



September 9, 2010

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

**FROM:** /George M. Reeb/  
Acting Deputy Inspector General for Audit Services

**SUBJECT:** Review of Joint Council for Economic Opportunity of Clinton and Franklin Counties, Inc.'s Compliance With Health and Safety Regulations for Head Start Programs (A-02-10-02004)

Attached, for your information, is an advance copy of our final report on Joint Council for Economic Opportunity of Clinton and Franklin Counties, Inc.'s (the Grantee) compliance with health and safety regulations for Head Start programs. We will issue this report to the Grantee 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 James P. Edert, Regional Inspector General for Audit Services, Region II, at (212) 264-4620 or through email at [James.Edert@oig.hhs.gov](mailto:James.Edert@oig.hhs.gov). Please refer to report number A-02-10-02004.

Attachment



Office of Audit Services  
Jacob Javits Federal Building  
26 Federal Plaza, Room 3900  
New York, NY 10278

September 10, 2010

Report Number: A-02-10-02004

Ms. Jacqueline Skiff  
Head Start Director  
Joint Council for Economic Opportunity of Clinton and Franklin Counties, Inc.  
54 Margaret Street  
Plattsburgh, NY 12901

Dear Ms. Skiff:

Enclosed is the U.S. Department of Health & Human Services (HHS), Office of Inspector General (OIG), final report entitled *Review of Joint Council for Economic Opportunity of Clinton and Franklin Counties, Inc.'s Compliance With Health and Safety Regulations for Head Start Programs*. 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, or contact John J. Madigan, Audit Manager, at (518) 437-9390, extension 224, or through email at [John.Madigan@oig.hhs.gov](mailto:John.Madigan@oig.hhs.gov). Please refer to report number A-02-10-02004 in all correspondence.

Sincerely,

/James P. Edert/  
Regional Inspector General  
for Audit Services

Enclosure

**Direct Reply to HHS Action Official:**

Ms. Carolyn Baker-Goode  
Acting Regional Program Manager  
Administration for Children and Families  
26 Federal Plaza, Room 4114  
New York, NY 10278

Department of Health & Human Services

**OFFICE OF  
INSPECTOR GENERAL**

**REVIEW OF JOINT COUNCIL  
FOR ECONOMIC OPPORTUNITY  
OF CLINTON AND FRANKLIN  
COUNTIES, INC.'S  
COMPLIANCE WITH HEALTH  
AND SAFETY REGULATIONS  
FOR HEAD START PROGRAMS**



Daniel R. Levinson  
Inspector General

September 2010  
A-02-10-02004

# ***Office of Inspector General***

<http://oig.hhs.gov>

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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:

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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.

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# *Notices*

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**THIS REPORT IS AVAILABLE TO THE PUBLIC**  
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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.

Joint Council for Economic Opportunity of Clinton and Franklin Counties, Inc. (the Grantee), provides early learning services to children and their families through the Head Start program at 10 facilities throughout the Plattsburgh, New York, area. For program year February 1, 2009, through January 31, 2010, OHS awarded approximately \$3.27 million in Federal Head Start funds to the Grantee to provide services to 337 children. On June 22, 2009, the Grantee also received \$181,927 in Recovery Act funding.

### **OBJECTIVE**

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

### **SUMMARY OF FINDINGS**

The Grantee did not fully comply with Federal and State requirements on ensuring the health and safety of children in its care. Specifically, as of October 2009:

- The files on 27 of the Grantee's 92 Head Start employees showed that the Grantee had not obtained (1) criminal background checks, (2) timely criminal background checks, and/or (3) child abuse and maltreatment checks. The files on the 65 remaining employees had all required documents. In addition, two of the five busdrivers employed by the Grantee did not have a timely tuberculosis screening or medical examination. The files on the three remaining busdrivers had all required documents.
- Nine of the Grantee's ten childcare facilities did not meet all Federal Head Start and State regulations on protecting children from unsafe materials and equipment.

These deficiencies occurred because the Grantee 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 requirements. The Grantee's failure to follow these requirements jeopardized the health and safety of children in its care.

## **RECOMMENDATIONS**

We recommend that the Grantee develop and consistently follow procedures to ensure that:

- all employee files contain documentation of timely criminal background checks and child abuse and maltreatment register checks,
- all busdrivers have an initial health examination that includes screening for tuberculosis, and
- all unsanitary and unsafe conditions are corrected in a timely manner.

