



September 30, 2026

Electronic Submission

The Honorable Robert F. Kennedy Jr.
Office of the Secretary
Administration for Children and Families
U.S. Department of Health and Human Services
330 C Street, SW
Washington, D.C. 20201

Re: Reducing Federal Burden for Head Start Programs; Docket ID No. ACF-2026-0595; RIN 0970-AD30

Dear Secretary Kennedy:

The Southern Education Foundation (SEF) appreciates the opportunity to provide comments to the U.S. Department of Health and Human Services (HHS), Administration for Children and Families (ACF), regarding the Notice of Proposed Rulemaking (NPRM) entitled “Reducing Federal Burden for Head Start Programs,”¹ published in the Federal Register on August 7, 2026. For background, SEF is the nation’s oldest education and civil rights organization, founded in 1867 with a mission to advance educational opportunity across the South. SEF works across the entire education continuum, from birth to and through postsecondary completion, to ensure every student, regardless of race, income, or zip code, receives a high-quality education that unlocks opportunity and success.

Head Start is among the nation’s most comprehensive early childhood programs and has supported children from low-income families for more than 60 years.² Its approach has benefited nearly 40 million children, with Head Start programs federally funded to serve more than 286,000 children and expectant families across the 17 states in SEF’s Southern footprint³, by delivering high-quality early education and promoting cognitive development, health, and family well-being.⁴ The program supports young children in poverty, including Black and Hispanic

¹ Reducing Federal Burden for Head Start Programs, 91 F.R. 33456 (proposed Aug. 7, 2026) (to be codified at 45 C.F.R. pts. 1301–1305). [eCFR Registry Page](#).

² National Head Start Association. (2026). *2026 State and national fact sheets*. <https://nhsa.org/resource/state-national-fact-sheets/>

³ Southern Education Foundation. (2024). *Strengthening support for our youngest children: Steps for improving Head Start*. https://southerneducation.org/pdfviewer/head-start-report-strengthening-support-for-our-youngest-children/?auto_viewer=truev

⁴ Head Start Program Performance Standards, 45 C.F.R. § 1302 (2024). <https://www.ecfr.gov/current/title-45/subtitle-B/chapter-XIII/subchapter-B/part-1302>



children,⁵ allowing their families to participate in the workforce and local economies.⁶ Central to Head Start's impact is its ability to deliver high-quality, comprehensive services through a stable and skilled workforce and strong partnerships with families and communities.⁷

Yet programs, particularly those operating in under-resourced communities, must navigate workforce shortages, limited resources, and significant variation in state and local early childhood systems.^{8,9} Grantees need sufficient federal investment and appropriate flexibility to respond to these conditions while maintaining high-quality learning environments and child safety; access to health, mental health, and other comprehensive services; meaningful pathways to participation for children and families facing barriers; parent engagement and governance; and the workforce and operational capacity necessary to deliver these services effectively.¹⁰

SEF supports thoughtful efforts to reduce unnecessary administrative burden and provide programs with appropriate flexibility. **At the same time, regulatory flexibility should not come at the expense of the federal standards and protections that help ensure children and families can count on a meaningful baseline of Head Start services. SEF urges HHS not to finalize the proposed rule as written and to preserve the federal safeguards necessary to ensure that all participating families receive high-quality, comprehensive care regardless of their geographic location. With that principle in mind, SEF offers the following comments and recommendations.**

Proposed Priority 1: Quality Standards

Head Start's Federal Program Performance Standards reflect a fundamental principle: children participating in a federal early childhood program should have access to developmentally

⁵ Administration for Children and Families. (2025). *Office of Head Start program information report (PIR) national summary data*. <https://headstart.gov/program-data/article/program-information-report-pir>

⁶ Malik, R. (2019). *Working families are spending big money on child care*. <https://www.americanprogress.org/article/working-families-spending-big-money-child-care/>

⁷ Supporting the Head Start Workforce and Consistent Quality Programming, 89 Fed. Reg. 67720 (2024). <https://www.federalregister.gov/documents/2024/08/21/2024-18279/supporting-the-head-start-workforce-and-consistent-quality-programming>

⁸ National Head Start Association. (2024). *Confronting Head Start's workforce crisis*. <https://nhsa.org/resource/confronting-head-starts-workforce-crisis/>

⁹ Supporting the Head Start Workforce and Consistent Quality Programming, 89 Fed. Reg. 67720 (2024). <https://www.federalregister.gov/documents/2024/08/21/2024-18279/supporting-the-head-start-workforce-and-consistent-quality-programming>

¹⁰ Head Start Act, 42 U.S.C. §§ 9831, 9836a(a)(1) (2007). <https://uscode.house.gov/view.xhtml?path=/prelim@title42/chapter105/subchapter2&edition=prelim>



appropriate learning environments, qualified educators, responsive adult-child interactions, and meaningful protections for their health and safety regardless of where they live.¹¹ These standards are particularly important because Head Start operates across states and communities with substantially different early childhood systems, licensing requirements, resources, and capacity.¹²

While SEF supports providing programs with appropriate flexibility to respond to local circumstances, we caution that replacing federal quality standards with state requirements or local discretion can fundamentally alter the baseline to which programs are held.¹³ Where state standards are less protective or less rigorous than current Head Start requirements, reliance on those standards could result in children receiving different levels of quality and protection within the same federal program based on geography.¹⁴ Federal standards and local flexibility should operate as complementary principles: federal requirements must continue to establish a meaningful floor, while allowing programs flexibility above that floor to meet unique community needs. **SEF urges HHS to retain federal quality and safety standards that establish a meaningful federal baseline while preserving appropriate flexibility for programs to respond to local circumstances.**

Teaching and Learning

Developmentally appropriate, evidence-informed teaching and learning practices are central to Head Start's statutory purpose of promoting school readiness and healthy development.¹⁵ The proposed rule would remove or substantially revise federal requirements related to curricula, teaching practices, developmental progressions, learning environments, and responsive educator-child interactions.¹⁶ Considered together, these changes would reduce the consistency of educational expectations across Head Start programs.

