



April 14, 2010

**TO:** Yvette Sanchez Fuentes  
Director, Office of Head Start  
Administration for Children and Families

**FROM:** /Joseph E. Vengrin/  
Deputy Inspector General for Audit Services

**SUBJECT:** Review of Head Start Health and Safety Standards at Saguache County  
Community Council (A-07-09-02761)

Attached, for your information, is an advance copy of our final report on Head Start health and safety standards at Saguache County Community Council (SCCC). We will issue this report to SCCC within 5 business days. The Administration for Children and Families, Office of Head Start, requested this review.

If you have any questions or comments about this report, please do not hesitate to call me, or your staff may contact Lori S. Pilcher, Assistant Inspector General for Grants, Internal Activities, and Information Technology Audits, at (202) 619-1175 or through email at [Lori.Pilcher@oig.hhs.gov](mailto:Lori.Pilcher@oig.hhs.gov) or Patrick J. Cogley, Regional Inspector General for Audit Services, Region VII, at (816) 426-3591 or through email at [Patrick.Cogley@oig.hhs.gov](mailto:Patrick.Cogley@oig.hhs.gov). Please refer to report number A-07-09-02761.

Attachment



April 21, 2010

Report Number: A-07-09-02761

Ms. Mary McClure  
Director  
Saguache County Community Council  
301 East Third Street  
P.O. Box 1240  
Center, CO 81125-1240

Dear Ms. McClure:

Enclosed is the U.S. Department of Health & Human Services (HHS), Office of Inspector General (OIG), final report entitled *Review of Head Start Health and Safety Standards at Saguache County Community Council*. We will forward a copy of this report to the HHS action official noted on the following page for review and any action deemed necessary.

The HHS action official will make final determination as to actions taken on all matters reported. We request that you respond to this official within 30 days from the date of this letter. Your response should present any comments or additional information that you believe may have a bearing on the final determination.

Section 8L of the Inspector General Act, 5 U.S.C. App., requires that OIG post its publicly available reports on the OIG Web site. Accordingly, this report will be posted at <http://oig.hhs.gov>.

If you have any questions or comments about this report, please do not hesitate to call me at (816) 426-3591, or contact James Korn, Audit Manager, at (303) 844-7153 or through email at [James.Korn@oig.hhs.gov](mailto:James.Korn@oig.hhs.gov). Please refer to report number A-07-09-02761 in all correspondence.

Sincerely,

/Patrick J. Cogley/  
Regional Inspector General  
for Audit Services

Enclosure

**Direct Reply to HHS Action Official:**

Mr. Ross Weaver  
Regional Program Manager, Region VIII  
Administration for Children and Families, Office of Head Start  
1961 Stout Street, Room 926  
Denver, CO 80294

Department of Health & Human Services

**OFFICE OF  
INSPECTOR GENERAL**

**REVIEW OF HEAD START  
HEALTH AND SAFETY  
STANDARDS AT  
SAGUACHE COUNTY  
COMMUNITY COUNCIL**



Daniel R. Levinson  
Inspector General

April 2010  
A-07-09-02761

# ***Office of Inspector General***

<http://oig.hhs.gov>

---

The mission of the Office of Inspector General (OIG), as mandated by Public Law 95-452, as amended, is to protect the integrity of the Department of Health & Human Services (HHS) programs, as well as the health and welfare of beneficiaries served by those programs. This statutory mission is carried out through a nationwide network of audits, investigations, and inspections conducted by the following operating components:

## ***Office of Audit Services***

The Office of Audit Services (OAS) provides auditing services for HHS, either by conducting audits with its own audit resources or by overseeing audit work done by others. Audits examine the performance of HHS programs and/or its grantees and contractors in carrying out their respective responsibilities and are intended to provide independent assessments of HHS programs and operations. These assessments help reduce waste, abuse, and mismanagement and promote economy and efficiency throughout HHS.

