

**PART 1303—APPEAL PROCEDURES
FOR HEAD START GRANTEES AND
CURRENT OR PROSPECTIVE DELE-
GATE AGENCIES**

Subpart A—General

Sec.

- 1303.1 Purpose and application.
- 1303.2 Definitions.
- 1303.3 Right to attorney, attorney fees, and travel costs.
- 1303.4 Remedies.
- 1303.5 Service of process.
- 1303.6 Successor agencies and officials.
- 1303.7 Effect of failure to file or serve documents in a timely manner.
- 1303.8 Waiver of requirements.

Subpart B—Appeals by Grantees

- 1303.10 Purpose.
- 1303.11 Suspension on notice and opportunity to show cause.
- 1303.12 Summary suspension and opportunity to show cause.
- 1303.13 Appeal by a grantee of a suspension continuing for more than 30 days.
- 1303.14 Appeal by a grantee from a termination of financial assistance.
- 1303.15 Appeal by a grantee from a denial of refunding.
- 1303.16 Conduct of hearing.
- 1303.17 Time for hearing and decision.

**Subpart C—Appeals by Current or
Prospective Delegate Agencies**

- 1303.20 Appeals to grantees by current or prospective delegate agencies of rejection of an application, failure to act on an application, or termination of a grant or contract.
- 1303.21 Procedures for appeal by current or prospective delegate agencies to the responsible HHS official from denials by grantees of an application or failure to act on an application.
- 1303.22 Decision on appeal in favor of grantee.
- 1303.23 Decision on appeal in favor of the current or prospective delegate agency.
- 1303.24 OMB control number.

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Subpart A—General

§ 1303.1 Purpose and application.

This part prescribes regulations based on section 646 of the Head Start Act, 42 U.S.C. 9841, as it applies to grantees and current or prospective

delegate agencies engaged in or wanting to engage in the operation of Head Start programs under the Act. It prescribes the procedures for appeals by current and prospective delegate agencies from specified actions or inaction by grantees. It also provides procedures for reasonable notice and opportunity to show cause in cases of suspension of financial assistance by the responsible HHS official and for an appeal to the Departmental Appeals Board by grantees in cases of denial of refunding, termination of financial assistance, and suspension of financial assistance.

§ 1303.2 Definitions.

As used in this part:

Act means the Head Start Act, 42 U.S.C. section 9831, *et seq.*

ACYF means the Administration on Children, Youth and Families in the Department of Health and Human Services, and includes Regional staff.

Agreement means either a grant or a contract between a grantee and a delegate agency for the conduct of all or part of the grantee's Head Start program.

Day means the 24 hour period beginning at 12 a.m. local time and continuing for the next 24 hour period. It includes all calendar days unless otherwise expressly noted.

Delegate Agency means a public or private non-profit organization or agency to which a grantee has delegated by written agreement the carrying out of all or part of its Head Start program.

Denial of Refunding means the refusal of a funding agency to fund an application for a continuation of a Head Start program for a subsequent program year when the decision is based on a determination that the grantee has improperly conducted its program, or is incapable of doing so properly in the future, or otherwise is in violation of applicable law, regulations, or other policies.

Funding Agency means the agency that provides funds directly to either a grantee or a delegate agency. ACYF is the funding agency for a grantee, and a grantee is the funding agency for a delegate agency.

Grantee means the local public or private non-profit agency which has been