## **GRANTEE COMMENTS**

In written comments on our draft report, the Grantee generally concurred with our findings and described its completed and ongoing actions to address deficiencies that we identified. However, the Grantee did not concur with two material and equipment deficiencies that we reported. Specifically, the Grantee disagreed that an unlocked kitchen door at the Keeseville Center was a safety hazard because it is a “fire rated door that has a door closure installed,” and the State’s daycare licensing agency has not indicated that the door must be locked. The Grantee also stated that the fire extinguisher at the Champlain Center that was last subjected to maintenance in 2007 is the property of the organization that provides space for the Grantee’s Head Start program and is located in an area that the program does not use.

The Grantee’s comments are included in their entirety as Appendix B.

## **OFFICE OF INSPECTOR GENERAL RESPONSE**

We maintain that an unlocked door to a kitchen that contains a stove and cutlery is a safety hazard. In addition, the fire extinguisher in question was located in the hallway outside the children’s classroom; therefore, we maintain that it must comply with applicable Federal and State requirements.

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## **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)).

#### **Joint Council for Economic Opportunity of Clinton and Franklin Counties, Inc.**

Joint Council for Economic Opportunity of Clinton and Franklin Counties, Inc. (the Grantee), a nonprofit human service agency, provides early learning services to children and their families through the Head Start program at 10 licensed facilities throughout the Plattsburgh, New York, area. For program year February 1, 2009, through January 31, 2010, OHS awarded approximately \$3.27 million in Federal Head Start funds to the Grantee to provide services to 337 children. On June 22, 2009, the Grantee also received \$181,927 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 the Grantee complied with applicable Federal and State requirements on ensuring the health and safety of children in its care.

#### **Scope**

Our review covered the Grantee's employee records and 10 Head Start facilities as of October 2009. To gain an understanding of the Grantee's operations, we conducted a limited review of the Grantee's internal controls as they related to our audit objective.

We performed our fieldwork in October 2009 at the Grantee's administrative office and at its 10 Head Start facilities in the Plattsburgh, New York, area.

#### **Methodology**

To accomplish our objective, we:

- selected the Grantee 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;
- reviewed the Grantee's current grant award documents;
- reviewed the Grantee's files on all 92 current Head Start employees, including 5 busdrivers;<sup>1</sup>
- reviewed health screening information for all 5 of the Grantee's busdrivers;
- reviewed the Grantee's licenses and documentation of fire inspections;
- visited the Grantee's 10 Head Start facilities; and
- discussed our preliminary findings with Grantee and ACF officials.

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<sup>1</sup> The 92 current employees were partially or fully funded by the Head Start grant award.

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**

The Grantee did not fully comply with Federal and State requirements on ensuring the health and safety of children in its care. Specifically, as of October 2009:

- The files on 27 of the Grantee's 92 Head Start employees showed that the Grantee had not obtained (1) criminal background checks, (2) timely criminal background checks, and/or (3) child abuse and maltreatment checks.<sup>2</sup> The files on the 65 remaining employees had all required documents. In addition, two of the five busdrivers employed by the Grantee did not have a timely tuberculosis screening or medical examination. The files on the three remaining busdrivers had all required documents.
- Nine of the Grantee's ten childcare facilities did not meet all Federal Head Start and State regulations on protecting children from unsafe materials and equipment.

These deficiencies occurred because the Grantee 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 requirements. The Grantee's failure to follow these requirements jeopardized the health and safety of children in its care.

## **PREEMPLOYMENT CHECKS**

### **Criminal Background Checks**

Pursuant to section 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 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.

In New York State, child daycare centers must perform criminal history record checks on employees and volunteers pursuant to section 390-b.1.(a) of the New York Social Services Law.<sup>3</sup>

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<sup>2</sup> The file for 1 of the 27 employees lacked evidence of a criminal background check and a child abuse and maltreatment register check.

<sup>3</sup> Child daycare centers in New York were required to perform criminal history records checks on employees and volunteers hired prior to December 5, 2000, upon applying for license renewal.

Our review of the Grantee's files on all 92 current employees found that the Grantee did not comply with all Federal and State preemployment requirements. Specifically:

- The files on seven employees (three cooks, two maintenance workers, one assistant teacher, and one teacher) contained no evidence of criminal record checks.<sup>4</sup>
- Fifteen employees (five teacher assistants, three teachers, two cooks, one health services assistant, one maintenance worker, one bus aide, one family worker, and one teacher-center support) did not have timely criminal record checks.