## ***Office of Evaluation and Inspections***

The Office of Evaluation and Inspections (OEI) conducts national evaluations to provide HHS, Congress, and the public with timely, useful, and reliable information on significant issues. These evaluations focus on preventing fraud, waste, or abuse and promoting economy, efficiency, and effectiveness of departmental programs. To promote impact, OEI reports also present practical recommendations for improving program operations.

## ***Office of Investigations***

The Office of Investigations (OI) conducts criminal, civil, and administrative investigations of fraud and misconduct related to HHS programs, operations, and beneficiaries. With investigators working in all 50 States and the District of Columbia, OI utilizes its resources by actively coordinating with the Department of Justice and other Federal, State, and local law enforcement authorities. The investigative efforts of OI often lead to criminal convictions, administrative sanctions, and/or civil monetary penalties.

## ***Office of Counsel to the Inspector General***

The Office of Counsel to the Inspector General (OCIG) provides general legal services to OIG, rendering advice and opinions on HHS programs and operations and providing all legal support for OIG's internal operations. OCIG represents OIG in all civil and administrative fraud and abuse cases involving HHS programs, including False Claims Act, program exclusion, and civil monetary penalty cases. In connection with these cases, OCIG also negotiates and monitors corporate integrity agreements. OCIG renders advisory opinions, issues compliance program guidance, publishes fraud alerts, and provides other guidance to the health care industry concerning the anti-kickback statute and other OIG enforcement authorities.

# *Notices*

---

**THIS REPORT IS AVAILABLE TO THE PUBLIC**  
at <http://oig.hhs.gov>

Section 8L of the Inspector General Act, 5 U.S.C. App., requires that OIG post its publicly available reports on the OIG Web site.

## **OFFICE OF AUDIT SERVICES FINDINGS AND OPINIONS**

The designation of financial or management practices as questionable, a recommendation for the disallowance of costs incurred or claimed, and any other conclusions and recommendations in this report represent the findings and opinions of OAS. Authorized officials of the HHS operating divisions will make final determination on these matters.

## **EXECUTIVE SUMMARY**

### **BACKGROUND**

Within the U.S. Department of Health & Human Services, the Administration for Children and Families, Office of Head Start (OHS), administers the Head Start and Early Head Start programs. We refer collectively to both programs as the Head Start program. In fiscal year (FY) 2009, Congress appropriated \$7.1 billion to fund the program's regular operations. The American Recovery and Reinvestment Act of 2009, P.L. No. 111-5 (Recovery Act), provides an additional \$2.1 billion for the Head Start program during FYs 2009 and 2010.

Saguache County Community Council (SCCC), a private, nonprofit organization, operates two Head Start facilities: one in Center, Colorado, and the other in Saguache, Colorado. Both facilities provide children with an education program, transportation, health services, programs for children with special needs, and daily breakfast and lunch.

For the 2009–2010 grant year (April 1, 2009, through March 31, 2010), OHS awarded \$716,254 in Federal Head Start funds to SCCC to provide services to 92 children at the 2 facilities. On June 30, 2009, SCCC also received \$46,617 in Recovery Act funding.

### **OBJECTIVE**

Our objective was to determine whether SCCC complied with applicable Federal and State requirements on ensuring the health and safety of children in its care.

### **SUMMARY OF FINDINGS**

SCCC complied with the majority of Federal and State requirements on ensuring the health and safety of children in its care. However, SCCC did not comply with all Federal and State health and safety requirements. Specifically, as of May 2009:

- SCCC's employee files showed that nine employees lacked documentation of criminal background checks, checks of the State child abuse and neglect system, or bus driver qualifications, and one employee's child abuse and neglect check was not completed within 10 days of employment.
- SCCC's facilities did not always meet Federal Head Start and State health and safety regulations on protecting children from unsafe conditions.

These deficiencies occurred because SCCC did not have adequate procedures or did not consistently follow procedures that were in place to ensure that it complied with Federal and State health and safety regulations. SCCC's failure to follow these regulations potentially jeopardized the health and safety of children in its care.

