Consistent and responsive attachment relationships are critical components of early learning and development for young children. Many families choose family child care as the setting of choice for their young children because it offers small group sizes with a consistent teacher who remains with the children until they transition to kindergarten. The Head Start performance standards create opportunities for healthy attachment between Head Start teachers and children through guidance on group sizes and ratios. We offer the following specific recommendations in response to the ratio guidance included in this NPRM for family child care settings:

- **We support the clarification of family child care providers and group size for "mixed age with preschoolers."**
- We agree that small groups are a strength of the FCC setting and we recognize the importance of responsive attachment relationships for young children. **We recommend that OHS retain the role of assistant family child care provider and include it in the staff qualifications and competency section as an identified and compensated role comparable to an Assistant Head Start Teacher.**
- **We further recommended that clarification be added to the FCC "infant toddler only" ratio guidance, stipulating that when a FCC Head Start partner has more than 4 children under 36 months enrolled, an additional teacher meeting the assistant Head Start Teacher qualifications is needed to ensure a 1 to 4 ratio. We recommend this instead of capping the maximum group size for an FCC "infant toddler only" setting below state licensing capacity. Alternately, if HSPPS caps the maximum group size for a FCC "infant toddler only" setting, we recommend Head Start grantees be required to compensate for the gap between the Head Start maximum group size and the permitted state licensed capacity.** This ensures that families have access to the setting of their choice, stabilizes the supply of needed infant toddler care, and provides equity to marginalized children and families needing the full day, full year care that many FCC offer.
- We offer the following considerations for the "infant toddler only" FCC ratios:
    - Many states confer a capacity of roughly 6 for a small family child care home. The current maximum group size of 4 for the family child care Head Start provider serving infants and toddlers only likely restricts the group size for the FCC below her state legal licensed capacity. This

will necessitate that a family child care Head Start partner leave seats vacant for the period of Head Start operation.

- Infant Toddler seats are the most expensive seats to operate because of the teacher to child ratio. Restricting the group size to 4 for FCC "infant toddler only" Head Start settings makes those infant toddler seats more expensive, as the Head Start rate would need to compensate for the seats that remain vacant during Head Start hours in addition to covering the true cost of care for the infants and toddlers served.
- The ratio changes outlined in the NPRM do not align with current state licensing practices. This can create implementation challenges for family child care providers; FCC providers offer care up to 56 hours a week and only a portion of that time is Head Start programming, making changes to child enrollment or staffing for a small portion of the day will be challenging for providers. The age for infants and toddlers in the Head Start performance standards is defined as children under 36 months and the ratio for that group is 1 to 4. In many state licensing regulations, the lowest teacher child ratio of 1 to 4 (or 1 to 3 in the three states stipulated in the NPRM) is reserved for children under 12 months (likely non-mobile). In state licensing requirements, ratios for children above 12 months increase to 1 to 5 or 1 to 6. This NPRM stipulates the lowest child to teacher ratio, even in scenarios where there are no children under 12 months.
- Capping the group size for the Head Start portion of the day in a family child care setting presents a challenging business model to blend with other public funding. It is not financially viable for FCC unless the Head Start infant toddler rate is adjusted to account for the gap between the maximum group size of 4 and the state licensed capacity for FCC.
- Misalignment between state licensing standards and HSPPS will disincentivize FCC providers from serving infants and toddlers or drive them out of EHS because the business model is not sustainable. Either option diminishes the already limited supply of infant toddler care.

Participation in Quality Rating and Improvement Systems (§ 1302.53)

Home Grown supports the revisions to the HSPPS shifting the guidance from requiring QRIS participation for Head Start programs to encouraging participation. We see this as an important stipulation to allow time for necessary interagency coordination between the Administration for Children and Families (ACF), Office of Head Start, state Head Start Collaboration offices, and state CCDF Administrators.

FCC Head Start services are delivered in state licensed and registered settings. Alignment between the standards and monitoring of state QRIS and HSPPS standards is essential for coherence, reduction of duplication, and reduction of administrative burden for providers who are understaffed, underpaid, and under-resourced. The NPRM notes that "streamlined, coordinated early care and education systems are easier for families to navigate;" we would add that streamlined and coordinated early care and education systems are beneficial to child care providers as well. Erikson Institute asserts in their 2021 decline study ECE system factors like cross-system inconsistencies, paperwork burdens, quality standards that privilege center-like environments and eurocentric values, lack of access to information, lack of access to professional development, and low payment rates among the top reasons FCC providers are leaving the early childhood field. *"Participating in early care and education (ECE) systems, such as state licensing, state subsidy programs, and state/local quality rating and improvement systems (QRIS), may be stressful. Each of these systems has its requirements, standards, and monitoring protocols. Particularly for FCC providers participating in multiple systems, this creates challenges such as increasing their administrative workload and individual stress levels through confusing and costly requirements, limiting their enrollment and subsequent income through low payments, and influencing their decisions to participate and remain in the field"* (Erikson, 2021). For the FCC providers delivering Head Start services, aligned standards between QRIS and HSPPS creates coherence that allows FCC to focus on the child and family experience. **As such, we urge OHS, ACF, and state administrators to continue to prioritize aligning QRIS systems, CCDF systems, state licensing, and implementation of HSPPS for a coherent early learning system that supports providers and is accessible to families.**

