



October 6, 2026
Office of Head Start
Attention: Director of Policy and Planning
330 C Street SW, 4th Floor
Washington, DC 20201

RE: [Docket number ACF-2026-0595S] Reducing Federal Burden for Head Start Programs

The Consortium for Constituents with Disabilities (CCD) Education Task Force monitors federal legislation and regulations that address the educational needs of children and youth with disabilities and their families, including regulatory efforts under federal law such as the Individuals with Disabilities Education Act (IDEA), the Every Student Succeeds Act (ESSA), Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act (ADA). We advocate for high expectations for children with disabilities under these and other laws. We appreciate the opportunity to provide comments on the U.S. Department of Health and Human Services (HHS) Notice of Proposed Rulemaking regarding the Head Start Program Performance Standards. Given our deep and longstanding interest in and commitment to children with disabilities, we offer the following recommendations.

Recommendation: Withdraw the NPRM.

This NPRM proposes to comprehensively rescind and replace the Head Start Program Performance Standards. Head Start's commitment to serving children with disabilities is embedded in its Performance Standards, which establish the program's requirements for comprehensive and inclusive services. Significantly reducing these standards would weaken the framework that guides service delivery, limit access, and reduce the ability for children with disabilities and their families to fully participate, weakening the program's effectiveness in achieving positive outcomes for children with disabilities. Furthermore, the scope of this reduction in Performance Standards would result in inconsistent nationwide standards for supporting children with disabilities. Rather than make sweeping changes, we urge the Office of Head Start to engage with programs, families, and disability experts to determine which of the Performance Standards may need improvement, and to make thoughtful recommendations based on broad stakeholder feedback.

§ 1302 Subpart F: Additional Services for Children with Disabilities

Recommendation: Preserve Subpart F, which affirms that programs must ensure enrolled children with disabilities and their families receive all applicable program services delivered in the least restrictive environment and that they can fully participate in all program activities; requires programs to ensure children with disabilities receive individualized supports, accommodations, and services necessary for full participation in Head Start, including compliance with IDEA and 504 when eligible; requires programs to collaborate with local IDEA-implementing agencies, and participate in transition services for children transitioning from Early Head Start to Head Start, and from Head Start to kindergarten; and requires programs to collaborate with and support parents of children with disabilities to help them best advocate for



their children, including, when eligible, helping parents understand IDEA processes and procedures.

Rationale: We strongly oppose the removal of Subpart F, which establishes Head Start's requirements for serving children with disabilities. Subpart F goes beyond general compliance with federal disability laws by requiring full participation, individualized supports and accommodations, coordination with IDEA agencies, transition planning, and family supports. Replacing these specific obligations with a broad requirement to comply with existing laws would weaken accountability, reduce protections for children with disabilities, and eliminate programmatic expectations that are central to Head Start's comprehensive and inclusive service model. It requires programs and families to refer back to federal disability laws rather than having digestible guidelines to support children with disabilities and their families.

§ 1302.62: Additional Services for Parents

Recommendation: Maintain this section, which establishes critical family supports that are not replicated elsewhere in the Head Start Act or IDEA. While IDEA outlines parental rights, it does not require Head Start programs to actively help families understand evaluations, navigate service systems, participate effectively in special education planning, or access needed supports and resources.

Rationale: Eliminating these requirements would remove a key source of guidance for families during complex and often time-sensitive decision-making processes. Without these structured supports, families may face greater difficulty understanding their rights and options, advocating for appropriate services, accessing assistive technology and related resources, and preparing for successful transitions into school-based services. The result would be increased burdens on families and a greater risk that children with disabilities do not receive the comprehensive services and supports necessary to meet their developmental needs.

§ 1302.17: Suspension and Expulsion

Recommendation: Maintain this section, as written. The section includes requirements for Head Start programs to severely limit suspension and prohibit expulsion due to a child's behavior including the clarifying language regarding the expectations of the steps that should be taken before a suspension can be determined to be necessary, and that a program needs to thoroughly document plans related to suspension. It stipulates that a suspension must be used only as a last resort where there is a serious safety threat that "has not been" reduced or eliminated and to assure that the program should take active steps to attempt to reduce or eliminate the concern and demonstrate that these have not worked. And it requires that a written plan must be developed to document action and support and to ensure children are properly evaluated and supported through a written plan, including an Individualized Family Service Plan (IFSP), Individualized Education Program (IEP) or 504 plan as appropriate.