## **RECOMMENDATIONS**

We recommend that SCCC develop and consistently implement procedures to ensure that:

- employees are hired only after passing criminal background checks, all employee files contain documentation of criminal background checks and checks of the child abuse and neglect system, and bus driver employee files contain documentation of background checks and other bus driver qualifications and
- all unsafe conditions identified in this report are addressed in a timely manner.

## **AUDITEE COMMENTS**

In written comments on our draft report, SCCC concurred with our findings and described its completed and ongoing actions to address the deficiencies that we identified. SCCC's comments are included in their entirety as Appendix B.



# TABLE OF CONTENTS

	<u>Page</u>
<b>INTRODUCTION</b> .....	1
<b>BACKGROUND</b> .....	1
Federal Head Start Program.....	1
Federal Regulations for Head Start Grantees.....	1
State Regulations for Head Start Grantees.....	1
Saguache County Community Council.....	2
Office of Inspector General Audits.....	2
<b>OBJECTIVE, SCOPE, AND METHODOLOGY</b> .....	2
Objective.....	2
Scope .....	2
Methodology.....	2
<b>FINDINGS AND RECOMMENDATIONS</b> .....	3
<b>PREEMPLOYMENT AND POSTEMPLOYMENT CHECKS</b> .....	3
Employee Background Checks .....	3
Child Abuse and Neglect Checks .....	4
Bus Driver Background Checks and Exams.....	4
<b>FACILITY SAFETY</b> .....	5
Flammable Material Storage.....	5
Inadequate Restrictions.....	5
Inadequate Fencing .....	5
Inadequate Repair of Buildings .....	6
Lead Inspections Not Conducted.....	6
Inadequate Protection Against Electrical Shock.....	6
First Aid Kits Accessible to Children .....	6
Inadequate Trash Storage Practices .....	7
Unlabeled Toothbrushes .....	7
Cleaning and Other Toxic Materials Accessible to Children .....	7
Unsafe Equipment and Materials Accessible to Children .....	7
Inadequate Window Guards.....	8
<b>INADEQUATE POLICIES AND PROCEDURES</b> .....	8
<b>RECOMMENDATIONS</b> .....	8
<b>AUDITEE COMMENTS</b> .....	8

## **APPENDIXES**

A: LACK OF COMPLIANCE WITH HEALTH AND SAFETY REGULATIONS

B: AUDITEE COMMENTS

## **INTRODUCTION**

### **BACKGROUND**

#### **Federal Head Start Program**

Title VI of the Omnibus Budget Reconciliation Act of 1981 established Head Start as a Federal discretionary grant program. The major program objectives include promoting school readiness and enhancing the social and cognitive development of low-income children by providing health, educational, nutritional, and social services. In 1994, the Head Start program was expanded to establish Early Head Start, which serves children from birth to 3 years of age. We refer collectively to both programs as the Head Start program.

Within the U.S. Department of Health & Human Services, the Administration for Children and Families (ACF), Office of Head Start (OHS), administers the Head Start program. In fiscal year (FY) 2009, Congress appropriated \$7.1 billion to fund Head Start's regular operations.

The American Recovery and Reinvestment Act of 2009, P.L. No. 111-5 (Recovery Act), provides an additional \$2.1 billion for the Head Start program during FYs 2009 and 2010. These funds are intended for activities such as expanding enrollment, funding cost-of-living wage increases for grantees, upgrading centers and classrooms, and bolstering training and technical assistance.

#### **Federal Regulations for Head Start Grantees**

Pursuant to Federal Head Start regulations (45 CFR § 1304.53(a)(7)), Head Start grantees must provide for the maintenance, repair, safety, and security of all Head Start facilities. These regulations also specify that facilities used by Head Start grantees for regularly scheduled, center-based activities must comply with State and local licensing regulations. Alternatively, if State and local licensing standards are less stringent than the Head Start regulations or if no State licensing standards are applicable, grantees must ensure that their facilities comply with the Head Start Program Performance Standards related to health and safety (45 CFR § 1306.30(c)).