### **Child Abuse and Maltreatment Register Checks**

Section 424-a.1(b)(i) of the New York Social Services Law requires that childcare agencies query the State's central register for child abuse and maltreatment by any applicant who potentially will have regular and substantial contact with children.

Employee files did not contain evidence that the Grantee had queried the State's child abuse and maltreatment register for 6 of its 92 employees.

### **Health Examinations**

Pursuant to 45 CFR § 1304.52(k)(1), grantees must ensure that each staff member has an initial health examination that includes screening for tuberculosis. Pursuant to 45 CFR § 1304.3(a)(18), staff members are defined as "paid adults who have responsibilities related to children and their families who are enrolled in Early Head Start and Head Start programs." Pursuant to 45 CFR § 1310.16(b)(3), Head Start agencies must conduct a medical examination on busdrivers before they can begin work.

The Grantee's files on two of its five busdrivers showed that the Grantee did not comply with all Federal regulations on staff health examinations. Specifically:

- One busdriver's file showed that an initial screening for tuberculosis was not conducted until after the busdriver was hired.
- Another busdriver's file showed that a medical examination was not conducted until after the busdriver was hired.

By not ensuring that all employees, including busdrivers, who supervised or had routine unsupervised contact with children met all preemployment requirements, the Grantee potentially jeopardized the safety of children in its care.

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<sup>4</sup> The files on five of these seven employees contained evidence of a local background check; however, such a check did not comply with Federal and State preemployment laws because it did not include a search of Federal and State databases.

## **MATERIAL AND EQUIPMENT SAFETY**

### **Federal and State Regulations**

Federal Head Start regulations require grantees to provide for the maintenance, repair, safety, and security of all Head Start facilities, materials, and equipment (45 CFR § 1304.53(a)(7)). In addition, each Head Start facility must maintain a readily available and well-supplied first aid kit (45 CFR § 1304.22(f)). The regulations also require, among other things, that approved, working fire extinguishers be readily available and that indoor and outdoor premises be cleaned daily and kept free from undesirable and hazardous materials and conditions (45 CFR § 1304.53(a)).

Pursuant to 45 CFR § 1306.30(c), grantees must ensure that Head Start facilities comply with State and local licensing requirements. If these licensing standards are less comprehensive or less stringent than the Head Start regulations or if no State or local licensing standards are applicable, grantees must ensure that their facilities comply with the Head Start Program Performance Standards related to health and safety.

State regulations (Title 18 § 418-1 of the New York Compilation of Codes, Rules, & Regulations (NYCRR)) require daycare facilities to comply with the New York State Uniform Fire Prevention and Building Code (fire code), which requires compliance with National Fire Protection Association (NFPA) standards for fire extinguishers.<sup>5</sup> These standards require that portable fire extinguishers be subjected to maintenance (i.e., a thorough examination and any necessary repair or replacement) at least annually (NFPA 10 § 7.3.1.1.1).

State regulations (18 NYCRR § 418-1) specify requirements for buildings and equipment and for health and safety at child daycare facilities, including the following:

- All matches, lighters, medicines, drugs, cleaning materials, detergents, aerosol cans, and other poisonous or toxic materials must be kept in a place inaccessible to children.
- Protective caps, covers, or permanently installed obstructive devices must be used on all electrical outlets that are accessible to children.
- Convenient, adequate, and sanitary toilet facilities must be provided in a separate, properly ventilated room readily accessible to children.
- Garbage receptacles must be covered and cleaned as needed after emptying.
- Handbags, backpacks, or briefcases belonging to adults must be stored in such a manner that they are not accessible to children.

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<sup>5</sup> Pursuant to 18 NYCRR 418-1.3(o), all daycare centers must comply with the applicable provisions of the fire code. In addition, 18 NYCRR § 418-1.4(c)(3) states that all fire suppression equipment and systems must be tested and maintained in accordance with applicable fire code requirements. Pursuant to section 906.2 of the fire code, portable fire extinguishers must be maintained in accordance with NFPA Standard 10, Standard for Portable Fire Extinguishers.