Rationale:

There is a longstanding record - based in solid evidence - that any use of exclusionary



discipline, including suspension, expulsion and/or the use of aversive practices such as seclusion and restraint are extremely harmful to children, and are disproportionately targeted to children with disabilities. The Head Start Performance Standards' protections against suspension and expulsion provide safeguards that are not fully replicated in the Head Start Act, IDEA, Section 504, or the ADA, all of which offer more limited protections that may not apply to every enrolled child. Removing these requirements in the Performance Standards and referring to state laws, rules, and regulations will put children who live in states that have not established their own safeguards, at risk of harm.

§ 1302.33: Child Screenings and Assessments

Recommendation: Maintain this section as currently written, which includes the requirement that all enrolled children receive timely developmental screenings, including the requirement to complete screenings within 45 days of enrollment and across all required developmental domains; for programs to use information from families, teachers, and staff as part of the screening and assessment process and to engage families throughout identification and referral activities; requirements related to referral, follow-up, and collaboration with IDEA agencies when developmental delays or disabilities are identified; the requirement that programs conduct ongoing assessment of enrolled children at a frequency sufficient to individualize instruction, support children's development, and inform referrals for further evaluation when appropriate; the requirement that programs serving dual language learners use qualified bilingual personnel to assess children's language development in both English and their home language, ensuring progress in each language is appropriately evaluated and supported.

Rationale: Developmental screening and assessment are foundational components of Head Start's comprehensive service model and play a critical role in the early identification of developmental delays, disabilities, and learning needs. While the Head Start Act requires programs to use valid and appropriate screening and assessment tools, it does not include many of the specific requirements contained in § 1302.33, including universal screening, the 45-day screening timeline, screening across developmental domains, the incorporation of family and staff input, ongoing assessment practices, and structured referral and follow-up processes.

Furthermore, the requirement to conduct screenings in a child's home language with bilingual staff or interpreters is imperative to the accuracy of assessments and to avoid mis-identification of children who speak a language other than English and is consistent with the Head Start Act. The Supreme Court's decision in *Lau v. Nichols* established that federally funded programs must provide meaningful access to individuals with limited English proficiency, finding that failure to provide language support can constitute national origin discrimination under Title VI of the Civil Rights Act.

Removing these requirements would weaken accountability for timely identification and intervention and could result in significant variation in how programs screen, assess, and support children. The existing standards help ensure that developmental concerns are identified early, families are engaged throughout the process, and children receive appropriate referrals and services as quickly as possible. Eliminating these provisions would increase the risk that developmental delays and disabilities go unidentified or unaddressed, reducing opportunities for



early intervention and potentially affecting children's long-term developmental and educational outcomes.

§ 1301.4: Parent Committees

Recommendation: Maintain the requirement for Head Start programs to establish parent committees and preserve the structures that ensure meaningful family engagement, shared decision-making, and parent participation in program governance; maintain the Policy Council dispute resolution process and other accountability mechanisms that provide families with a formal role in resolving governance concerns and shaping program decisions; and maintain provisions that reduce barriers to participation for low-income families, including supports that enable meaningful engagement in program governance and leadership activities.

Rationale: Parent engagement is a defining feature of Head Start and a key mechanism for ensuring program effectiveness and accountability to the families it serves. Making parent committees optional would weaken the formal structures that support family voice, reduce opportunities for meaningful participation in program governance, and create inconsistency in how families engage with local programs. Eliminating the Policy Council dispute resolution process would further diminish parents' ability to influence decisions affecting their children's education and well-being. Collectively, these changes would erode the partnership between families and programs that has long been central to Head Start's effectiveness and accountability.