#### **State Regulations for Head Start Grantees**

In Colorado, the Department of Human Services, Division of Childcare (State agency), is the licensing agency for childcare programs. Standards for licensure of childcare programs are found in the Code of Colorado Regulations (CCR), 12 CCR 2509-8. The health and sanitation of licensed childcare facilities are regulated by the Colorado Department of Public Health and Environment, as specified in 6 CCR 1010-7. For the period of our review, State officials said that under Colorado Revised Statutes 26-6-103(b), Head Start facilities were exempt from State licensing requirements. However, a Head Start facility that is exempt from State licensing requirements can receive a license from the State agency if the grantee applies for that license and meets the requirements. Saguache County Community Council (SCCC), the Head Start grantee that is the focus of this review, operates two childcare facilities, both of which were licensed in February 2008.

## **Saguache County Community Council**

SCCC, a private, nonprofit organization in Colorado, operates two Head Start facilities. The main facility, located in Center, Colorado, has 4 classrooms and 80 enrolled children (aged 3 to 5). The second facility, located in the town of Saguache, Colorado, has 1 classroom and 13 enrolled children (aged 3 to 5). Both facilities provide an education program, transportation, health services, programs for children with special needs, and daily breakfast and lunch.

For the 2009–2010 grant year (April 1, 2009, through March 31, 2010), OHS awarded \$716,254 in Federal Head Start funds to SCCC to provide services to 92 children at the 2 facilities.<sup>1</sup> On June 30, 2009, SCCC also received \$46,617 in Recovery Act funding.

## **Office of Inspector General Audits**

This audit is one of a series of audits that address the health and safety of children who attend Head Start programs. We are conducting these audits in response to the \$2.1 billion in Recovery Act funds appropriated for the Head Start program in FYs 2009 and 2010.

## **OBJECTIVE, SCOPE, AND METHODOLOGY**

### **Objective**

Our objective was to determine whether SCCC complied with applicable Federal and State requirements on ensuring the health and safety of children in its care.

### **Scope**

Our review covered SCCC's employee records and facilities as of May 2009. To gain an understanding of SCCC's operations, we conducted a limited review of SCCC's internal controls as they related to our audit objective.

We performed our fieldwork from May 20 through May 22, 2009, at SCCC's administrative office and at its two childcare facilities in Saguache County, Colorado.

### **Methodology**

To accomplish our objective, we:

- selected SCCC based on prior risk analyses and discussions with ACF officials;
- reviewed Federal and State laws, regulations, and policies related to Federal grant awards and the Head Start program;
- interviewed SCCC's Head Start director;

---

<sup>1</sup> Although SCCC's grant application specified that the grant was for 92 children, 93 children were enrolled at the 2 facilities at the time of our fieldwork.

- reviewed SCCC’s policies and procedures;
- reviewed SCCC’s current Head Start grant award documents;
- reviewed SCCC’s files on all 25 current Head Start employees;<sup>2</sup>
- reviewed SCCC’s licenses and documentation of fire inspections;
- visited SCCC’s two childcare facilities; and
- discussed our preliminary findings with SCCC and ACF officials.

We conducted this performance audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objective.

## **FINDINGS AND RECOMMENDATIONS**

SCCC complied with the majority of Federal and State requirements on ensuring the health and safety of children in its care. However, SCCC did not comply with all Federal and State health and safety requirements. Specifically, as of May 2009:

- SCCC’s employee files showed that nine employees lacked documentation of criminal background checks, checks of the State child abuse and neglect system, or bus driver qualifications, and one employee’s child abuse and neglect check was not completed within 10 days of employment.
- SCCC’s facilities did not always meet Federal Head Start and State health and safety regulations on protecting children from unsafe conditions.

These deficiencies occurred because SCCC did not have adequate procedures or did not consistently follow procedures that were in place to ensure that it complied with Federal and State health and safety regulations. SCCC’s failure to follow these regulations potentially jeopardized the health and safety of children in its care.