- Each center must be equipped with a portable first aid kit that is accessible for emergency treatment. The first aid kit must be stocked to treat a broad range of injuries and situations and must be restocked as necessary. The first aid kit and any other first aid supplies must be kept in a clean container or cabinet not accessible to children.
- Peeling or damaged paint or plaster must be repaired promptly.
- Suitable precautions must be taken to eliminate all conditions that pose a safety or health hazard in areas accessible to children.
- Outdoor equipment such as swings, slides, and climbing apparatus must be installed and used in accordance with the manufacturer's specifications and instructions, be in good repair, and be placed in a safe location. In addition, materials and play equipment used by children must be sturdy and free from rough edges and sharp corners.

### **Grantee's Compliance With Material and Equipment Safety Regulations**

The Grantee's childcare facilities did not meet all Federal Head Start and State health and safety regulations on protecting children from unsafe and unsecure conditions. We noted deficiencies at 9 of the Grantee's 10 facilities, and we reported the deficiencies to Grantee officials after completion of our fieldwork.

#### *Keeseville Center (visited October 19, 2009)*

- Spray cleaner in the classroom was accessible to children.
- The children's bathroom had no toilet paper (Appendix A, Photograph 1).
- A garbage receptacle in the classroom was not covered.
- A first aid kit contained expired items.
- A carpet in the classroom was not secured to the floor and presented a tripping hazard (Appendix A, Photograph 2).
- Children had access to an unlocked, dirty storage room near the playground containing disheveled shelves, boxes, and other items.
- The kitchen door was unlocked, leaving the kitchen, which contained a stove and cutlery, accessible to children (Appendix A, Photograph 3).

#### *Beekman Center (visited October 20, 2009)*

- A garbage receptacle in the children's bathroom was not covered.

- A first aid kit contained expired items. For example, medical gauze was more than 1 year past its expiration date (Appendix A, Photograph 4).
- A ceiling tile in the classroom was cracked and could fall.

*Brushton/Malone Centers (visited October 20, 2009)*

- Garbage receptacles in the children's bathrooms and classroom were not covered.

*Champlain Center (visited October 20, 2009)*

- The fire extinguisher was last subjected to maintenance in January 2007 (Appendix A, Photograph 5).

*Cumberland Head Center (visited October 20, 2009)*

- Garbage receptacles near the playground were not covered.

*Peru Head Start (visited October 20, 2009)*

- Cleaning products under a classroom sink were accessible to children (Appendix A, Photograph 6).
- Garbage receptacles in the classroom were not covered (Appendix A, Photograph 7).
- Items such as toys and blankets were stored in the children's bathroom. This situation created a sanitation hazard (Appendix A, Photograph 8).
- Raised, cracked pavement and a large tarp on the playground presented tripping hazards (Appendix A, Photograph 9).

*Plattsburgh City South Head Start (visited October 20, 2009)*

- A garbage receptacle in the classroom was not covered.
- A first aid kit contained expired items. For example, medical gauze was more than 1 year past its expiration date.
- The fire extinguisher was last subjected to maintenance in January 2008.
- A dirty mop and broom stored in the children's bathroom presented a sanitation hazard (Appendix A, Photograph 10).
- Playground equipment was not in good repair. For example, a rusty screw protruding from a piece of equipment was accessible to children and posed a safety or health hazard (Appendix A, Photograph 11).

*Saranac Center (visited October 20, 2009)*

- Garbage receptacles in the children's bathroom and near the playground were not covered.
- The children's bathroom, which contained a rusted pipe and radiator, was used as a storage area for clothing, shoes, and blankets. This situation created sanitation and fire hazards.

*Tupper Lake Center (visited October 20, 2009)*

- Garbage receptacles in the children's bathrooms were not covered.

By not ensuring that all facilities were kept free from unsafe conditions, the Grantee jeopardized the safety of children in its care.

### **INADEQUATE OR INCONSISTENTLY FOLLOWED PROCEDURES**

These deficiencies occurred because the Grantee 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 requirements.

### **RECOMMENDATIONS**

We recommend that the Grantee develop and consistently follow procedures to ensure that:

- all employee files contain documentation of timely criminal background checks and child abuse and maltreatment register checks,
- all busdrivers have an initial health examination that includes screening for tuberculosis, and
- all unsanitary and unsafe conditions are corrected in a timely manner.

### **GRANTEE COMMENTS**

In written comments on our draft report, the Grantee generally concurred with our findings and described its completed and ongoing actions to address deficiencies that we identified. However, the Grantee did not concur with two material and equipment deficiencies that we reported. Specifically, the Grantee disagreed that an unlocked kitchen door at the Keeseville Center was a safety hazard because it is a "fire rated door that has a door closure installed," and the State's daycare licensing agency has not indicated that the door must be locked. The Grantee also stated that the fire extinguisher at the Champlain Center that was last subjected to maintenance in 2007 is the property of the organization that provides space for the Grantee's Head Start program and is located in an area that the program does not use.

