

What the Proposed Head Start Rules Would Mean for Children with Disabilities

Disability protections the NPRM would directly remove

1. The NPRM would eliminate Head Start's dedicated federal standards for disability services.

The NPRM would remove the entire current Subpart F, which establishes Head Start's responsibilities for serving children with disabilities and replace it with a general instruction to comply with applicable federal and state disability laws. The Head Start Act, IDEA, Section 504, and the ADA would continue to provide important protections, but they do not reproduce everything Subpart F currently requires. Head Start would lose its own detailed national framework for ensuring children with disabilities and their families receive the supports and services they deserve.

2. Head Start's longstanding commitment to inclusion of children with disabilities would be substantially weakened.

The current standards require programs to support children's full participation, provide individualized accommodations and modifications, help deliver IFSP and IEP services in regular Head Start settings whenever possible, and coordinate services in the least restrictive appropriate community-based setting as much as possible. Although IDEA's inclusion protections would remain, the Head Start Act does not preserve these specific Head Start responsibilities spelled out in the standards. Programs would also lose important federal language they can rely on to require school districts and other partners to work with them to keep children with disabilities included alongside their peers.

3. Children could be identified later or their disabilities could be missed altogether.

The NPRM would remove the requirement to screen every child within a defined timeline, along with detailed requirements for follow-up, referral, assessment, and ongoing individualization. Programs could preserve these practices, but the timing and extent of screening and assessment would become more dependent on local decisions, staffing, and capacity. When screening is late or inaccurate, children with disabilities may lose valuable time during the years when early support can make the greatest difference.

- **The NPRM would also remove detailed safeguards for screening and assessing dual language learners.** These include using qualified bilingual personnel or interpreters, assessing children's language skills in both English and their home language, and conducting other screenings and assessments in the language or languages that best capture their development and abilities. Without these safeguards, language differences may be mistaken for disabilities or disabilities may be missed because a screening did not accurately capture the child's development.

4. Children who have significant needs but do not qualify for IDEA services could lose critical support.

A child can have a significant developmental delay or disability without meeting their state's eligibility criteria for IDEA Part C or preschool special education. The current standards tell programs what to do when a child is found ineligible, including seeking professional guidance and considering providing support through Section 504, health insurance, Head Start funds, and other resources. They also require programs to assist families of children with disabilities whether or not their children are IDEA-eligible. The NPRM would remove these explicit responsibilities, leaving some children without a clear and consistent path to help.

5. Families of children with disabilities and the Head Start staff supporting them would lose a clear roadmap through an often confusing disability process.

Head Start currently does more than refer families to another agency. The standards require programs to help families understand their child's disability and evaluation results, navigate evaluation and eligibility, participate in IFSP and IEP development, understand their rights, obtain equipment and services, and advocate for their children. The Head Start Act's broader family-engagement requirements do not preserve these specific duties. Removing them would weaken one of Head Start's defining commitments: helping parents become full partners and advocates for their children.

6. Removing suspension, expulsion, and mental-health protections would put children with disabilities at particular risk.

The NPRM would eliminate Head Start's national limits on suspension and protections against expulsion, including the steps programs must take before excluding a child because of behavior. It would also remove requirements for ongoing mental-health consultation and coordinated behavioral support. These requirements do not simply constrain programs; they help programs access support and respond effectively before a situation reaches a crisis point that results in exclusion. Children whose disabilities affect communication, emotional regulation, sensory processing, or behavior will be especially vulnerable. IDEA, Section 504, and the ADA would still apply in some circumstances, but they do not replace a clear Head Start protection for every enrolled child, particularly when a disability has not yet been identified.

7. Head Start programs would lose federal backing for their leadership in coordinating disability services across agencies.

The current standards require Head Start programs to work closely with families and IDEA agencies, help ensure IFSP and IEP services are delivered, monitor whether plans are being implemented, participate in meetings when invited, coordinate transitions, and work to develop interagency agreements that promote services in inclusive community-based settings. These requirements give programs both a responsibility and a clear federal foundation for pressing school districts and early-intervention agencies

to be active partners in serving children where they already learn and receive care. Head Start programs could continue this leadership, and many undoubtedly would, but the NPRM would weaken the federal backing that supports their efforts. The Head Start Act requires referral and general collaboration, but it does not preserve most of these specific, day-to-day responsibilities. Without that backing, services may be more likely to become delayed, disconnected, or unnecessarily separated from a child's regular classroom.

Broader changes that would hit children with disabilities especially hard

8. Programs would lose clear instructions for putting children's legal protections into practice.

Throughout the NPRM, HHS argues that many current standards are duplicative or overly prescriptive because related requirements appear in the Head Start Act or other laws, but the standards often do more than repeat the law: they tell programs how to put broad responsibilities into practice. Removing that detail would require grantees to piece together obligations across the Head Start Act, IDEA, Section 504, the ADA, state law, licensing requirements, and local policies. It would also leave programs, families, and partner agencies without the same shared understanding of what Head Start must provide for children with disabilities and their families.

9. A weaker national floor would make children's experiences depend more heavily on geography and local capacity.

The current standards establish protections that apply to every Head Start program. Under the NPRM, more would depend on state licensing rules, local early childhood systems, partner-agency cooperation, and the resources available to individual programs. IDEA eligibility also varies substantially by state. States use different definitions and thresholds for developmental delay, recognize different eligibility categories and risk conditions under Part C, and differ in the ages at which children may qualify under the developmental-delay category in preschool special education. As a result, a child with the same developmental needs may qualify for IDEA services in one state but not another. The current Head Start standards help fill that gap by requiring individualized support and family assistance even when a child is awaiting an IDEA decision or is not IDEA-eligible. The NPRM would remove many of those explicit responsibilities, making children's access to support more dependent on where they live and what their local program has the capacity to provide.

10. Larger classes, fewer staff, and reduced specialized support could make it harder to meet children's individual needs.

The NPRM would allow larger groups and less protective staff-child ratios, remove several staff-qualification requirements, reduce health and mental-health requirements, and lower the share of funding available for administration. HHS's own analysis acknowledges that children could receive less individualized attention. These changes affect all children, but children with disabilities rely even more

heavily on individualized attention, knowledgeable staff, accommodations, specialist support, and coordination across multiple providers.

Programs' commitment to children with disabilities cannot replace clear federal standards and the support to carry them out. Many Head Start programs will want to preserve their current disability practices, but permission is not protection. Commitment alone cannot overcome staffing shortages, limited funding, weak state systems, or uncooperative partner agencies. Every program should be supported to provide and every family should be able to expect early identification, full participation, partnership with families, coordinated services, and meaningful inclusion for children with disabilities.