## **PREEMPLOYMENT AND POSTEMPLOYMENT CHECKS**

### **Employee Background Checks**

Pursuant to § 648A(g) of the Head Start Act (42 U.S.C. § 9843a(g)), a Head Start grantee may not hire an individual on a permanent or nonpermanent basis until it obtains (1) a State, tribal, or Federal criminal record check covering all jurisdictions where the grantee provides Head Start

---

<sup>2</sup> The 25 current employees were fully funded by the Head Start grant award.

services to children; (2) a State, tribal, or Federal criminal record check as required by the law of the jurisdiction where the grantee provides Head Start services; or (3) a criminal record check as otherwise required by Federal law. Furthermore, 12 CCR 2509-8 § 7.701.33.D.7 provides that certain felony offenses involving sexual behavior, domestic violence, physical assault, or substance abuse within 5 years prior to an individual's employment application preclude the Head Start grantee from hiring that individual.

The background checks on most of SCCC's 25 employees were not completed until April 2008. An SCCC official stated that the staff had not been aware of Federal background check requirements and had begun doing background checks to meet the State agency's licensing requirements. In addition, the files on two employees lacked background check documentation. Specifically:

- SCCC had not received the background check results for one employee because of a miscommunication with the State agency.
- SCCC could not locate documentation of a background check for another employee. Although the employee's file did not contain documentation of a background check, the file had documentation showing that an SCCC official had referred to the background check when discussing a conviction with the employee, who had been hired more than a year earlier. The employee's offense related to behavior that would have precluded employment under 12 CCR 2509-8 § 7.701.33.D.7; however, because the documentation was incomplete, we could not determine whether the offense was a felony.

An SCCC official said that SCCC was amending its personnel policies in accordance with Federal and State requirements.

### **Child Abuse and Neglect Checks**

Pursuant to State regulations (12 CCR 2509-8 § 7.701.32), a Head Start grantee is required to determine whether any employee of its licensed facilities is the subject of a confirmed report of child abuse or neglect. The grantee is required to request a check of the State Department of Human Services system, which tracks child abuse and neglect cases. This request must be made within 10 calendar days of the first day of employment for each employee of a licensed facility.

SCCC's employee files contained documentation obtained from checks of the State Department of Human Services system showing that 20 of the 25 employees had no reported history of child abuse or neglect. However, for 1 of the 20 employees, the child abuse and neglect check was not performed in a timely manner. Furthermore, SCCC could not provide documentation that the system had been checked for five SCCC employees. An SCCC official said that the system had been checked for these employees.

### **Bus Driver Background Checks and Exams**

Before hiring a bus driver, a Head Start facility must ensure, pursuant to 45 CFR § 1310.16 and ACF guidelines on the Transportation Pathfinder Web site, that the individual possesses a clean

driving record, passes a screening for alcohol and drugs, passes a physical examination and is able to lift 50 pounds, and has good hearing and at least 20/40 vision with or without glasses. Furthermore, 45 CFR § 1304.52(k)(1) mandates that employees pass a tuberculosis test.

The employee files for SCCC's two bus drivers lacked documentation showing whether SCCC had had driving records assessed and drug and alcohol tests performed. Further, although the employee files documented that both of these employees had passed physical examinations, only one of the two employees had been tested for tuberculosis. An SCCC official told us that the two bus drivers also drove for the Center Consolidated School District and that the school district may have received the missing documentation and not forwarded it to SCCC.

## **FACILITY SAFETY**

### **Flammable Material Storage**

Pursuant to 12 CCR 2509-8 § 7.702.91.F, “[n]othing flammable or combustible can be stored within three feet of a furnace or hot water heater.”

The Saguache facility stored cleaning supplies next to the furnace in a small locked closet. A large cotton dust mop was hanging on the wall within inches of the furnace, and a shelf containing cleaning supplies was fewer than 3 feet from the furnace (Appendix A, Photographs 1 and 2). Several aerosol cans on that shelf had warning labels stating that the cans should not be stored near a heat source. SCCC staff members stated that they were in the process of converting another storage closet, located away from the furnace, into a closet for cleaning supplies.