Workforce Supports: Employee Engagement (§ 1302.92, § 1302.101)

Home Grown supports the addition of specific language to the HSPPS guiding Head Start grantees to develop professional development plans tied to effective employee engagement practices and informed by staff input to ensure delivery of high quality, classroom focused professional development to the Head Start workforce. **Home Grown further recommends that for FCC Head Start partners, professional development plans be informed by the goals of the FCC, and that mentors, coaches, and professional development instructors demonstrate core competency in supporting FCC settings.** The Erikson Institute brief entitled Strengthening Home-based Child Care Networks: An Evidence-based Framework for High-Quality offers relevant benchmarks for entities supporting FCC to ensure professional development offerings are appropriate for FCC, build on strengths, center their goals, and are delivered by staff experienced in FCC settings.

Workforce Supports: Staff Health and Wellness (§ 1302.93)

Staff wellness is a critical component to achieving the Head Start goals, and we appreciate the attention to ensure staff are appropriately supported. One of the fundamental changes in the 2016 re-write of the HSPPS was the move to outcomes-based oversight, which included empowering program leadership and teachers to make decisions that were in the best interest of their children, families, and staff. This has been demonstrated to be a successful approach, most notably during the pandemic, during which time innovative and adaptive practices were instituted to address ongoing and ever-changing challenges.

The provisions included in the staff wellness section of the NPRM, while seeking to address an important challenge, are ones which should be governed at the program level. **We therefore recommend that more flexible guidance and requirements in the form of staff wellness support plans be utilized here, to allow programs and staff to tailor program-wide and individual responses to specific needs and strengths.**

Incident Reporting (§ 1302.102)

The health, safety, and overall well-being of children in the care of Head Start remains the highest priority. Yet, the NPRM dramatically expands the reporting of child incidents that are typically best addressed at the program level through program internal processes and/or at the state level where licensing and child welfare systems already have processes in place. As drafted, the NPRM will result in over-reporting on the federal level and confusion between state and federal systems at the program level. If there were data to indicate that this approach leads to a better system that keeps children safer or more secure, we would have no objections. Instead, we are concerned that the level of over-reporting required in the NPRM will distract from OHS's and programs' primary responsibility to keep children healthy and safe.

Research in both health care and airline safety is clear that a culture of blame results in reluctance to report errors. The overly broad list of reportable errors and conduct included in this NPRM fails to distinguish unquestionably reportable conduct (e.g. inappropriate touching) from judgment calls (e.g. restraining a child from hitting or biting). We have significant concerns that these sections of the NPRM are not aligned with best practice and that creating an environment of uncertainty and fear on the part of staff will result in making children less safe, not more.

We urge OHS to follow the example of other industries in focusing on a culture of safety that promotes a shared responsibility for continuous improvement while still retaining accountability. **We recommend OHS conduct a study of the severity of incidents, to identify opportunities for transparency, continuous improvement, interagency coordination with state licensing offices, and coordinated remediation approaches with state early childhood systems.** We also recommend State Head Start Collaboration offices be tasked with probing alignment between HSPPS and state licensing standards and coordination of a shared process for reporting and remediation to streamline the requirements in particular for Head Start programs (including FCC) that are also licensed child care providers. We further recommend that Head Start programs (including FCC) be key informants in the study, data, analysis, and planning work.

Home Grown applauds the effort to ensure that the needs of children and families, as well as the Head Start workforce, are addressed and that early learning environments prioritize the wellness of all staff. We are concerned, however, by the number and scope of prescriptive, one-size-fits-all requirements that return Head Start to the pre-2016 era of overly prescriptive monitoring and oversight that emphasized inputs and box-checking compliance over outcomes-based measurement and continuous quality improvement. Home Grown welcomes your questions as we work collectively to invest in a high-quality early childhood education system that supports all children, families, child care providers, businesses, and our nation's economy.

Sincerely,

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