Local programs require flexibility to select curricula and instructional approaches that reflect the children, families, and communities they serve. That flexibility should exist within clear expectations for developmentally appropriate practice and high-quality adult-child interactions. **SEF urges HHS to retain federal teaching and learning standards that support**

¹¹ *Id.*

¹² Head Start Program Performance Standards, 45 C.F.R. § 1302.1 (2024) [eCFR Program Operations](#).

¹³ Reducing Federal Burden for Head Start Programs, 91 FR 33456 (proposed Aug. 7, 2026) (to be codified at 45 C.F.R. pts. 1301–1305). [eCFR Registry Page](#).

¹⁴ Head Start Act, 42 U.S.C. §§ 9831, 9836a(a)(1) (2007).

<https://uscode.house.gov/view.xhtml?path=/prelim@title42/chapter105/subchapter2&edition=prelim>

¹⁵ Head Start Act, 42 U.S.C. §§ 9831, 9836a(a)(1) (2007)

<https://uscode.house.gov/view.xhtml?path=/prelim@title42/chapter105/subchapter2&edition=prelim>

¹⁶ Reducing Federal Burden for Head Start Programs, 91 FR 33456 (proposed Aug. 7, 2026) (to be codified at 45 C.F.R. pts. 1301–1305). [eCFR Registry Page](#).



developmentally appropriate, responsive, and high-quality learning environments while preserving appropriate flexibility in how programs meet those expectations.

Program Duration

SEF is concerned about the proposal to eliminate the requirement that Head Start Preschool programs provide at least 1,020 annual hours of planned class operations for center-based enrollment.¹⁷ Although HHS states that prescribing a minimum annual number of service hours is not the most appropriate means of promoting positive outcomes, the agency simultaneously acknowledges that reduced program hours could require families to secure alternative child care arrangements and could result in additional financial costs or lost work time for families.¹⁸ While SEF shares the goal of expanding access to Head Start for eligible children and families, increasing enrollment and maintaining the quality and intensity of services should not be treated as competing objectives.

Reducing the amount of programming available to children to create additional enrollment capacity risks shifting the consequences of insufficient federal funding onto children and families themselves. The fundamental issue concerns both how many children Head Start can enroll with existing resources and whether enrolled children continue to receive services of sufficient duration and intensity to advance the program's developmental and educational purposes. **SEF urges HHS to retain meaningful federal expectations for program duration and to pursue expanded access through increased funding without reducing the quality or intensity of services available to participating children.**

Dual Language Learners

SEF has concerns that the proposed changes would affect dual language learners. The NPRM would rescind existing requirements that support the continued development of children's home languages while they acquire English, instead establishing English as the mandated language of instruction, with an exception only for Tribal programs incorporating Tribal languages.¹⁹ This proposal warrants particular scrutiny in light of the Department's broader rationale of increasing local flexibility and parental decision-making. In this instance, the proposed rule would reduce local discretion by establishing a federal instructional requirement concerning language use.

The Head Start Act requires performance standards to address dual language learners' progress toward English acquisition while simultaneously providing culturally and linguistically

¹⁷ Reducing Federal Burden for Head Start Programs, 91 FR 33456 (proposed Aug. 7, 2026) (to be codified at 45 C.F.R. pts. 1301–1305). [eCFR Registry Page](#).

¹⁸ *Id.* at 33458

¹⁹ Reducing Federal Burden for Head Start Programs, 91 FR 33456 (proposed Aug. 7, 2026) (to be codified at 45 C.F.R. pts. 1301–1305). [eCFR Registry Page](#).



appropriate instructional activities.²⁰ The Act also explicitly mandates that nothing in the relevant law authorizes the Secretary to “mandate, direct, or control” the selection of curriculum, a program of instruction, or instructional materials.²¹ Furthermore, decades of early childhood research demonstrate that supporting a child's home language development can support English acquisition and children's broader learning and development.²² **SEF urges HHS not to finalize the proposed English-language instructional restriction. The agency must retain standards that support English acquisition while supporting children's home languages as developmental and educational assets, ensuring programs can use developmentally appropriate approaches responsive to children's linguistic needs and family preferences.**

Workforce Qualifications and Professional Development

Head Start's comprehensive model depends on professionals with the knowledge and competencies necessary to support children's learning, development, health, and family well-being.²³ The NPRM proposes eliminating or reducing several federal requirements governing staff qualifications, professional development, and specialized roles.²⁴ These standards help ensure that staff have the preparation and competencies necessary to carry out Head Start's comprehensive responsibilities.

While removing these requirements may reduce administrative obligations, these changes risk undermining the quality and scope of services, particularly across Southern communities already facing severe shortages of qualified early childhood professionals.²⁵ Lowering federal expectations could deepen regional differences in workforce preparation and make children's access to qualified professionals more dependent on local labor markets and state requirements. **SEF urges HHS to retain federal qualification and professional-development standards necessary to support a skilled and stable Head Start workforce while allowing programs reasonable flexibility in how staff demonstrates required competencies.**

²⁰ Head Start Act, 42 U.S.C. §§ 9831, 9836a(a)(1) (2007).

<https://uscode.house.gov/view.xhtml?path=/prelim@title42/chapter105/subchapter2&edition=prelim>

²¹ *Id.*

²² National Academies of Sciences, Engineering, and Medicine. (2017). Promoting the educational success of children and youth learning English: Promising futures.

<https://www.nationalacademies.org/read/24677>

²³ Head Start Act, 42 U.S.C. §§ 9831, 9836a(a)(1) (2007).

