

Head Start Governance and Regulations

Federal Regulations:

Head Start Act of 2007: The *Improving Head Start for School Readiness Act of 2007*, commonly referred to the Head Start Act, is the most recent federal legislation authorizing and funding the Head Start program. The Head Start Act of 2007 describes the **composition and roles and responsibilities** of Head Start/Early Head Start agency governing bodies and Policy Councils with regard to **program design, planning, monitoring, and oversight**.

Head Start Program Performance Standards: These federal regulations describe in detail how Head Start programs should be managed and run. 45 CFR Parts 1301 through 1311 contain significant implications for the operation of Head Start programs. The Act, in conjunction with the Head Start Program Performance Standards, describes performance expectations regarding program governance.

Information Memorandum (IM): A communication from the Office of Head Start (OHS) that provides policy information to Head Start and Early Head Start grantees and delegate agencies.

Program Instruction (PI): A communication from OHS that addresses a specific requirement Head Start grantees and delegate agencies must implement in their programs.

Policy Clarification: A communication from OHS that assists governing body and Tribal Council members in better understanding requirements and making decisions pertaining to their Head Start program.

Other federal requirements that apply to your organizational structure include laws and regulations that impact hiring, employee relations and protections, tax reporting, civil rights, and more.

State Regulations:

Nonprofit Corporations Act, State Attorney General: Nearly all states have some form of registration, fundraising disclosure, and annual reporting requirements for nonprofit organizations. These requirements fall under the purview of the state attorney general's office, which often has a charities division.

State Education Policies: State departments of education are responsible for providing information, resources, and technical assistance on education matters to schools and residents within each state. They also develop regulations and policies that affect education services.

Open Meeting Laws: Open meeting laws, also called "sunshine laws," require certain proceedings of government agencies, elected bodies, and entities that receive government funding to be open or available to the public. These laws vary from state to state.

Other state documents that apply to your organizational structure: It is especially important that you are aware of your state's agency, laws, and policies that oversee child care programs.

Head Start Governance and Regulations

State Regulations, continued:

Other state documents that apply to your organizational structure: It is especially important that you are aware of your state's agency, laws, and policies that oversee child care programs. Other state regulations may affect your program's hiring, employee compensation and protections, tax reporting, staff licensing and credentialing, food safety, facilities management, and more. Your executive director should know the state laws that affect your operations.

Local Regulations:

Local ordinances can apply to Head Start programs. They may regulate different aspects of your operations, such as the food your program serves, staff licensing and credentialing, facilities maintenance, transportation, and much more. Your executive director should be familiar with and understand local laws that affect your operations.

Organizational Regulations:

Articles of Incorporation, Charter, or Constitution: The legal organizing document that creates a corporation. Both for-profit and nonprofit corporations have articles of incorporation that must be filed with the state.

State/Municipal Charter or Constitution: Government agencies often are established through legislation. Their organizing document may be called a charter or constitution.

Bylaws: The rules adopted by an organization to guide its governing body and regulate its governing body members.

Standards of Conduct: The principles, values, standards, and rules of behavior that guide the processes, structures, and decision-making in an organization.

Policies and Procedures: Operating guidelines that establish parameters for governing body members, professional staff, and volunteers for what gets done and how it gets done.