### **Inadequate Restrictions**

State regulations (12 CCR 2509-8 § 7.702.83.B.3) stipulate that “the play area must be fenced or have natural barriers, such as hedges or stationary walls at least 4 feet high, to restrict children from unsafe areas.”

Children were not adequately restricted from an unsafe area adjacent to the Saguache facility's playground. On the east side of the playground, rusted corrugated steel panels with jagged edges were leaning against the chain-link fence that separated the Saguache facility from the adjoining property (Appendix A, Photograph 3). Children could reach through the chain-link fence and injure themselves on the jagged edges. SCCC staff members said that they had tried unsuccessfully to convince the owner of the adjoining property and local officials to remove these materials.

### **Inadequate Fencing**

Federal regulations (45 CFR § 1304.53(a)(9)) state that “outdoor play areas at center-based programs must be arranged so as to prevent any child from leaving the premises and getting into unsafe and unsupervised areas.”

The Center facility's playground was open to another piece of property, including a fenced area where potentially unsafe tires, rims, and a large metal cabinet were stored. A gap beneath the gate of the fence was big enough to permit a child to crawl under the gate into the potentially unsafe area (Appendix A, Photograph 4). An SCCC official stated that the safety hazard would be addressed during the playground renovation, which was planned for the summer of 2009.

### **Inadequate Repair of Buildings**

State regulations (6 CCR 1010-7) state that "the building or buildings wherein a child care facility is operated shall be maintained in good repair and shall not pose a health hazard to children enrolled ..." (§ 3-101), "all openings to the outside shall be effectively protected against the entrance of insects and rodents by ... screening of openable windows ..." (§ 3-102), and "the grounds and premise shall be ... free of ... weed overgrowth ..." (§ 2-101). Furthermore, 45 CFR § 1304.53(a)(10)(xiv) requires that "handwashing facilities are adequate, clean, in good repair, and easily reached by children."

At the Saguache facility, part of the exterior wood soffit trim, including a protruding nail, was hanging loose and could fall in the playground area (Appendix A, Photograph 5). Additionally, a window screen was hanging loose in the classroom entryway, weeds were growing in the playground to the extent that trash or potentially dangerous objects could be obscured, and the classroom sink had a corroded faucet and rust stains.

### **Lead Inspections Not Conducted**

Federal regulations (45 CFR § 1304.53(a)(8)) state that "[g]rantee and delegate agencies must provide a center-based environment free of toxins, such as ... lead ... as well as soil and water contaminants."

Although the Center and Saguache facilities were built in the 1930s and 1920s, respectively, neither had ever been inspected for lead.

### **Inadequate Protection Against Electrical Shock**

Federal regulations (45 CFR § 1304.53(a)(10)(xi)) stipulate that grantees must ensure that "electrical outlets accessible to children prevent shock through the use of child-resistant covers, the installation of child-protection outlets, or the use of safety plugs."

In one classroom at each facility, electrical power strips behind the computer monitors at the children's workstations were accessible to children and were not covered to prevent shock.

### **First Aid Kits Accessible to Children**

Federal regulations (45 CFR § 1304.22(f)(1)) state that Head Start grantees must ensure that first aid kits "must be accessible to staff at all times, but must be kept out of the reach of children."



In each of two classrooms at the Center facility, the first aid kit was stored on a shelf above the children's coat rack, within reach of the children.

### **Inadequate Trash Storage Practices**

Federal regulations (45 CFR § 1304.53(a)(10)(xvi)) stipulate that grantees should ensure that “all ... garbage and trash are stored in a safe and sanitary manner,” and 6 CCR 1010-7 § 2-103(a) states that “exterior garbage and rubbish containers shall be easily cleanable, covered, and well maintained.” Furthermore, ACF's Head Start guidance, *Safety First: Preventing & Managing Childhood Injuries Training Guide*, Appendix 2, states that trash should be covered at all times in indoor areas.

