

Final Rule - Amendments to Part 1303 Appeal Procedures for Head Start Grantees and Current or Prospective Delegate Agencies ACYF-IM-HS-00-04

NOTICE: This Issuance is currently under review by the Office of Head Start.

This Information Memorandum highlights the final rule for conducting administrative hearings on adverse actions taken against Head Start grantees. Grantees and delegate agencies will learn that this final rule makes changes to sections in Part 1303 affected by the addition of timelines and makes other changes that will expedite the appeals process.

U.S. DEPARTMENT
OF HEALTH AND HUMAN SERVICES
Administration for Children and Families

ACYF
Administration on Children, Youth and Families

1. Log No. ACYF-IM-HS-00-04
2. Issuance Date: 02/11/00
3. Originating Office: Head Start Bureau
4. Key Words: Appeals Timeline

INFORMATION MEMORANDUM [[See Attachments at the bottom](#)]

TO: Head Start Grantee and Delegate Agencies

SUBJECT: Final Rule - Amendments to Part 1303 Appeal Procedures for Head Start Grantees and Current or Prospective Delegate agencies

LEGAL AND RELATED REFERENCES: The Head Start Act, as amended.

INFORMATION: [Attached](#) is the final rule for conducting administrative hearings on adverse actions taken against Head Start grantees, and a timeline by which the person conducting the administrative hearing must issue a decision based on the hearing. In addition, this final rule makes changes to sections in Part 1303 affected by the addition of timelines and makes other

changes that will expedite the appeals process.

Highlights of the final rule are as follows:

The amount of time allowed a grantee to appeal a termination of financial assistance or denial of refunding has been increased from 10 to 30 days which will give a grantee more time in which to develop its initial appeal.

The Administration for Children and Families (ACF) will have to state in greater detail the information which it must include in letters of termination and denial of refunding, all of which will reduce the need for ACF to supplement its initial notice with additional filings after the appeal is filed.

The parties involved in the appeals process would be required to use prepared written direct testimony, which has been found to be more efficient in terms of clear presentation of direct testimony and the reduction of hearing time and expense.

Any hearing of an appeal by a grantee from a notice of suspension, termination or denial of refunding must be commenced no later than 120 days from the date the grantee's appeal is received by the Departmental Appeals Board.

The final decision in an appeal, whether or not there is a hearing, must be rendered not later than 60 days after the close of the proceedings.

The effective date of this final rule is March 2, 2000.

For further information, please contact your Regional Office or the American Indian or the Migrant Programs Branch.

/S/

Helen H. Taylor
Associate Commissioner
Head Start Bureau

Attachments:

[\[Attachment\] Federal Register: 45 CFR Part 1303
PDF Format](#) [PDF, 146KB]

Final Rule - Amendments to Part 1303 Appeal Procedures for Head Start Grantees and Current or Prospective Delegate Agencies. ACYF-IM-HS-00-04. HHS/ACF/ACYF/HSB. 2000. English.