



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

Mr. H.A. "Buck" Wenzel
Upper Arkansas Area Council of Governments
1718 Brookside Ave
Canon City, CO 81212 - 5165

From: Responsible HHS Official

A handwritten signature in black ink, appearing to read "Khari M. Garvin".

Date: 08/27/2024

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

During the week of August 7, 2024, the Administration for Children and Families (ACF) conducted a monitoring review of Upper Arkansas Area Council of Governments Head Start program to determine whether the previously identified finding(s) 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 Mr. H.A. "Buck" Wenzel, 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 finding(s) which are included in this report. Any open finding previously identified but not discussed in this report will remain open. The grant recipient will receive a Follow-up review to determine the compliance status of those findings.

Please contact your Regional Office with any questions or concerns you may have about this report.

DISTRIBUTION OF THE REPORT

Copies of this report will be distributed to the following:

Ms. Cheryl Lutz, Regional Program Manager
Ms. Heather Evans, Chief Executive Officer/Executive Director
Mrs. Christina "Chris" Henager, Head Start Director

Grant(s) included as part of this review

Grant Recipient Name	Grant Number(s)
Upper Arkansas Area Council of Governments	08CH012239

Glossary of Terms

Term	Definition
Area of Concern (AOC)	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.
Area of Noncompliance (ANC)	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.
Corrected	The original finding identified has been reviewed, along with any applicable supporting evidence, and now meets the requirements of the applicable regulation.
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>
Uncorrected	The original finding identified has been reviewed, along with any applicable supporting evidence, and does not meet the requirements of the applicable regulation.

Performance Summary

This section contains an overview of compliance information determined through this review. Detailed information can be found in the Review Details section.

Content Area	Performance Area	Applicable Standards	Grant Number(s)	Primary Review Finding Status	Timeframe for Correction	Follow-up Compliance Level
Health Services	Safe and Sanitary Environments	1302.90(b)(1)	08CH012239	ANC	N/A	Corrected
Health Services	Safe and Sanitary Environments	1302.90(b)(5)	08CH012239	ANC	N/A	Corrected

Review Details

This section of the report provides details on grant recipient performance in each Content Area and Performance Area with a previous or new finding.



Health Services

Included below are details on any relevant findings within this Content Area.

Performance Area: Safe and Sanitary Environments

Follow-up Details

Corrected - 1302.90(b)(1)

Summary

Grant Number(s) Cited: 08CH012239

Timeframe for Correction: N/A

Performance Standard Details

Regulation Text: 1302.90 Personnel Policies. (b) Background checks and selection procedures. (1) Before a person is hired, directly or through contract, including transportation staff and contractors, a program must conduct an interview, verify references, conduct a sex offender registry check and obtain one of the following: (i) State or tribal criminal history records, including fingerprint checks; or, (ii) Federal Bureau of Investigation criminal history records, including fingerprint checks.

Compliance Details

Based upon the Follow-up review, this finding has been corrected.

All grant recipient staff have had an initial background check completed prior to hire.

Additional details from this review event:

- The grant recipient developed a policy and procedure aligned with the Head Start Program Performance Standards to ensure staff members were not hired prior to obtaining a complete background clearance.
- A review of the Background Checks and Selection Procedures policy found that before a candidate was offered a position directly or through a contract, including transportation staff and contractors, the grant recipient would conduct an interview, verify references, and complete and obtain all the required components of the background check.
- In an interview, the Head Start director stated the grant recipient used the Colorado Applicant Background Services (CABS) system for fingerprinting and obtaining state, Federal, and sex offender registry clearances.
- In addition, the policy states potential staff were not offered a position until results from the CABS were obtained.

Initial Finding

Parent Review Type: FA1-FR - **Parent Review Date:** 02/22/2024

Parent Review Finding Level: ANC - **Performance Standard Number:** 1302.90(b)(1)

Grant Number(s) Cited: 08CH012239

Timeframe for Correction: 120 days

Performance Standard Details

Regulation Text: 1302.90 Personnel Policies. (b) Background checks and selection procedures. (1) Before a person is hired, directly or through contract, including transportation staff and contractors, a program must conduct an interview, verify references, conduct a sex offender registry check and obtain one of the following: (i) State or tribal criminal history records, including fingerprint checks; or, (ii) Federal Bureau of Investigation criminal history records, including fingerprint checks.

Compliance Details

- The grant recipient did not ensure all staff obtained a complete background check prior to hire.

Additional details from this review event:

- The grant recipient's criminal record check tracking sheet showed it did not obtain a complete background check for 6 of 6 employees hired within the last 12 months prior to hire.
- The grant recipient did not obtain a sexual offender registry check and a child abuse and neglect state registry check for three of the staff members.
- In addition, the grant recipient did not receive fingerprint checks for the 6 staff members until 8 to 16 days after their start date.

Follow-up Details

Corrected - 1302.90(b)(5)

Summary

Grant Number(s) Cited: 08CH012239

Timeframe for Correction: N/A

Performance Standard Details

Regulation Text: 1302.90 Personnel policies. (b) Background checks and selection procedures. (5) A program must conduct the complete background check for each employee, consultant, or contractor at least once every five years which must include each of the four checks listed in paragraphs (b)(1) and (2) of this section, and review and make employment decisions based on the information as described in paragraph (b)(3) of this section, unless the program can demonstrate to the responsible HHS official that it has a more stringent system in place that will ensure child safety.

Compliance Details

Based upon the Follow-up review, this finding has been corrected.

The grant recipient has an established process for updating background checks every 5 years.

Additional details from this review event:

- The grant recipient developed a new policy and conducted monitoring.
- In an interview, the Head Start director stated and a review of the new Background Checks and Selection Procedures policy found the grant recipient would submit a new full background check on employees every 5 years, which included obtaining Colorado Bureau of Investigation, Federal Bureau of Investigation, sex offender registry, and child abuse records.
- The Head Start director conducted monitoring using an Excel tracking form and a software system. All staff required to receive an updated background check would receive a reminder from the Head Start director.
- A review of the grant recipient's tracking found dates of the staff's most recently completed background check. The tracking sheet also showed all staff background checks were current.

Initial Finding

Parent Review Type: FA1-FR - **Parent Review Date:** 02/22/2024

Parent Review Finding Level: ANC - **Performance Standard Number:** 1302.90(b)(5)

Grant Number(s) Cited: 08CH012239

Timeframe for Correction: 120 days

Performance Standard Details

Regulation Text: 1302.90 Personnel policies. (b) Background checks and selection procedures. (5) A program must conduct the complete background check for each employee, consultant, or contractor at least once every five years which must include each of the four checks listed in paragraphs (b)(1) and (2) of this section, and review and make employment decisions based on the information as described in paragraph (b)(3) of this section, unless the program can demonstrate to the responsible HHS official that it has a more stringent system in place that will ensure child safety.

Compliance Details

- The grant recipient did not conduct a complete background check for each employee, consultant, or contractor at least once every 5 years.

Additional details from this review event:

- The grant recipient's criminal record check tracking showed it did not obtain an updated criminal record check for 3 of 30 employees every 5 years.
- The 3 employees' latest criminal record checks were completed between July 2017 and October 2018.
- The director confirmed that the grant recipient overlooked the employees' due dates, but an appointment had been scheduled to complete the checks on February 28, 2024.

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