§ 1303.75: Children with disabilities (transportation)

Recommendation: Maintain the robust requirements for accessible transportation for children with disabilities. Currently, Programs must ensure that children with disabilities have access to appropriate transportation, including vehicles and accommodations necessary to meet their individual needs, and that any transportation requirements outlined in a child's IFSP or IEP are fully implemented. Whenever possible, children with disabilities should be transported alongside their peers to support inclusion and equal access to program services.

Rationale: The existing transportation requirements ensure that children with disabilities can safely and consistently participate alongside their peers in inclusive settings. Neither the Head Start Act nor IDEA establishes the same clear requirements regarding accessible transportation, integrated transit, implementation of transportation-related IEP and IFSP provisions, or safety supports during transport. Eliminating these requirements would create additional barriers to program access and increase the risk that children with disabilities experience reduced participation, inconsistent attendance, or unsafe transportation conditions. The removal of these provisions would be particularly burdensome for families who lack access to specialized transportation and rely on Head Start to ensure their children can fully access services and supports.

§ 1302.45: Supports for mental health and well-being



Recommendation: Maintain current guidelines for Head Start programs that create a positive, comprehensive program-wide approach to mental health that includes regular mental health consultation, developmental and behavioral screening and follow-up, support for children with social, emotional, behavioral, or mental health needs, staff and family capacity-building, coordination across program services, and partnerships that connect families to additional mental health resources.

Rationale: Eliminating these requirements would weaken Head Start's capacity to identify and address mental health concerns early, support positive learning environments, connect families to services, and provide the coordinated, multidisciplinary approach that is central to positive child and family outcomes.

§ 1302.91: Staff qualifications and competency requirements

Recommendation: Maintain this section, which establishes the qualifications and competency requirements necessary to ensure children with disabilities receive high-quality, individualized services from trained and knowledgeable staff. These requirements help ensure that program leaders, disability coordinators, teachers, home visitors, and mental health professionals have the expertise needed to support inclusion, implement appropriate accommodations and interventions, collaborate with families and IDEA providers, and promote positive developmental outcomes.

Rationale: Eliminating these standards could reduce program capacity to effectively serve children with disabilities and undermine the quality and consistency of services across Head Start programs.

§ 1302.21: Ratios and group size

Recommendation: The existing staff-child ratio and group size requirements help ensure that all children, including children with disabilities, receive the individualized attention, supervision, and support necessary to fully participate in Head Start services.

Rationale: Maintaining appropriate staffing levels is critical for implementing accommodations, responding to developmental and behavioral needs, supporting inclusion, and ensuring child safety. Weakening these requirements could reduce program capacity to meet children's individualized needs and weaken the quality and effectiveness of services for children with disabilities and all children in Head Start settings.

Head Start is a cornerstone of the federal commitment to children with disabilities, combining early learning, developmental screening, family engagement, and coordinated support services to help ensure opportunities to participate in inclusive community settings that support their readiness to enter school ready to learn. CCD appreciates the opportunity to provide public comment on the NPRM and urges reconsideration and a new approach to updating the Head Start Performance Standards that involves robust and meaningful stakeholder engagement and



preserves the safeguards for children with disabilities and their families that makes this program a success.

Sincerely,

Access Ready Inc
American Association of People with Disabilities
American Music Therapy Association
Autism Society of America
Autism Speaks
Autistic Women & Nonbinary Network
Bazelon Center for Mental Health Law
Children and Adults with Attention-Deficit/Hyperactivity Disorder
CommunicationFIRST
Council for Exceptional Children
Council for Learning Disabilities
Council of Parent Attorneys and Advocates (COPAA)
Division for Early Childhood of the Council for Exceptional Children (DEC)
Family Voices NJ
Learning Disabilities Association of America
National Association of Councils on Developmental Disabilities
National Center for Learning Disabilities
National Disability Rights Network (NDRN)
National Down Syndrome Congress
National Rehabilitation Association
SPAN Parent Advocacy Network
The Advocacy Institute
The Arc of the United States
The Center for Learner Equity
The Partnership for Inclusive Disaster Strategies