The Saguache facility's exterior garbage container, which was located immediately outside the chain-link-fenced playground, was uncovered and attracting flying insects. The Center facility's exterior garbage container was also uncovered. Additionally, the interior trash containers in three of the two facilities' classrooms were uncovered, and the covers of two trash containers in the Center facility's hallway next to the bathrooms were broken (Appendix A, Photograph 6).

### **Unlabeled Toothbrushes**

State regulations (6 CCR 1010-7 § 6-208) state that “personal articles, such as ... toothbrushes ... shall be individually identified and shall be stored in a sanitary manner so as not to contaminate or come into contact with the personal hygiene articles of another child.”

In one classroom at the Center facility, two toothbrushes were not labeled with the children's names. One of these toothbrushes was uncovered and located in an area where other children could handle it.

### **Cleaning and Other Toxic Materials Accessible to Children**

State regulations (12 CCR 2509-8 § 7.702.91.D) mandate that “[c]ombustibles such as cleaning rags, mops, and cleaning compounds must be stored in well-ventilated areas, separated from flammable materials, and stored in areas inaccessible to children.”

At both of SCCC's facilities, cleaning or other toxic materials were accessible to children. In the girls' bathroom at the Saguache facility, an air freshener, labeled that it should be kept out of reach of children, was stored under the sink (Appendix A, Photograph 7). Also at the Saguache facility, cleaning supplies were stored in an unlocked closet between the bathrooms and the exit to the playground. In two classrooms at the Center facility, cleaning buckets containing used rags were within the reach of children.

### **Unsafe Equipment and Materials Accessible to Children**

Federal regulations (45 CFR § 1304.53(a)(7)) state that “Head Start grantees must provide for the maintenance, repair, safety, and security of all Head Start facilities, materials, and equipment.”

At both of SCCC's facilities, unsafe equipment and materials were accessible to children. In one classroom at the Saguache facility, a child's desktop computer was hanging over the edge of the desk by about 5 inches, thus presenting a tipping hazard. In another classroom at the Saguache facility, we observed a child climbing on top of a small children's couch and bringing his head close to two small hooks mounted in a cork strip on the wall behind the couch. At the Saguache facility playground, toys and storage bags, with cords long enough to present a strangulation hazard, were hanging from storage hooks and from the chain-link fence within reach of children. At the Center facility, an unlocked cabinet in a classroom contained items such as plastic bags, a suffocation hazard. Two of the Center facility's classrooms had rugs with upturned corners, a tripping hazard. All five classrooms at the two facilities had push pins on bulletin boards and on cork strips that were within reach of the children. The pins could be swallowed or cause a choking hazard.

### **Inadequate Window Guards**

Federal regulations (45 CFR § 1304.53(a)(10)(xii)) stipulate that "windows and glass doors are constructed, adapted, or adjusted to prevent injury to children." Furthermore, ACF's *Head Start Design Guide*, chapter 10, states that when screened operable windows are used, window guards should be installed to protect children from falling through the screens.

The windows in two classrooms at the Center facility did not have protective guards. Children could gain access to these windows from the furniture.

### **INADEQUATE POLICIES AND PROCEDURES**

These deficiencies occurred because SCCC did not have adequate procedures or did not consistently follow procedures that were in place to ensure that it complied with Federal and State health and safety regulations. SCCC's failure to follow these regulations potentially jeopardized the health and safety of children in its care.

### **RECOMMENDATIONS**

We recommend that SCCC develop and consistently implement procedures to ensure that:

- employees are hired only after passing criminal background checks, all employee files contain documentation of criminal background checks and checks of the child abuse and neglect system, and bus driver employee files contain documentation of background checks and other bus driver qualifications and
- all unsafe conditions identified in this report are addressed in a timely manner.

### **AUDITEE COMMENTS**

In written comments on our draft report, SCCC concurred with our findings and described its completed and ongoing actions to address the deficiencies that we identified. SCCC's comments are included in their entirety as Appendix B.

