

# 1301 Administration - Module Two

This Head Start Standards Training Module includes parts of 1301.31 - 1302.33  
Pages 96 - 98

## § 1301.32

- (3) Standards of conduct (see 45 CFR 1304.52(h));
- (4) Descriptions of methods for providing staff and volunteers with opportunities for training, development, and advancement (see 45 CFR 1304.52(k), Training and development);
- (5) A description of the procedures for conducting staff performance appraisals (see 45 CFR 1304.52(i), Staff performance appraisals);
- (6) Assurances that the program is an equal opportunity employer and does not discriminate on the basis of gender, race, ethnicity, religion or disability; and
- (7) A description of employee-management relation procedures, including those for managing employee grievances and adverse actions.

### (b) *Staff recruitment and selection procedures.*

- (1) Before an employee is hired, grantee or delegate agencies must conduct:
  - (i) An interview with the applicant;
  - (ii) A verification of personal and

## 45 CFR Ch. XIII (10–1–05 Edition)

- (iii) A State or national criminal record check, as required by State law or administrative requirement. If it is not feasible to obtain a criminal record check prior to hiring, an employee must not be considered permanent until such a check has been completed.

**"Before an employee is hired, grantee or delegate agencies must conduct ... A verification of personal and employment references; ..."**

- (2) Grantee and delegate agencies must require that all current and prospective employees sign a declaration prior to employment that lists:
  - (i) All pending and prior criminal arrests and charges related to child sexual abuse and their disposition;
  - (ii) Convictions related to other forms of child abuse and neglect; and
  - (iii) All convictions of violent felonies.

employment references; and

was finally adjudicated in a juvenile court or under a youth offender law;

- (3) Any conviction the record of which has been expunged under Federal or State law; and
- (4) Any conviction set aside under the Federal Youth Corrections Act or similar State authority.

(d) ***Probationary period.***

The policies governing the recruitment and selection of staff must provide for a probationary period for all new employees that allows time to monitor employee performance and to examine and act on the results of the criminal record checks discussed in paragraph (b) (1) of this Section.

(e) ***Reporting child abuse or sexual abuse.***

Grantee and delegate agencies must develop a plan for responding to suspected or known child abuse or sexual abuse as defined in 45 CFR 1340.2(d) whether it occurs inside or outside of the program.

(The information collection requirements are approved by the Office of Management and Budget (OMB) under OMB Control Number 0970-0148 for paragraph (b).)

[61 FR 57225, Nov. 5, 1996, as amended at 63 FR 2313, Jan. 15, 1998]

**§ 1301.32 Limitations on costs of development and administration of a Head Start program.**

(a) ***General provisions.***

- (1) Allowable costs for developing and administering a Head Start program may not exceed 15 percent of the total approved costs of the program, unless the responsible HHS official grants a waiver approving a higher percentage for a specific period of time not to exceed twelve months.

- (2) The limit of 15 percent for development and administrative costs is a maximum. In cases where the costs for development and administration are at or below 15 percent, but are judged by the responsible HHS official to be excessive, the grantee must eliminate excessive development and administrative costs.

(b) ***Development and administrative costs.***

- (1) Costs classified as development and administrative costs are those costs related to the overall management of the program. These costs can be in both the personnel and nonpersonnel categories.

**"The policies governing the recruitment and selection of staff must provide for a probationary period for all new employees that allows time to monitor employee performance ..."**

---

Test Questions:

Select the correct choice.

**1. Written personnel policies must include (1301.31)**

- a. all training provided for employees.
- b. schedules for advancement within the agency.
- c. a description of the procedures for conducting staff performance appraisals.
- d. a description of the procedures for conducting staff performance appraisals.

**2. A State or national criminal record check (1301.31)**

- a. is required of every employee annually.
- b. is required of all potential employees prior to being interviewed.
- c. is required of every employee as part of the hiring process.
- d. is only required of employees involved in direct child care.

**3. Grantee and delegate agencies must develop a plan for (1301.31)**

- a. responding to suspected or known child abuse or sexual abuse.
- b. defining what it will consider child abuse or sexual abuse.
- c. working with staff with a history of child abuse or sexual abuse.
- d. preventing child abuse in the classrooms settings.

---

**Office of Human Development Services,  
HHS**

**§ 1301.32**

- (4) Other development and administrative costs include expenses related to administrative staff functions such as the costs allocated to fringe benefits, travel, per diem, transportation and training.
- (5) Development and administrative costs include expenses related to bookkeeping and payroll services, audits, and bonding; and, to the extent they support development and administrative functions and activities, the costs of insurance, supplies, copy machines, postage, and utilities, and occupying, operating and maintaining space.

(c) **Program costs.**

Program costs include, but are not limited to:

- (1) Personnel and non-personnel costs directly related to the provision of program component services and component training and transportation for staff, parents and volunteers;
- (2) Costs of functions directly associated with the delivery of program component services through the direction, coordination or implementation of a specific component;

- (3) Costs of the salaries of program component coordinators and component staff, janitorial and transportation staff involved in program component efforts, and the costs associated with parent involvement and component volunteer services; and
- (4) Expenses related to program staff functions, such as the allocable costs of fringe benefits, travel, per diem and transportation, training, food, center/classroom supplies and equipment, parent activities funds, insurance, and the occupation, operation and maintenance of program component space, including utilities.