<https://uscode.house.gov/view.xhtml?path=/prelim@title42/chapter105/subchapter2&edition=prelim>

²⁴ Reducing Federal Burden for Head Start Programs, 91 FR 33456 (proposed Aug. 7, 2026) (to be codified at 45 C.F.R. pts. 1301–1305). [eCFR Registry Page](#)

²⁵ National Head Start Association. (2024). Confronting Head Start's workforce crisis.

<https://nhsa.org/resource/confronting-head-starts-workforce-crisis/>



Staff-Child Ratios and Group Size

Staff-child ratios and group sizes directly shape the environments in which young children learn and develop. Early childhood research supports the importance of appropriate staff-child ratios and group sizes for responsive interactions, individualized attention, and effective supervision.²⁶ Concurrently, the proposed rule would eliminate Head Start-specific staff-child ratios and maximum group sizes, instead requiring programs to follow applicable state child care licensing requirements, even for certain Head Start programs currently exempt from state licensure.²⁷

HHS estimates that the number of children per teacher could increase by approximately 16 to 32 percent when the proposal is fully implemented, while simultaneously acknowledging that the current federal requirements were adopted to promote child safety, effective supervision, teacher-child interactions, and high-quality early learning environments.²⁸ SEF maintains that reliance on varying state standards risks uneven conditions and that expanding access should be accompanied by sufficient federal investment to maintain the quality and intensity of services available to participating children. **SEF urges HHS to retain federal staff-child ratio and group-size requirements that establish a meaningful national baseline while allowing appropriate flexibility where state or local standards are more protective.**

Child Safety

Federal requirements protecting children from abuse, neglect, inappropriate discipline, and inadequate supervision represent a vital example of why a national floor matters. The NPRM would remove existing Head Start-specific standards of conduct prohibiting corporal punishment, physical abuse, sexual abuse, emotional abuse, and neglectful behavior, alongside Head Start-specific background checks and transportation safety requirements, and rely more heavily on applicable state regulations.²⁹ Federal child-safety standards provide a common basis for Head Start oversight across jurisdictions, including conduct that state law may address differently.³⁰

While some administrative requirements can accommodate greater local discretion, explicit protections against harm establish basic conditions of safety that every child in a federally

²⁶ National Institute of Child Health and Human Development Early Child Care Research Network. (2002). Child-care structure: Process: Outcome: Direct and indirect pathways to child outcomes. <https://journals.sagepub.com/doi/abs/10.1111/1467-9280.00438>

²⁷ Reducing Federal Burden for Head Start Programs, 91 FR 33456 (proposed Aug. 7, 2026) (to be codified at 45 C.F.R. pts. 1301–1305). [eCFR Registry Page](#).

²⁸ *Id.*

²⁹ Reducing Federal Burden for Head Start Programs, 91 FR 33456 (proposed Aug. 7, 2026) (to be codified at 45 C.F.R. pts. 1301–1305). [eCFR Registry Page](#).

³⁰ Head Start Program Performance Standards, 45 C.F.R. § 1302.1 (2024) [eCFR Program Operations](#).



funded program should be guaranteed. Reducing these requirements could increase geographic variation in the protections available to children participating in Head Start.³¹ **SEF urges HHS to retain explicit federal child safety protections as a meaningful floor. In conclusion, while SEF supports thoughtful efforts to reduce unnecessary administrative burden, HHS must preserve the core federal standards necessary to guarantee a baseline of developmental quality, workforce capacity, and child safety nationwide.**

Proposed Priority 2: Comprehensive Services

Head Start's comprehensive model recognizes that children's learning and development are inseparable from their physical health, mental health, family well-being, and access to necessary services. Health, developmental, mental health, and family support are integral to Head Start's statutory purpose and long-standing approach to preparing children for school.³² However, SEF is deeply concerned that the NPRM frequently retains general statutory responsibilities while simultaneously removing the critical timelines, screening processes, follow-up requirements, and implementation standards that define how programs fulfill those duties under current regulations.³³

A broad statutory obligation does not necessarily provide the same implementation requirements governing timeliness, consistency, and follow-through as the current Performance Standards. In communities where health, mental health, and dental services are already difficult to access,³⁴ greater local discretion could make the services families receive increasingly dependent on local capacity and available resources.³⁵ **SEF urges HHS to retain explicit federal implementation standards to preserve a meaningful baseline of comprehensive care for all participating families regardless of geography.**

Developmental Screenings and Follow-Up

Timely developmental screening is a critical mechanism for identifying behavioral, motor, language, social, cognitive, and emotional concerns early, and extensive research

³¹ Reducing Federal Burden for Head Start Programs, 91 FR 33456 (proposed Aug. 7, 2026) (to be codified at 45 C.F.R. pts. 1301–1305). [eCFR Registry Page](#).

³² Head Start Act, 42 U.S.C. §§ 9831, 9836a(a)(1) (2007).
<https://uscode.house.gov/view.xhtml?path=/prelim@title42/chapter105/subchapter2&edition=prelim>

³³ Head Start Program Performance Standards, 45 C.F.R. § 1302.1 (2024) [eCFR Program Operations](#).