# **APPENDIXES**

**APPENDIX A: LACK OF COMPLIANCE WITH HEALTH AND SAFETY REGULATIONS**



**Photograph 1 – Taken at the Saguache facility on 5/20/2009 showing a cloth dust mop next to the furnace.**



**Photograph 2 – Taken at the Saguache facility on 5/20/2009 showing potentially flammable cleaning supplies next to the furnace. Together, Photographs 1 and 2 show the proximity of the cleaning supplies to the furnace; i.e., the tip of the shelf shown in Photograph 2 can also be seen in the upper-right corner of Photograph 1, and the dust mop can be seen in both photographs.**





**Photograph 3 – Taken at the Saguache facility on 5/20/2009 showing steel panels with sharp edges adjacent to the playground.**



**Photograph 4 – Taken at the Center facility on 5/21/2009 showing an enclosed area containing unsafe tires, rims, and a large metal cabinet. A child could access this area through the gap at the bottom of the gate.**



**Photograph 5 – Taken at the Saguache facility on 5/20/2009 showing broken trim with a protruding nail above the playground area.**



**Photograph 6 – Taken at the Center facility on 5/21/2009 showing an uncovered trash container next to the boys' bathroom.**



**Photograph 7 – Taken at the Saguache facility on 5/20/2009 showing an aerosol can in the girls’ bathroom with the warning “KEEP OUT OF REACH OF CHILDREN.”**



## APPENDIX B: AUDITEE COMMENTS

### Center Head Start Project



P. O. Box 1240  
Center, Colorado 81125  
Phone: 719-754-3191  
Fax: 719-754-2468  
Email: CHS@fone.net

February 11, 2010

Mr. Patrick J. Cogley  
Regional Inspector General for Audit Services  
Region VII  
601 East 12<sup>th</sup> Street  
Kansas City, MI 64106

Dear Mr. Cogley:

We received the report A-07-09-02761 from your office on February 8, 2010. Following are our responses to the recommendations contained in this report.

#### Recommendation #1:

- Employees are hired only after passing criminal background checks, all employee files contain documentation of criminal background checks and checks of the child abuse and neglect system, and bus driver employee files contain documentation of background checks and other bus driver qualifications.

We concur that procedures need to be developed and consistently implemented for the documentation of criminal background checks and child abuse and neglect checks of all staff employed by Saguache County Community Council. We also concur that bus driver employee files need to contain documentation of background checks and required bus driver qualifications.

The following policy is scheduled for review and adoption by SCCC and will be added to the program Personnel Policies and Procedures:

All employees of SCCC are subject to a criminal background check by the Colorado Bureau of Investigation and a check for child abuse and neglect through the Colorado Department of Human Services Trails system immediately upon selection for hire. Hiring will not be confirmed until clearance is obtained. Documentation will be kept in the employee's file.

For bus drivers hired by SCCC, in addition to criminal and child abuse background checks, documentation of bus driver qualifications will be kept in the employee file including a copy of the CDL with SP2 endorsement, a copy of the driving record, a record of physical exam establishing that the individual possesses the physical ability to perform job functions, drug screening results, and a record of a tuberculin screening. Hiring will not be confirmed until this documentation is obtained and contained in the bus driver's file.

**Qualistar Rated**



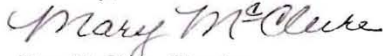
Recommendation #2:

- All unsafe conditions identified in this report are addressed in a timely manner:

We concur with these findings and have acted on each of these items to correct the unsafe condition. We believe that most were simple items which were easily corrected and that were actually of minimal risk to the children. However, we appreciate all suggestions and have made the following changes to our facility and systems. At the Center facility we have installed new locking cupboards in each classroom and each bathroom to ensure that any toxic materials are safely stored. At the Saguache facility, the storage closet for cleaning supplies was moved to another location, and the fence was covered with a plastic barrier to ensure that children cannot reach through. We have modified our safety checklist to include items in this report for the semi-monthly monitoring of classroom and facility safety. We are in the process of inspecting our facilities for lead.

We feel that this addresses the recommendations of the report of the Office of Inspector General. If you have further questions, please contact us at the above address.

Sincerely,



Mary McClure, Director  
Center Head Start Project

MM/dt