The Grantee's comments are included in their entirety as Appendix B.

**OFFICE OF INSPECTOR GENERAL RESPONSE**

We maintain that an unlocked door to a kitchen that contains a stove and cutlery is a safety hazard. In addition, the fire extinguisher in question was located in the hallway outside the children's classroom; therefore, we maintain that it must comply with applicable Federal and State requirements.

# **APPENDIXES**

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



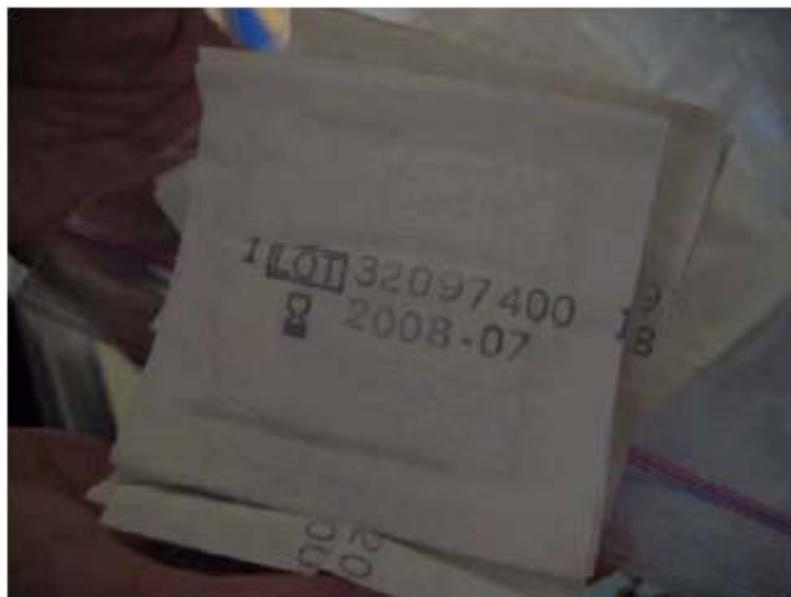
**Photograph 1 – Taken at Keeseville on 10/19/09 showing an empty toilet paper dispenser in the children’s bathroom. No additional rolls of toilet paper were readily available.**



**Photograph 2 – Taken at Keeseville on 10/19/09 showing carpet edges not fastened to the floor of the classroom.**



**Photograph 3 – Taken at Keeseville on 10/19/09 showing an unlocked kitchen door.**



**Photograph 4 – Taken at Beekman on 10/20/09 showing expired gauze in a first aid kit.**



**Photograph 5 – Taken at Champlain on 10/20/09 showing a fire extinguisher that was last subjected to maintenance in January 2007.**



**Photograph 6 – Taken at Peru on 10/20/09 showing cleaning products stored under a classroom sink.**



**Photograph 7 – Taken at Peru on 10/20/09 showing uncovered garbage receptacles in the classroom.**



**Photograph 8 – Taken at Peru on 10/20/09 showing toys and blankets stored in the children's bathroom.**



**Photograph 9 – Taken at Peru on 10/20/09 showing raised, cracked pavement on the playground.**



**Photograph 10 – Taken at Plattsburgh City South on 10/20/09 showing a dirty mop and broom stored in the children's bathroom.**



**Photograph 11 – Taken at Plattsburgh City South on 10/20/09 showing a rusty screw protruding from playground equipment.**

**APPENDIX B: GRANTEE COMMENTS**

JOINT COUNCIL FOR ECONOMIC  
OPPORTUNITY  
OF CLINTON AND FRANKLIN  
COUNTIES, INC.

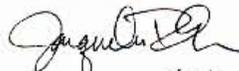
HEAD START

RESPONSE TO DRAFT REPORT:

COMPLIANCE WITH HEALTH AND SAFETY  
REGULATIONS FOR HEAD START PROGRAMS  
July 25, 2010

Report # A-02-10-02004

Completed By: Jacqueline Skiff, Head Start Director  
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7/29/10

**PREEMPLOYMENT CHECKS**

**Criminal Background Checks:**

**OIG Findings** - The files on seven employees (three cooks, two maintenance workers, one assistant teacher, and one teacher) contained no evidence of criminal background checks.