³⁴ Health Resources and Services Administration. (2026). Health workforce shortage areas.
<https://data.hrsa.gov/topics/health-workforce/shortage-areas/dashboard>

³⁵ Kaneb, N., & Burak, E. W. (2026). *Proposed Head Start rule would further undermine child and family health*. <https://ccf.georgetown.edu/2026/09/11/proposed-head-start-rule-would-further-undermine-child-and-family-health/>



demonstrates that early intervention significantly improves long-term childhood outcomes.³⁶ Current federal standards require children to receive developmental screening within 45 calendar days of entry, alongside clear requirements for referral and follow-up support, including tracking for children with significant delays who do not qualify for services under the Individuals with Disabilities Education Act (IDEA).^{37,38} The NPRM would remove these screening requirements, the 45-day timeline, and specific family-evaluation support provisions, relying instead on broader statutory requirements.³⁹

The distinction between identifying a concern and ensuring a meaningful intervention is vital. Screening has limited value if families must navigate complex referral and evaluation networks without program support. Removing these explicit implementation requirements risks weakening consistent child identification, and whether that identification leads to the actual delivery of appropriate services.⁴⁰ **SEF urges HHS to retain federal requirements for timely, universal developmental screening and mandatory family follow-up support to prevent shifting systemic burdens onto families and under-resourced communities.**

Health and Dental Care

Head Start has long served a vital role in connecting children to medical and oral health care, bridging the gap between low-income families and fragmented health systems rather than assuming families can independently navigate these networks.⁴¹ Current standards enforce 30-, 45-, and 90-day timelines for securing health insurance, establishing ongoing sources of care, identifying preventive gaps, and conducting vision and hearing screenings.⁴² The proposed rule would eliminate these time-bound requirements, which could affect families that rely on program-facilitated services to access care.⁴³

³⁶ Shonkoff, J. P., & Phillips, D. A. (Eds.). (2000). *From neurons to neighborhoods: The science of early childhood development*. <https://www.nationalacademies.org/publications/9824>

³⁷ Head Start Program Performance Standards, 45 C.F.R. § 1302.1 (2024) [eCFR Program Operations](#).

³⁸ Office of Head Start. (2025). *Services for children who do not qualify for IDEA*. <https://headstart.gov/publication/services-children-who-do-not-qualify-idea>

³⁹ Reducing Federal Burden for Head Start Programs, 91 FR 33456 (proposed Aug. 7, 2026) (to be codified at 45 C.F.R. pts. 1301–1305). [eCFR Registry Page](#).

⁴⁰ Kaneb, N., & Burak, E. W. (2026). *Proposed Head Start rule would further undermine child and family health*. <https://ccf.georgetown.edu/2026/09/11/proposed-head-start-rule-would-further-undermine-child-and-family-health/>

⁴¹ Head Start Act, 42 U.S.C. §§ 9831, 9836a(a)(1) (2007). <https://uscode.house.gov/view.xhtml?path=/prelim@title42/chapter105/subchapter2&edition=prelim>

⁴² Head Start Program Performance Standards, 45 C.F.R. § 1302.1 (2024) [eCFR Program Operations](#).

⁴³ Reducing Federal Burden for Head Start Programs, 91 FR 33456 (proposed Aug. 7, 2026) (to be codified at 45 C.F.R. pts. 1301–1305). [eCFR Registry Page](#).



The practical effect of removing these federal requirements depends entirely on the availability of community infrastructure outside of Head Start. While families in well-resourced areas might absorb this shift, those in rural or Southern communities, where healthcare providers are scarce, transportation is difficult, and waiting lists are long, face severe deficits in primary, dental, and behavioral health care.⁴⁴ Removing explicit federal tracking timelines could reduce the program-facilitated navigation and follow-up available to families facing these barriers.⁴⁵

SEF urges HHS to retain explicit federal implementation standards and time-bound requirements to guarantee that all participating children receive timely health and dental screenings, treatments, and follow-up care regardless of geography.

Maternal and Infant Health

SEF has significant concerns about the proposed reduction of prenatal and postpartum service requirements within Early Head Start, as the prenatal and postpartum periods represent foundational windows where caregiver well-being and infant development are profoundly interconnected.^{46,47} Current federal standards require programs to support access to prenatal care, track services, conduct newborn visits, and address maternal mental health and other health needs.⁴⁸ The proposed rule would eliminate many of these explicit tracking timelines, the explicit newborn visit window, and specific maternal mental health metrics, relying instead on generalized statutory mandates that lack enforceable operational benchmarks.⁴⁹

Maternal mental health conditions, including postpartum depression, experienced by roughly one in seven new mothers,⁵⁰ can affect caregiver well-being and infant development, making timely identification, referral, and follow-up particularly important.⁵¹ While the Head Start Act establishes broad framework guidelines for services to pregnant women, the crucial implementation mandates governing actual service delivery reside entirely within the

⁴⁴ Health Resources and Services Administration. (2026). Health workforce shortage areas. <https://data.hrsa.gov/topics/health-workforce/shortage-areas/dashboard>

⁴⁵ Kaneb, N., & Burak, E. W. (2026, September 11). *Proposed Head Start rule would further undermine child and family health*. <https://ccf.georgetown.edu/2026/09/11/proposed-head-start-rule-would-further-undermine-child-and-family-health/>

⁴⁶ National Academies of Sciences, Engineering, and Medicine. (2020). Birth settings in America: Outcomes, quality, access, and choice. <https://www.nationalacademies.org/read/25636>

⁴⁷ National Academies of Sciences, Engineering, and Medicine. (2025). Early relational health: Building foundations for child, family, and community well-being. <https://www.nationalacademies.org/read/29234>

⁴⁸ Head Start Program Performance Standards, 45 C.F.R. § 1302.1 (2024). [eCFR Program Operations](#).

⁴⁹ Reducing Federal Burden for Head Start Programs, 91 FR 33456 (proposed Aug. 7, 2026) (to be codified at 45 C.F.R. pts. 1301–1305). [eCFR Registry Page](#).

