

# United States Senate

WASHINGTON, DC 20510

February 5, 2024

The Honorable Xavier Becerra  
Secretary  
U.S. Department of Health and Human Services  
200 Independence Avenue SW  
Washington, D.C. 20201

Dear Secretary Becerra:

During the COVID-19 pandemic and its resultant economic and workforce crises, Head Start programs (inclusive of Head Start, Early Head Start, Migrant and Seasonal Head Start, American Indian and Alaska Native Head Start, and Early Head Start-Child Care Partnership programs) faced an unprecedented set of challenges. Programs were forced to close facilities, establish virtual learning environments, and comply with layers of federal, state, and local COVID mitigation and vaccination requirements.<sup>1</sup> In response to these challenges, the Office of Head Start (OHS) temporarily paused its Full Enrollment Initiative (FEI)<sup>2</sup>, the policy through which OHS implements its authority to ensure full enrollment levels under the Head Start Act.<sup>3 4</sup>

As the health risks of the pandemic began to recede and programs transitioned back to in-person learning, the recruitment and retention of qualified staff emerged as a primary and continuing obstacle to achieving and maintaining full enrollment. In our states, and throughout the nation, Head Start programs have been hit hard by the workforce crisis, wage inflation, and staffing shortages, which expanded and worsened as programs attempted to reopen for in-person services after the pandemic. Additionally, the inability to compete with wage inflation prevalent in other industries hinders the recruitment and retention of Head Start staff. The Administration for Children and Families stated in a recent report that Head Start “programs experienced the highest rates of staff turnover reported in over two decades this past year—22 percent for classroom teachers and 19 percent for all program staff”.<sup>5</sup> Additionally, the latest National Head Start Association (NHSA) survey shows that 14% of Head Start classrooms were still closed in September 2023, and 76% of those closures were due to staff vacancies.<sup>6</sup>

---

<sup>1</sup> U.S. Dept. of Health & Human Services, Head Start’s Response to the COVID-19 Pandemic (April 25, 2023), available at <https://www.acf.hhs.gov/opre/report/head-starts-response-covid-19-pandemic>.

<sup>2</sup> Office of Head Start, Full Enrollment Policy Questions and Answers (Q&As), A5 (April 20, 2020), available at <http://hsicc.email19.com/t/ViewEmail/j/D4BD1639D7B9E6A22540EF23F30FEDED/79A087682734D8FDF6A1C87C670A6B9F> (“During this uncertain time, reported enrollment figures will not be considered in determining a grantee’s enrollment status. OHS will continue to monitor monthly enrollment, but will pause its evaluation of under- or fully enrolled grantees until operations resume.”).

<sup>3</sup> Office of Head Start, ACF-PI-HS-18-04: Full Enrollment Initiative (June 5, 2018), available at <https://eclkc.ohs.acf.hhs.gov/policy/pi/acf-pi-hs-18-04>

<sup>4</sup> Improving Head Start for School Readiness Act of 2007, 42 U.S.C. §§9837(g); 9836a(h)(5)(A).

<sup>5</sup> <https://www.acf.hhs.gov/sites/default/files/documents/olab/fy-2024-congressional-justification.pdf#>. See page 149.

<sup>6</sup> National Head Start Association, An Update on Head Start’s Ongoing Workforce Crisis (2023), available at <https://nhsa.org/wp-content/uploads/2023/11/2023.10-Workforce-Brief.pdf>.

In September 2022, despite these ongoing challenges, OHS began to incrementally lift the pause in the FEI and to send letters warning of funding reductions for under-enrolled programs.<sup>7</sup> Imposing penalties for under-enrollment now will force Head Start programs to make difficult programming decisions, including to forgo being able to serve all eligible children. This additional challenge will exacerbate the challenges they face to rebuild their workforce while they also prepare for potentially significant new wage and benefit requirements, along with other proposed workforce and program quality changes.<sup>8</sup>

Due to the persistent workforce and enrollment issues that continue to challenge Head Start programs, we strongly urge you to take the following actions:

1. Employ maximum flexibility when implementing the Full Enrollment Initiative and decline to enforce the recapture, withholding, or reduction of program base grant funding due to under-enrollment where Head Start grantees can show that their efforts to recruit and retain personnel have failed, pursuant to your Secretarial discretion granted by the Head Start Act<sup>9</sup>; and
2. Publish a report, in collaboration with OHS, that identifies how many Head Start Centers are enrolled in the FEI and include key findings on the causes of under-enrollment in those centers.

Head Start programs in the communities we represent and across the country reduce poverty by providing the unique combination of early childhood learning buttressed by wraparound services that increase social and economic advancement for whole families. We urge you to support Head Start programs by taking the steps outlined above so that they can continue their crucial work assisting children and families.

Thank you for your attention to this important matter.

Sincerely,



Kirsten Gillibrand  
United States Senator



Lisa Murkowski  
United States Senator

---

<sup>7</sup> Dr. Bernadine Futrell, A Season of Ongoing Recovery, Response, and Renewal (May 17, 2022), available at <https://eclkc.ohs.acf.hhs.gov/blog/season-ongoing-recovery-response-renewal>

<sup>8</sup> <https://www.govinfo.gov/content/pkg/FR-2023-11-20/pdf/2023-25038.pdf#page=56>

<sup>9</sup> 42 U.S.C. § 9836a(h)(5)(A) (“If... a Head Start agency is operating a program with an actual enrollment that is less than 97 percent of its funded enrollment, the Secretary may recapture withhold, or reduce the base grant for the program[.]”)(emphasis added); 42 U.S.C. § 9836a(h)(5)(B) (“The Secretary may ... waive ... the ... recapturing, withholding, or reduction otherwise required ... [if] the Secretary finds that the causes of the enrollment shortfall ... are ... significant causes as determined by the Secretary[.]”)



---

Jeanne Shaheen  
United States Senator



---

Dan Sullivan  
United States Senator



---

Margaret Wood Hassan  
United States Senator



---

Tammy Duckworth  
United States Senator



---

Michael F. Bennet  
United States Senator



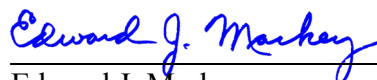
---

Jon Tester  
United States Senator



---

Elizabeth Warren  
United States Senator



---

Edward J. Markey  
United States Senator



---

Chris Van Hollen  
United States Senator



---

Ben Ray Lujan  
United States Senator



---

Tammy Baldwin  
United States Senator



---

Susan M. Collins  
United States Senator

Cc: Director Khari Garvin, Administration for Children and Family, Office of Head Start