Head Start Artificial Intelligence (AI) Policy

Sample Template

Purpose

This policy establishes guidelines for the responsible use of Artificial Intelligence (AI) within the Head Start and Early Head Start program. Its purpose is to ensure that all AI use aligns with the **Head Start Program Performance Standards (HSPPS)**, maintains confidentiality and integrity of **Personally Identifiable Information (PII)**, and complies with applicable **federal, state, and local laws**.

Scope

This policy applies to all program staff, contractors, consultants, and partners who use, manage, or have access to AI-powered tools or systems in the course of Head Start operations — including applications used for:

- Recruitment and ERSEA processes
- Family engagement and communication
- Child assessment and education planning
- Facilities management and safety monitoring
- Staff development, training, and data analysis

Definition of Artificial Intelligence

For the purpose of this policy, *Artificial Intelligence (AI)* refers to software or systems that perform tasks typically requiring human intelligence, such as data analysis, pattern recognition, prediction, natural language processing, or automated decision-making. Examples include chatbots, data analytics dashboards, scheduling algorithms, and automation tools.

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1. Confidentiality and Privacy Compliance

In accordance with **45 CFR §1303.20 (Confidentiality and Disclosure)**, programs must ensure that:

- AI tools do not access or store **PII** (e.g., names, addresses, social security numbers, health or disability information, family income data) unless explicitly approved and securely managed.
- AI systems used for Head Start operations must have clear **data protection measures**, including encryption, secure user authentication, and audit trails.
- Any data input into AI tools must **exclude identifying details** unless essential for program compliance and safety purposes.
- AI tools must comply with the **Family Educational Rights and Privacy Act (FERPA)** and **Health Insurance Portability and Accountability Act (HIPAA)** where applicable.

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2. Personally Identifiable Information (PII)

PII may only be shared, processed, or analyzed through AI platforms when:

- The system has been reviewed and approved by the program's **Data Governance Committee or IT Department**.
- Data-sharing agreements (DSAs) or vendor contracts specify how data will be used, stored, and destroyed.
- The program has obtained parental consent when PII is used in any tool that could potentially identify a child or family.

Reference: HSPPS **§1303.22 (Records)** requires programs to maintain the confidentiality of child and family records and limit access to authorized personnel only.

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3. Risk Awareness and Limitations of AI

Staff must recognize that AI systems:

- May produce **inaccurate or biased outputs** due to limitations in training data.
- Should **never replace human judgment** in making eligibility, hiring, disciplinary, or enrollment decisions.
- May inadvertently store sensitive data if not used properly.
- Must be used transparently, with clear communication to families and staff about what data is collected and how it is analyzed.

All AI tools must undergo **risk assessments** prior to implementation to evaluate:

- Data privacy implications

- Security vulnerabilities
- Ethical considerations
- Potential bias in decision-making

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4. Legal Responsibilities and Oversight

In accordance with **HSPPS §1304.11 (Grantee Responsibilities)** and related OHS guidance:

- Grantees are responsible for ensuring **AI use complies with federal confidentiality laws**, civil rights requirements, and nondiscrimination policies.
- The **Governing Body and Policy Council** must be informed of the use of AI systems as part of the program's data and technology plan.
- Contracts or vendor agreements involving AI must include clauses ensuring compliance with:
    - **45 CFR Part 1303 (Financial and Administrative Requirements)**
    - **OMB Uniform Guidance (2 CFR Part 200)**
    - **Data security and breach notification laws**

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5. Staff Training and Accountability

- All staff must receive **annual training** on ethical and compliant AI use.
- Training must include:
    - Recognizing and protecting PII
    - Understanding data security responsibilities
    - Identifying and reporting misuse or breaches
    - Ethical decision-making when using AI-generated insights
- Violations of this policy may result in disciplinary action, up to and including termination, consistent with personnel policies.

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6. Continuous Monitoring and Evaluation

The program will:

- Conduct **annual reviews** of AI tools to ensure ongoing compliance and ethical alignment.
- Maintain a **record of all AI applications** used within the agency.

- Report any **data breaches or misuse** involving AI to the Office of Head Start as required under **HSPPS §1303.24 (Communications with the Office of Head Start)**.

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7. Transparency with Families and the Community

- Families must be informed when AI tools are used in any part of program operations that may impact their data or communication.
- Programs must clearly state that AI is used to enhance — not replace — human services and decision-making.
- Families have the right to review or opt out of participation in AI-based communications, consistent with confidentiality protections.

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8. Approval and Implementation

This policy will be reviewed and approved by:

- The **Governing Body**
- The **Policy Council**
- The **Head Start Director**

Once approved, this AI policy becomes part of the program's **Technology and Data Governance Plan** and is reviewed annually or when significant technology updates occur.

Sample Statement for Staff Handbook

"The use of Artificial Intelligence (AI) in our Head Start program supports data-driven decision-making and efficient operations. However, all employees must handle AI tools responsibly, protect confidentiality, and ensure that no personal information about children, families, or staff is shared or processed in violation of the Head Start Program Performance Standards or applicable privacy laws."