⁵⁰ American Psychological Association. (2022). Postpartum depression: Causes, symptoms, risk factors, and treatment options. <https://www.apa.org/topics/women-girls/postpartum-depression>

⁵¹ Shivers, C. M., & Taylor, S. E. (2025). Early Head Start services buffer the effects of maternal depression on child development. <https://pmc.ncbi.nlm.nih.gov/articles/PMC12975018/>



Performance Standards.⁵² Removing these structured requirements could reduce the consistency of program-facilitated navigation and follow-up, particularly in communities with limited access to maternal and behavioral health services.⁵³ **SEF urges HHS to retain explicit federal standards that ensure expectant and postpartum families receive timely, comprehensive prenatal care, maternal mental health interventions, newborn tracking, and rigorous follow-up services.**

Mental Health

Mental health is an integral component of child development and Head Start's comprehensive model. Current standards require programs to make Infant and Early Childhood Mental Health Consultation (IECMHC) available at least monthly, establish rigorous professional qualifications for consultants, and deliver coordinated mental health support for children and adults.⁵⁴ The proposed rule eliminates these specific operational mandates.⁵⁵ Research on early childhood mental health consultation identifies benefits for classroom practices, educator well-being, and responses to challenging behavior.⁵⁶ IECMHC also provides the specialized capacity needed to support early educators and connect vulnerable families to vital intervention networks.⁵⁷

Compounding this rollback, communities across the South include many areas with shortages of mental health professionals, including federally designated Mental Health Professional Shortage Areas (HPSAs).⁵⁸ Furthermore, the Head Start Act explicitly directs that revisions to the Performance Standards must not eliminate or reduce the "quality, scope, or types" of services.⁵⁹ **SEF is concerned that removing these service timelines and delivery structures is inconsistent with this statutory requirement, and urges HHS to retain the federal infant and early childhood mental health consultation standards necessary to preserve Head Start's comprehensive model.**

⁵² Head Start Program Performance Standards, 45 C.F.R. § 1302.1 (2024) [eCFR Program Operations](#).

⁵³ Kaneb, N., & Burak, E. W. (2026). *Proposed Head Start rule would further undermine child and family health*. <https://ccf.georgetown.edu/2026/09/11/proposed-head-start-rule-would-further-undermine-child-and-family-health/>

⁵⁴ Head Start Program Performance Standards, 45 C.F.R. § 1302.1 (2024) [eCFR Program Operations](#).

⁵⁵ Reducing Federal Burden for Head Start Programs, 91 FR 33456 (proposed Aug. 7, 2026) (to be codified at 45 C.F.R. pts. 1301–1305). [eCFR Registry Page](#).

⁵⁶ Center of Excellence for Infant and Early Childhood Mental Health Consultation. (2024). How mental health consultation works: A theory of change for research and evaluation. https://www.iecmhc.org/wp-content/uploads/2024/05/CoE-Theory-of-Change-Descriptions_w-copyright.pdf

⁵⁷ *Id.*

⁵⁸ Bureau of Health Workforce. (2025). *State of the behavioral health workforce, 2025*. <https://bhw.hrsa.gov/sites/default/files/bureau-health-workforce/data-research/Behavioral-Health-Workforce-Brief-2025.pdf>

⁵⁹ Head Start Act, 42 U.S.C. §§ 9831, 9836a(a)(1) (2007). <https://uscode.house.gov/view.xhtml?path=/prelim@title42/chapter105/subchapter2&edition=prelim>



Proposed Priority 3: Eligibility and Access for Specific Populations

Head Start's mission depends on the quality of services provided after enrollment and on whether families facing the greatest barriers can access and remain connected to those programs. The Head Start Act explicitly establishes eligibility and enrollment priorities for low-income families, while statutorily protecting the unique needs of children experiencing homelessness, foster care, or disabilities.⁶⁰ The proposed rule introduces changes that could make Head Start more difficult to access for these populations. Specifically, the proposed rule alters eligibility-verification procedures, eliminates targeted recruitment provisions, reduces community-assessment requirements, and removes critical operational protections governing services for children with disabilities.⁶¹

Administrative simplification must not come at the expense of accessibility. Requirements that compel programs to actively identify, reach, enroll, and retain families facing significant barriers serve a substantive purpose: they translate statutory eligibility into actual, real-world access. Removing these operational requirements could leave statutory eligibility intact while making identification, enrollment, or continued participation more difficult for families facing significant barriers.⁶² **SEF urges HHS to retain explicit federal recruitment, community-assessment, and disability service standards necessary to preserve Head Start's comprehensive model and protect equitable access for vulnerable populations.**

Eligibility Verification

SEF is concerned about the proposal to prohibit self-attestation as a means of verifying eligibility, which currently allows families with zero income to document eligibility under secure circumstances.⁶³ The proposed rule would prohibit the use of self-attestation for eligibility verification, a shift HHS explicitly acknowledges will disproportionately affect families experiencing homelessness, estimating that roughly 8 percent of currently enrolled children could lose program access because their enrollment relies on self-attestation.⁶⁴ Families experiencing housing instability, displacement, or frequent moves face severe barriers to

⁶⁰ Head Start Act, 42 U.S.C. §§ 9831, 9836a(a)(1) (2007).

<https://uscode.house.gov/view.xhtml?path=/prelim@title42/chapter105/subchapter2&edition=prelim>

⁶¹ Reducing Federal Burden for Head Start Programs, 91 FR 33456 (proposed Aug. 7, 2026) (to be codified at 45 C.F.R. pts. 1301–1305). [eCFR Registry Page](#).

⁶² National Head Start Association. (2026). *Protecting equitable enrollment: An analysis of the 2026 proposed administrative changes*. <https://headstart.gov/about-us/article/notice-proposed-rulemaking-reducing-federal-burden-head-start-programs>

⁶³ Head Start Program Performance Standards, 45 C.F.R. § 1302.1 (2024) [eCFR Program Operations](#).

⁶⁴ Reducing Federal Burden for Head Start Programs, 91 FR 33456 (proposed Aug. 7, 2026) (to be codified at 45 C.F.R. pts. 1301–1305). [eCFR Registry Page](#).



acquiring and retaining conventional income records and paperwork.⁶⁵ A verification policy intended to promote program integrity must account for circumstances in which a family is fully eligible but cannot readily produce traditional records.