Joint Council for Economic Opportunities of Clinton and Franklin Counties, Inc. (JCEO) Head Start program concur that during the actual audit in October 2009 the files did not have the documentation in place. Prior to this review we recognized that our Personnel files needed to be improved. We were in process of developing a better file system and monitoring protocol for Head Start employees personnel file documents. This new procedure has helped us receive and maintain the appropriate documentation for all individuals employed with in the program.

During our review of every Head Start staff file we found some of the missing information as requested by Office of Inspector General (OIG). In a later correspondence dated 11/25/09 to an OIG Auditor we sent documentation for 3 cooks, 1 assistant teacher, and 1 teacher on their completed local background check.

All of the positions mentioned were missing the Office of Child Family Services Criminal History Review report. We corrected this by immediately requesting the missing information or following up on the previously submitted requests for this necessary information. The criminal record check information is currently each personnel file.

Our new filing procedure is now in place. It includes revising the old personnel files to include six sections. Each section has a cover sheet check list. When a document is filed it is initialed and dated. The Administrative Assistant is responsible for maintaining our licenses at our centers. She maintains a chart of all employees that records (see attachment #1):

- background check requests sent and received
- dates, receipts, and follow up of fingerprint appointments
- documentation regarding information sent to and received from State Central Register for child abuse and maltreatment queries.

We have also developed a new hiring procedure to streamline the process for all supervisors (see attachment #2). It is a step by step guide to hiring for all positions within the Head Start program. There is a Hiring Checklist that accompanies this procedure (see attachment#3).

**OIG Finding** - Fifteen employees (five teacher assistants, three teachers, two cooks, one health service assistant, one maintenance worker, one bus aide, one family worker, and one teacher-center support) did not have timely criminal record checks.

As highlighted in the previous finding we are following a new hiring process. This will prevent the re-occurrence of not having information in the file within a specific time frame or prior to the individual being hired. The Administrative Assistant is responsible for maintaining our licenses at our centers. She maintains a chart of all employees that records (see attachment #1):

- background check requests sent and received
- dates, receipts, and follow up of fingerprint appointments
- documentation regarding information sent to and received from State Central Register for child abuse and maltreatment queries.

This will be monitored monthly by the Administrative Assistant and quarterly by the Head Start Director.

We have also developed a new hiring procedure to streamline the process for all supervisors (see attachment #2). It is a step by step guide to hiring for all positions within the Head Start program. There is a Hiring Checklist that accompanies this procedure (see attachment #3).

#### **Child Abuse and Maltreatment Register Checks**

**OIG Finding** - Employees files did not contain evidence that the Grantee had queried the State's child abuse and maltreatment register for 6 of its 92 employees.

JCEO concurs with this finding. Although there was a completed State Central Register form or an approved in bureau request in 4 of the 6 files, we had not received the final letter of clearance for those individuals. After the site visit we followed up with getting the appropriate documentation. All results have been received and is documented in the personnel files.

We have implemented new procedures to assure this information is received and filed in each personnel file. As highlighted in the previous findings we are following a new hiring process. This will prevent the re-occurrence of not having information in the file within a specific time frame. The Administrative Assistant is responsible for maintaining our licenses at our centers. She maintains a chart of all employees that records (attachment #1):

- background check requests sent and received
- dates, receipts, and follow up of fingerprint appointments
- documentation regarding information sent to and received from State Central Register for child abuse and maltreatment queries.

This will be monitored monthly by the Administrative Assistant and quarterly by the Head Start Director.

We have also developed a new hiring procedure to streamline the process for all supervisors (see attachment #2). It is a step by step guide to hiring for all positions within the Head Start program. There is a Hiring Checklist that accompanies this procedure (see attachment #3).

#### **Health Examinations**

**OIG Finding** - One bus driver's file showed that an initial screening for tuberculosis was not conducted until after the bus driver was hired.

JCEO's practice is to have a physical and tuberculosis test on all employees before they are placed working with children. The one driver in question was hired in 1998. The documentation for his initial TB test could not be found. It is our responsibility to maintain personnel medical records and we regret that this particular document has not been found.

The medical files will be reviewed and maintained as all personnel files stated in the above findings and plans of action. The Administrative Assistants/Transportation Coordinators will monitor each employee's file. A check off list of completed physicals/tuberculosis tests will be revised monthly and reviewed by the Head start Director quarterly.

