

Head Start Transportation Waivers

ACF Administration for Children and Families	U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES	
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INFORMATION MEMORANDUM [[See Attachment at the bottom](#)]

TO: Head Start and Early Head Start Grantees and Delegate Agencies

SUBJECT: Head Start Transportation Waivers

INFORMATION:

On October 4, 2006, a final rule was published in the [Federal Register](#) authorizing, effective November 1, 2006, the Department of Health and Human Services to issue waivers to Head Start grantees from two of the provisions of the Head Start Transportation Regulation (45 CFR Part 1310). These two requirements are that children be secured in age and weight appropriate child restraint systems and that there be at least one monitor onboard any bus transporting Head Start children. A copy of this final regulation is attached.

Grantees that wish to request a waiver to one or both of these requirements should submit such a request to their responsible Regional Office. Grantees should also send their request to the Office of Head Start at hstransportationwaiver@cleverex.com. Grantees, particularly grantees with waivers that expired on September 30, 2006, are encouraged to submit this request as soon as possible. (Please note that although the waiver authority does not become effective until November 1, 2006, HHS, on that date, has authority to grant waivers retroactively to October 1, 2006.) This request should provide sufficient background, including the number of children who will be covered by the waiver, to allow the Region to understand the current arrangements the grantee has for providing transportation and why a waiver is thought to be necessary. Consistent with the requirements of the regulation, this request will need to include the reasons the grantee believes a waiver is "in the best interests of the children served."

Waiver requests must be submitted by Head Start grantees. Requests from delegate agencies will not be honored. Grantees with multiple delegate agencies that submit a waiver request need to be clear which delegates are covered by the request. Grantees must also explain, if multiple delegates are being included in the request, the reasons each delegate is thought to need a waiver.

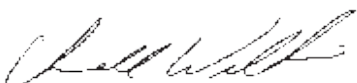
Waivers will not be granted in the following three circumstances:

1. A grantee transporting EHS children will not be given a waiver for the child restraint requirement.
2. A grantee transporting children in a vehicle other than a bus (i.e. a van) will not be given a waiver for the child restraint requirement.
3. A grantee transporting Head Start children on a bus in which there are adult non-Head Start riders will not be granted a waiver for the monitor requirement.

In addition, waivers will not be given, except in extreme circumstances, to grantees that have previously achieved compliance with these requirements.

Further, it is expected that most waivers will be requested in order to allow the grantee to continue a collaborative transportation arrangement. An example of such a situation would be when the local school system transports Head Start children, at no cost to the Head Start program, on school buses where Head Start children represent a small percentage of the children on the bus. It is not OHS' expectation that grantees which operate a Head Start dedicated transportation system will require a waiver. Any grantee in this situation which nonetheless feels a waiver is warranted must provide a comprehensive explanation as to why it believes such a waiver would be in the best interests of the children served by that grantee.

Please direct any questions on this to your Regional Office.



Channell Wilkins
Director
Office of Head Start

Attachment:

[FR Notice: Head Start Transportation](#)

Head Start Transportation Waivers. ACF-IM-HS-06-05. DHHS/ACF/OHS. 2006. English.