The Head Start Act explicitly directs the Secretary to remove enrollment barriers for children experiencing homelessness and permits immediate enrollment without requiring all documents at the time of entry.⁶⁶ An absolute prohibition on self-attestation raises concerns in light of this statutory directive, particularly where families experiencing homelessness cannot readily produce conventional documentation.⁶⁷ **SEF urges HHS not to adopt an absolute prohibition on self-attestation and instead to preserve reasonable verification pathways for families facing housing insecurity, balancing appropriate program safeguards with equitable community access.**

Recruitment and Community Assessment

Head Start programs cannot serve children and families they do not successfully reach, making targeted outreach and comprehensive community data collection the foundational infrastructure for program access.⁶⁸ Current federal standards require programs to actively recruit children facing barriers to participation, including children with disabilities, children experiencing homelessness, and children in foster care.⁶⁹ Programs may also reserve up to 3 percent of funded enrollment slots for children experiencing homelessness and children in foster care.⁷⁰ The proposed rule would remove these targeted recruitment and enrollment provisions and reduce current requirements governing the information programs must consider through their community assessments.⁷¹

While allowing more operational flexibility can be beneficial, removing federal requirements for programs to match their services to local demographic needs could make it harder for vulnerable families to find the help they need. These requirements can be particularly important in rural communities, where transportation, geographic distance, and the availability of services

⁶⁵ National Center for Homeless Education. (2023). *Federal data summary: School years 2019-20 to 2021-22: Education for homeless children and youth*. <https://nche.ed.gov/student-homelessness-in-america-school-years-2019-2020-to-2021-2022/>

⁶⁶ Head Start Act, 42 U.S.C. §§ 9831, 9836a(a)(1) (2007). <https://uscode.house.gov/view.xhtml?path=/prelim@title42/chapter105/subchapter2&edition=prelim>

⁶⁷ *Id.*

⁶⁸ *Id.* at § 9835(m)

⁶⁹ Head Start Program Performance Standards, 45 C.F.R. § 1302.1 (2024) [eCFR Program Operations](#).

⁷⁰ *Id.*

⁷¹ Reducing Federal Burden for Head Start Programs, 91 FR 33456 (proposed Aug. 7, 2026) (to be codified at 45 C.F.R. pts. 1301–1305). [eCFR Registry Page](#).



can affect families' ability to access early childhood programs.⁷² **SEF urges HHS to preserve the 3 percent slot-reservation mechanism to protect enrollment stability, prevent the structural exclusion of children in foster care and those experiencing housing insecurity, and ensure programs conduct rigorous community assessments and maintain intentional outreach.**

Children Experiencing Homelessness

The cumulative effect of the NPRM's proposed changes is particularly concerning for children and families experiencing homelessness. For example, the NPRM would remove twelve regulatory provisions addressing how programs identify, enroll, and support the continued participation of children experiencing homelessness.⁷³ In addition to prohibiting self-attestation, the proposal would remove targeted recruitment requirements, eliminate the ability to reserve enrollment slots for children in foster care or experiencing housing instability, and remove existing protections supporting continuity of enrollment when families move.⁷⁴ Each of these provisions addresses a different point at which housing instability can disrupt early childhood education, and considered together, these changes could compound barriers faced by the same families.⁷⁵

These changes also raise questions regarding the Head Start Act's requirements for children experiencing homelessness. The Head Start Act explicitly directs the Secretary to implement policies and procedures that actively remove enrollment and participation barriers for children experiencing homelessness.⁷⁶ The existing regulations operationalize that statutory requirement through specific enrollment, documentation, recruitment, and continuity provisions.⁷⁷ **SEF urges HHS to retain enrollment and continuity protections for children experiencing homelessness, ensuring that eligibility-verification, recruitment, and enrollment policies affirmatively reduce rather than compound barriers associated with housing instability.**

⁷² Center for American Progress. (2026). *America's licensed child care deserts*.

<https://www.americanprogress.org/article/americas-licensed-child-care-deserts/>

⁷³ SchoolHouse Connection. (2026). Public comment on the Notice of Proposed Rulemaking: Reducing Federal Burden for Head Start Programs (Docket No. ACF-2026-0595).

<https://schoolhouseconnection.org>

⁷⁴ Head Start Program Performance Standards, 45 C.F.R. § 1302.1 (2024) [eCFR Program Operations](#).

⁷⁵ Reducing Federal Burden for Head Start Programs, 91 FR 33456 (proposed Aug. 7, 2026) (to be codified at 45 C.F.R. pts. 1301–1305). [eCFR Registry Page](#).

⁷⁶ Head Start Act, 42 U.S.C. §§ 9831, 9836a(a)(1) (2007).

<https://uscode.house.gov/view.xhtml?path=/prelim@title42/chapter105/subchapter2&edition=prelim>

⁷⁷ Head Start Program Performance Standards, 45 C.F.R. § 1302.1 (2024) [eCFR Program Operations](#).



Children in Foster Care

Children in foster care could be affected by several proposed changes operating together. The proposed rule would eliminate explicit requirements to actively recruit children in foster care and the mechanism allowing programs to reserve up to 3 percent of enrollment slots for children in foster care and children experiencing homelessness.⁷⁸

Children entering foster care face disproportionately elevated rates of chronic physical, developmental, and behavioral health needs compared to the general population, making timely identification and connection to appropriate services particularly important.⁷⁹ Taken together, the proposed changes could affect both access to Head Start and the supports available after enrollment for children in foster care. **SEF urges HHS to preserve targeted recruitment metrics and slot-reservation safeguards for children in foster care.**

Children with Disabilities

SEF has significant concerns regarding the proposed changes affecting children with disabilities. Current federal standards require programs to support full participation, provide individualized services while IDEA eligibility determinations are pending, and prohibit programs from denying enrollment based on a disability or the severity of a child's disability.⁸⁰ The proposed rule would remove these Head Start-specific requirements and instead direct programs to comply with applicable federal and state laws.⁸¹ For example, the statutory requirement that at least 10 percent of children enrolled by each Head Start agency have disabilities would remain,⁸² and this only addresses enrollment. It does not replace the Head Start standards for participation and support after enrollment. The NPRM would also remove current federal limits on suspension and the ban on expulsion.⁸³ Together, these changes keep the minimum enrollment rule but remove several program protections for children's participation in Head Start.