**OIG Finding** - Another Bus driver's file showed that a medical examination was not conducted until after the bus driver was hired.

All employees will meet pre employment requirements as indicated in the prior findings.

### **Material and Equipment Safety Regulations**

**OIG Finding** - deficiencies in 9 facilities.

JCEO concurs with the majority of the findings as listed below. Those of nonconcurrence are indicated below. All applicable items have been corrected as indicated:

#### **Keeseville Center**

- *Spray cleaner in the classroom was accessible to children.*  
Staff is aware that all cleaning supplies need to be kept in a locked storage area. This item has been added to our Monthly Health/Safety Checklist as a monitoring check.
- *The children's bathroom had no toilet paper*  
All centers are fully stocked with toiletries and paper products. Staff was reminded that items need to be replaced as needed.
- *A garbage receptacle in the classroom was not covered.*  
Staff is aware that receptacles must have a lid on them at all times. This has been added to our Monthly Checklist as a monitoring check.
- *A carpet in the classroom was not secured to the floor*  
Item was corrected.
- *Children had access to an unlocked, dirty storage room near the playground containing disheveled shelves, boxes and other items.*  
Staff is aware that this storage room is to remain locked at all times.
- *Kitchen door was unlocked, leaving the kitchen accessible to children.*  
*We do not concur.*  
Kitchen door is a fire rated door that has a door closure installed. The kitchen doors at our centers are to be closed at all times. Licensing has not indicated the door to a kitchen be locked.

#### **Beekman Center**

- *A garbage receptacle in the children's bathroom was not covered.*  
Staff is aware that receptacles must have a lid on them at all times. This has been added to our Monthly Checklist as a monitoring check. Since this space is shared with the Church, we have notified the Church Pastor and

have requested that the janitor check the receptacles on weekends and days Head Start is not in session. Head Start staff will monitor daily.

- *A first aid kit contained expired items.*  
The first aid inventory form has been revised to include a section indicating expiration dates.
- *A ceiling tile in the classroom was cracked and could fall.*  
Church was notified and item repaired.

**Brushton/Malone Centers**

- *Garbage receptacles in the children's bathrooms and classrooms were not covered.*  
Staff is aware that receptacles must have a lid on them at all times. This has been added to our Monthly Checklist as a monitoring check.

**Champlain Center**

- *The fire extinguisher was last subjected to maintenance in January 2007.*

*We do not concur.*

The fire extinguisher belongs to the Church where our site is located. It is not in the areas of use for our program. Head Start has three extinguishers in the building which are monitored monthly and are professionally serviced every January.

**Cumberland Head Center**

- *Garbage receptacles near the playground were not covered.*  
Staff is aware that receptacles must have a lid on them at all times. This has been added to our Monthly Checklist as a monitoring check.

**Peru Centers**

- *Cleaning projects under a classroom sink were accessible to children.*  
Staff is aware that all cleaning supplies need to be kept in a locked storage area. This item has been added to our Monthly Health/Safety Checklist as a monitoring check.
- *Garbage receptacles in the classroom were not covered.*  
Staff is aware that receptacles must have a lid on them at all times. This has been added to our Monthly Checklist as a monitoring check.
- *Items such as toys and blankets were stored in the children's bathroom.*

Staff were informed that although the children did not use this bathroom, items cannot be stored in this space. Items were removed and bathroom was cleaned and sanitized.

- *Raised, cracked pavement and a large tarp on the playground presented tripping hazards.*

It has been determined that a tree root has caused the pavement to crack. Maintenance will contact owner of property to receive permission to remove tree. Once tree is removed, tree root will be removed and hole refilled. Plastic tarp has been moved away from playground area when being used by the children.

#### **Plattsburgh City South**

- *A garbage receptacle in the classroom was not covered.*

Staff is aware that receptacles must have a lid on them at all times. This has been added to our Monthly Checklist as a monitoring check.

- *A first aid kit contained expired items.*

The first aid inventory form has been revised to include a section indicating expiration dates.

- *The fire extinguisher was last subjected to maintenance in January 2008.*

This is shared space. All Head Start extinguishers are monitored monthly and are professionally serviced every January or as needed.

- *A dirty mop and broom stored in the children's bathroom presented a sanitation hazard.*

Mop and broom have been removed and stored in designated area.

- *Playground equipment was not in good repair.*

Screw in tire climber was removed. This piece of playground equipment is not owned by Head Start and is not used by Head Start children. We are in hopes of having this piece of equipment removed. A request has been made to the property owner.

