



DEPARTMENT OF HEALTH & HUMAN SERVICES

ADMINISTRATION FOR CHILDREN AND FAMILIES  
**Office of Head Start**  
8th Floor Portal Building  
1250 Maryland Avenue, SW  
Washington, DC 20024

February 25, 2008

Ms. Sandra Martinez  
Board Chairperson  
Texas Migrant Council  
5215 McPherson Road  
Laredo, TX 78041

Dear Ms. Martinez,

As you know, Head Start monitoring reviews are organized into ten sections of the Office of Head Start Monitoring Protocol. Based on the monitoring review conducted 10/28/07 – 11/2/2007, we wish to acknowledge that Texas Migrant Council had no areas of noncompliance in the following sections:

- Health Services
- Nutritional Services
- Safe Environments
- Mental Health Services
- Disabilities Services
- Family and Community Services
- Education and Early Childhood Development Services
- Program Design and Management

Your review report provides you with detailed information on the areas where your program's performance did not meet Head Start program performance standards and these must be corrected within the specified time period. However, we also want to recognize your accomplishment in meeting performance standards in the areas referenced above. Full compliance in all program areas is essential to ensuring quality services to children and families. We look forward to working with you to continuously improve Head Start services to children and families.

Sincerely,

Ann Linehan  
Director, Division of Quality Assurance  
Office of Head Start



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**To: Board Chairperson**  
*Ms. Sandra Martinez*  
*Board Chairperson*  
*Texas Migrant Council*  
*5215 McPherson Rd.*  
*Laredo, TX 78041*

**From: Responsible HHS Official**  
*Ms. Patricia E. Brown*  
*Acting Director, Office of Head Start*

*Pat E Brown 2/28/08*

Date

**Overview of Findings**

From 10/28/2007 to 11/2/2007 the Administration for Children and Families (ACF) conducted an on-site monitoring review of the Texas Migrant Council Head Start program. We wish to thank the Policy Council, staff, and parents of your program for their cooperation and assistance during the review. This Head Start Review Report has been issued to Mr. Sandra Martinez, Board Chairperson, as legal notice to your agency of the results of the on-site program review.

Based on the information gathered during our review, your Head Start program was found to be out of compliance with one or more applicable Head Start Program Performance Standards, laws, regulations, and policy requirements. The report provides you with detailed information on the areas where program performance did not meet applicable Head Start Program Performance Standards, laws, regulations, and policy requirements. All areas of noncompliance identified in this letter should be corrected within 120 days following receipt of this report. The ACF Regional Office will contact you soon to address any questions you may have concerning this report.

**Distribution of the Head Start Review Report**

Copies of this report will be distributed to the following recipients:

Ms. Sandra Carton, Regional Program Manager  
Mr. Eileen Tofolla, Policy Council Chairperson  
Mr. Mary G. Capello, J.D., CEO/Executive Director  
Mr. Cynthia Garcia, Head Start Director

**Overview Information**

Review Type: *Triennial*

Organization: *Texas Migrant Council*  
 Program Type: *HS*  
 Team Leader: *Ms. Laura Cross*

### Area of Noncompliance Determination

Texas Migrant Council Head Start program has areas of noncompliance. These are found in:

Applicable Standards	Program Type	Status
<i>225, App A(C)(1)(d)</i>	<i>HS</i>	<i>Noncompliant</i>
<i>1310.20(b)(7)</i>	<i>HS</i>	<i>Noncompliant</i>

#### 2 CFR Part 225, Appendix A - General Principles for Determining Allowable Costs

##### (C) Basic Guidelines

(1) Factors affecting allowability of costs. To be allowable under Federal awards, costs must meet the following general criteria:

(d) Conform to any limitations or exclusions set forth in these principles, Federal laws, terms and conditions of the Federal award, or other governing regulations as to types or amounts of cost items.

The grantee did not conform to limitations on staff compensation. According to Federal law, Head Start staff compensation may not exceed Executive Level II (\$168,000 as of January 1, 2007). In an interview, the Director of Accounting Operations and the Budget Director stated the grantee had two staff with compensation in excess of \$168,000. A review of the IRS-990 Return of Organization Exempt From Income Tax for the year ending January 31, 2007 found the Chief Executive Officer had a salary of \$190,434 and the Chief Financial Officer had a salary of \$184,347. Check copies documented that salary in excess of \$168,000 was paid from general funds of the grantee.

##### 1310.20 Trip routing.

(b) The agency must also ensure that the following basic principles of trip routing are adhered to:

(7) Specific procedures must be established for use of alternate routes in the case of hazardous conditions that could affect the safety of the children who are being transported, such as ice or water build up, natural gas line breaks, or emergency road closing. In selecting among alternatives, transportation providers must choose routes that comply as much as possible with the requirements of this section.

In an interview, staff at the Raymondville Center reported that, "There is no written alternate bus route. The Center Manager, FSA, and bus driver stated the bus driver knows the area and if a road is closed knows alternate routes." There are no specific procedures in place for using alternate routes in case of emergency at this center.

#### Timeframe for Corrective Action

The areas of noncompliance that are cited in this report must be corrected within 120 days of the

receipt of this report. Pursuant to Section 637(2)(C) of the Head Start Act as amended and 45 CFR 1304.61(b), a grantee that is unable or unwilling to correct the specified areas of noncompliance within the prescribed time period will be judged to have a deficiency that must be corrected, either immediately or pursuant to a QIP.

— END OF REPORT —