Data from the U.S. Department of Education's Civil Rights Data Collection indicates that preschool children with disabilities are already disproportionately subjected to exclusionary

⁷⁸ Reducing Federal Burden for Head Start Programs, 91 FR 33456 (proposed Aug. 7, 2026) (to be codified at 45 C.F.R. pts. 1301–1305). [eCFR Registry Page](#).

⁷⁹ Waite, D., Spinks-Franklin, A., & Simkins, J. (2026). *Developmental challenges of young children in foster care*. <https://pubmed.ncbi.nlm.nih.gov/42324079/>

⁸⁰ Head Start Program Performance Standards, 45 C.F.R. § 1302.1 (2024) [eCFR Program Operations](#).

⁸¹ Reducing Federal Burden for Head Start Programs, 91 FR 33456 (proposed Aug. 7, 2026) (to be codified at 45 C.F.R. pts. 1301–1305). [eCFR Registry Page](#).

⁸² Head Start Act, 42 U.S.C. §§ 9831, 9836a(a)(1) (2007). <https://uscode.house.gov/view.xhtml?path=/prelim@title42/chapter105/subchapter2&edition=prelim>

⁸³ Head Start Program Performance Standards, 45 C.F.R. § 1302.1 (2024) [eCFR Program Operations](#).



discipline practices nationwide.⁸⁴ If explicit Head Start protections are removed, access and participation may become more dependent on how federal and state requirements are applied at the local level. Operational mechanisms like reserved capacity, targeted recruitment, and disability protections are the infrastructure through which Head Start reaches families experiencing instability. **SEF urges HHS to retain explicit federal disability protections and strict limits on exclusionary discipline to ensure the program remains meaningfully accessible.**

Proposed Priority 4: Parent Governance, Engagement, and Parent Rights

Parent participation is a defining feature of Head Start's model. The Head Start Act establishes a substantive role for parents in program governance and family engagement.⁸⁵ Current Performance Standards operationalize those statutory commitments through requirements for Policy Councils, Parent Committees, family partnership services, and protections governing children's records.⁸⁶

While SEF supports appropriate flexibility in how programs build authentic partnerships, reducing the federal structures that facilitate parent participation should not be conflated with increasing parental authority. For parents to meaningfully influence their children's Head Start experience, programs must provide structures that enable their participation. **SEF urges HHS to retain federal parent-governance and engagement standards that ensure meaningful opportunities for parent participation across programs.**

Parent Governance

The Head Start Act gives parents a substantive role in program governance through Policy Councils, which are composed primarily of parents of currently enrolled children and hold explicit statutory responsibility for approving significant program decisions.⁸⁷ The Act also directs the Secretary to establish policies and procedures for resolving internal governance disputes, including impasses between governing bodies and Policy Councils.⁸⁸ Current performance standards implement that requirement by establishing clear procedures for resolving disagreements, including mandatory third-party mediation when an impasse cannot

⁸⁴ U.S. Department of Education, Office for Civil Rights. (2025). *2021–22 Civil Rights Data Collection: A First Look*. <https://www.ed.gov/media/document/2021-22-crdc-first-look-report-109194.pdf>

⁸⁵ Head Start Act, 42 U.S.C. §§ 9831, 9836a(a)(1) (2007).
<https://uscode.house.gov/view.xhtml?path=/prelim@title42/chapter105/subchapter2&edition=prelim>

⁸⁶ Head Start Program Performance Standards, 45 C.F.R. § 1302.1 (2024) [eCFR Program Operations](https://eCFR.org/publication/45-cfr-1302-1).

⁸⁷ Head Start Act, 42 U.S.C. §§ 9831, 9836a(a)(1) (2007).
<https://uscode.house.gov/view.xhtml?path=/prelim@title42/chapter105/subchapter2&edition=prelim>

⁸⁸ *Id.*



otherwise be resolved.⁸⁹ The proposed rule would eliminate these regulatory procedures without establishing any comparable process for resolving governance disputes.⁹⁰ Eliminating the current impasse procedures could reduce parents' ability, as Policy Council members, to carry out the governance responsibilities the Act assigns them. **SEF urges HHS to retain clear, enforceable federal procedures for resolving disputes between Policy Councils and Governing Boards consistent with the structural governance authority established in the Head Start Act.**

Parent Committees

The proposed rule would make Parent Committees optional rather than a required component of each Head Start center. It would also remove the current requirement that programs, when necessary, reimburse reasonable expenses incurred by low-income Policy Council or Policy Committee members to enable their full participation.⁹¹ These rollbacks run counter to the Department's stated interest in strengthening parental authority. Parent Committees offer a formal way for parents to connect, build community, and be involved in decisions that impact their local program.⁹²

Furthermore, participation imposes real economic costs on families, including transportation, child care, and time away from work. Removing the reimbursement requirement could make participation more difficult for low-income parents serving in these governance roles.⁹³

Therefore, SEF urges HHS to retain required structures for parent participation at the center level and to preserve the federal protections that ensure all parents can participate in governance regardless of their economic circumstances.³

Parent Engagement in Education and Child Development

Current Head Start standards establish several mechanisms for ongoing parent engagement in children's education, including an open-door policy during program hours, parent-teacher conferences, home visits, and clear opportunities for parents to provide feedback regarding curricula and instructional approaches.⁹⁴ The proposed rule would remove these specific, actionable requirements. While SEF recognizes that authentic family engagement cannot be reduced to a prescribed number of meetings, removing the structural mechanisms through

⁸⁹ Head Start Program Performance Standards, 45 C.F.R. § 1302.1 (2024) [eCFR Program Operations](#).