(d) ***Dual benefit costs.***

- (1) Some costs benefit both the program components as well as development and administrative functions within the Head Start program. In such cases, grantees must identify and allocate appropriately the portion of the costs that are for development and administration.
- (2) Dual benefit costs include, but are not limited to, salaries, benefits and other costs (such as travel, per diem, and training costs) of staff who perform both program and development and administrative functions. Grantees must determine and allocate appropriately the part of these costs dedicated to development and administration.

- (3) Space costs, and costs related to space, such as utilities, are frequently dual benefit costs. The grantee must determine and allocate appropriately the amount or percentage of space dedicated to development and administration.

(e) ***Relationship between development and administrative costs and indirect costs.***

- (1) Grantees must categorize costs in a Head Start program as development and administrative or program costs. These categorizations are separate from the decision to charge such costs directly or indirectly.
- (2) Grantees must charge all costs, whether program or development and administrative, either directly to the project or as part of an indirect cost pool.

**"Grantees must categorize costs in a Head Start program as development and administrative or program costs."**

(f) ***Requirements for compliance.***

- (1) Head Start grantees must calculate the percentage of their total approved costs allocated to development and administration as a part of their budget submission for initial funding, refunding or for a request for supplemental assistance in connection with a Head Start program. These costs may be a part of the direct or the indirect cost pool.

- (2) The Head Start grant applicant shall delineate all development and administrative costs in its application.
- (3) Indirect costs which are categorized as program costs must be fully explained in the application.
- (g) *Waiver.*
- (1) The responsible HHS official may grant a waiver of the 15

97

---

Test Questions:

**Select the correct "True" or "False" option.**

4. ***Grantees must charge the costs of organization-wide management functions as development and administrative costs.***

(1301.32)

True  False

5. ***Program costs include the costs associated with parent involvement and component volunteer services.*** (1301.32)

True  False

6. ***The Head Start grant applicant shall combine all development and administrative costs in its application as the same expenditure.*** (1301.32)

True  False

---

### § 1301.33

- (i) A new Head Start grantee or delegate agency is being established or Head Start grantee or delegate agency, and the delivery of component services to children and families is delayed until all program development and planning is well underway or completed; or
  - (ii) Component services are disrupted in an existing Head Start program due to circumstances not under the control of the grantee.
- (2) A Head Start grantee that estimates that the cost of development and administration will exceed 15 percent of total approved costs must submit a request for a waiver that explains the reasons for exceeding the limitation. This must be done as soon as the grantee determines that it cannot comply with the 15 percent limit, regardless of where the grantee is within the grant funding cycle.
  - (3) The request for the waiver must include the period of time for which the waiver is requested. It must also describe the action the grantee will take to reduce its development and administrative costs so that the grantee will be able to assure that these costs will not exceed 15 percent of the total approved costs of the program after the completion of the waiver period.
  - (4) If granted, the waiver and the period of time for which it will be granted will be indicated on the Financial Assistance Award.
  - (5) If a waiver requested as a part of a grant application for funding or refunding is not approved, no Financial Assistance Award will be

### 45 CFR Ch. XIII (10–1–05 Edition)

budget that complies with the 15 percent limitation. (Information collection requirements contained in paragraphs (f) (2) and (3) of this section were approved on January 26, 1993, by the Office of Management and Budget under Control Number 0980–1043)

[57 FR 41885, Sept. 14, 1992, as amended at 58 FR 26918, May 6, 1993]

**"The request for the waiver must include the period of time for which the waiver is requested."**

### § 1301.33 Delegation of program operations.

Federal financial assistance is not available for program operations where such operations have been delegated to a delegate agency by a Head Start agency unless the delegation of program operations is made by a written agreement and has been approved by the responsible HHS official before the delegation is made.

### § 1301.34 Grantee appeals.

An agency receiving a grant under the Act for technical assistance and training, or for a research, demonstration, or pilot project may appeal adverse decisions in accordance with part 16 of this title. Head Start agencies are also subject to the appeal procedures in part 16 except appeals by those agencies for suspension, termination and denial of refunding are subject to part 1303 of this title.

awarded to the Head Start program until the grantee resubmits a revised

---

Test Questions:

**Select the correct "True" or "False" option.**

7. ***A Head Start grantee that estimates that the cost of development and administration will be below 15 percent of total approved costs must submit a request for a waiver that explains the reasons for exceeding the limitation. (1301.32)***

True                       False

8. ***If a waiver requested as a part of a grant application for funding or refunding is not approved, no Financial Assistance Award will be awarded to the Head Start program until the grantee resubmits a revised budget that complies with the 15 percent limitation. (1301.32)***

True                       False

---

Last Name \_\_\_\_\_

First \_\_\_\_\_ Initial \_\_\_\_

Location \_\_\_\_\_