#### **Saranac Center**

- *Garbage receptacles in the children's bathroom and near the playground were not covered.*

Staff is aware that receptacles must have a lid on them at all times. This has been added to our Monthly Checklist as a monitoring check.

- *The children's bathroom, which contained a rusted pipe and radiator, was used as storage area for clothing, shoes and blankets.*  
Bathroom will be cleaned and sanitized and all items will be removed.

**Tupper Lake Center**

- *Garbage receptacles in the children's bathrooms were not covered.*  
Staff is aware that receptacles must have a lid on them at all times. This has been added to our Monthly Checklist as a monitoring check.



JCEO Head Start  
Hiring Procedure

ATTACHMENT #2

1. Inform Human Services Director that you have a vacancy. Human Services Director will post the position as per personnel policies.
2. All applicants must meet the minimum qualifications for the positions for which they apply. Applicants must present
  - a résumé and complete the employment history section on the attached application;
  - a copy of GED, diplomas, degrees and official transcripts if applicable;
  - Three professional references, other than relatives, at least one of whom can verify employment history, work record and qualifications, and at least one of whom can attest to the applicant's character, habits and personal qualifications. These are recorded on the application section referring to the reference check.
3. Each Supervisor will screen applications and résumés for proper qualifications.
4. Select interview team. Include a Policy Council member and you may request another member from the management team.
5. Schedule and conduct interviews and determine top candidates. Document interview results on Policy Council Interview Form.
6. Applicants must complete a Criminal Record Release Authorization Form upon the end of their interview. Individuals will be screened through a Criminal Back Ground Check data base to see if they have a criminal record.
7. Each Supervisor will check references on individuals that are considered for the position.
8. Once all the above information has been received, file is then given to the Head Start Director for approval.
9. Offer position and schedule a time to meet to complete paperwork to review and evaluate background information. This consists of the following:
  - Criminal History Review form indicating that they have not been convicted of a misdemeanor or felony in New York or any other jurisdiction must be signed. (See attached form).
  - Complete a State Central Register form to be screened for Child Abuse and Neglect. (Form attached)

- Complete Fingerprint Form (NYS Office of Children and Family Services requires all prospective employees to be fingerprinted for criminal history record checks. (Fingerprint form attached)

Individual will meet with Administrative Assistant to review forms and arrange a time to be fingerprinted.

10. Individual will need to make arrangements for a complete physical and TB testing.
11. Completed Hiring Checklist is then given to Head Start Director. Head Start Director then gives file to Human Services Director.
12. Supervisor arranges meeting with Human Services Director for Business Orientation.

*Bus Drivers Only:* Bus Drivers must meet requirements as indicated by DOT and Head Start. These include Department of Motor Vehicle Article 19-A certification procedures.

ATTACHMENT #3

JCEO HEAD START  
HIRING CHECKLIST

NAME: \_\_\_\_\_

DATE: \_\_\_\_\_

POSITION: \_\_\_\_\_

CENTER: \_\_\_\_\_

\_\_\_\_\_

Application

\_\_\_\_\_

Résumé

\_\_\_\_\_

References (3) Professional and Personal

Phone     Written

Phone     Written

\_\_\_\_\_

Copy of Degree

\_\_\_\_\_

Official Transcripts (when necessary)

\_\_\_\_\_

Physical (prior to being with children)

\_\_\_\_\_

TB (prior to being with children)

\_\_\_\_\_

Criminal History Review Form

\_\_\_\_\_

Data Base Criminal Check

\_\_\_\_\_

Date Sent: \_\_\_\_\_

Date Received: \_\_\_\_\_

\_\_\_\_\_

Fingerprints (cannot be alone with children until cleared)

Appointment Date: \_\_\_\_\_

Results Received: \_\_\_\_\_

\_\_\_\_\_

SCR (cannot be alone with children until cleared)

Date Sent: \_\_\_\_\_

Date Received: \_\_\_\_\_

\_\_\_\_\_

Signed Job Description

\_\_\_\_\_

Director Approval

\_\_\_\_\_

Personal Action Sheet

\_\_\_\_\_

**New employees can not start until I-9 and W4 are completed.**

\_\_\_\_\_

I-9

\_\_\_\_\_

W-4

\_\_\_\_\_

Policy Council Approval

\_\_\_\_\_

Notice of Pay Rate & Payday for New Hires