⁹⁰ Reducing Federal Burden for Head Start Programs, 91 FR 33456 (proposed Aug. 7, 2026) (to be codified at 45 C.F.R. pts. 1301–1305). [eCFR Registry Page](#).

⁹¹ Head Start Program Performance Standards, 45 C.F.R. § 1302.1 (2024) [eCFR Program Operations](#).

⁹² *Id.*

⁹³ Reducing Federal Burden for Head Start Programs, 91 FR 33456 (proposed Aug. 7, 2026) (to be codified at 45 C.F.R. pts. 1301–1305). [eCFR Registry Page](#).

⁹⁴ Head Start Program Performance Standards, 45 C.F.R. § 1302.1 (2024) [eCFR Program Operations](#).



which engagement occurs risks transforming a guaranteed opportunity for participation into an option dependent entirely on local program practice.⁹⁵

This distinction is critical to the program's foundational mission, as federal standards must continue to ensure that parents have consistent opportunities to understand and influence their children's educational experiences. The Head Start Act explicitly mandates performance standards for parental involvement and specifically highlights parent engagement as a core pillar in supporting children's transition from Head Start to kindergarten.⁹⁶ **These regulations put the Act's expectations for parent involvement into practice. Therefore, SEF urges HHS to preserve clear federal expectations for meaningful parent engagement while allowing programs flexibility in the specific strategies they use to meet those expectations.**

Family Partnership Services

Head Start's comprehensive approach to family engagement extends far beyond classroom participation, mandating that programs build individualized family partnership agreements that address critical domains like family safety, health, economic stability, and long-term child well-being.⁹⁷ Under this framework, programs work jointly with families to establish goals, review progress, assess needs, and adjust strategies over time.⁹⁸ The NPRM would eliminate these structured implementation requirements, relying instead on the broader, non-prescriptive family-support provisions of the Head Start Act.⁹⁹

The distinction between a general statutory obligation and the explicit operational infrastructure required to carry it out is highly consequential. Family partnership services are most meaningful when they represent an ongoing, collaborative process rather than a one-time administrative identification of needs. In communities where families face economic, health, or child care barriers, structured follow-through can help connect families with appropriate services and supports.¹⁰⁰ **Therefore, SEF urges HHS to retain explicit federal expectations that ensure**

⁹⁵ Reducing Federal Burden for Head Start Programs, 91 FR 33456 (proposed Aug. 7, 2026) (to be codified at 45 C.F.R. pts. 1301–1305). [eCFR Registry Page](#).

⁹⁶ Head Start Act, 42 U.S.C. §§ 9831, 9836a(a)(1) (2007).
<https://uscode.house.gov/view.xhtml?path=/prelim@title42/chapter105/subchapter2&edition=prelim>

⁹⁷ *Id.*

⁹⁸ Head Start Program Performance Standards, 45 C.F.R. § 1302.1 (2024) [eCFR Program Operations](#).

⁹⁹ Reducing Federal Burden for Head Start Programs, 91 FR 33456 (proposed Aug. 7, 2026) (to be codified at 45 C.F.R. pts. 1301–1305). [eCFR Registry Page](#).

¹⁰⁰ Kaneb, N., & Burak, E. W. (2026). *Proposed Head Start rule would further undermine child and family health*. <https://ccf.georgetown.edu/2026/09/11/proposed-head-start-rule-would-further-undermine-child-and-family-health/>



family partnership services remain individualized, collaborative, responsive to identified priorities, and accompanied by verifiable, time-bound follow-through.

Family Service Caseloads

The NPRM would eliminate the current requirement that programs maintain a family service worker caseload of no more than 40 families per staff member.¹⁰¹ Caseload limits directly determine the capacity of professionals to build relationships with families, coordinate complex health referrals, and provide consistent, individualized support.¹⁰² Higher caseloads can reduce family service professionals' capacity to provide frequent, individualized support; HHS's Regulatory Impact Analysis also identifies reductions in family-service staffing as a source of projected cost savings.¹⁰³

The existing federal waiver process already provides an effective mechanism for operational flexibility by allowing local programs to seek administrative relief when regional labor shortages make the 40:1 ratio temporarily impracticable.¹⁰⁴ This mechanism provides structured flexibility without eliminating the federal standard. **Therefore, SEF urges HHS to retain a reasonable federal caseload standard for family service professionals and preserve the current waiver process to prevent widespread service dilution across vulnerable communities.**

Child Records and Parent Rights

SEF is deeply concerned about the proposal to eliminate the existing Head Start regulations governing the privacy of child records, which would replace a uniform federal framework with a localized requirement that individual programs establish independent policies to match the Family Educational Rights and Privacy Act (FERPA).¹⁰⁵ Current standards provide parents with specific, accessible, and comprehensive rights, including explicit requirements governing prior written consent before disclosure, formal notice of rights, immediate access, structured pathways to amend records, administrative hearings, and secure record destruction.¹⁰⁶ While the Head Start Act requires the protection of personally identifiable information equivalent to

¹⁰¹ Reducing Federal Burden for Head Start Programs, 91 FR 33456 (proposed Aug. 7, 2026) (to be codified at 45 C.F.R. pts. 1301–1305). [eCFR Registry Page](#).

¹⁰² Head Start Program Performance Standards, 45 C.F.R. § 1302.1 (2024) [eCFR Program Operations](#).

¹⁰³ *Id.*

¹⁰⁴ Head Start Act, 42 U.S.C. §§ 9831, 9836a(a)(1) (2007).

<https://uscode.house.gov/view.xhtml?path=/prelim@title42/chapter105/subchapter2&edition=prelim>

¹⁰⁵ Reducing Federal Burden for Head Start Programs, 91 FR 33456 (proposed Aug. 7, 2026) (to be codified at 45 C.F.R. pts. 1301–1305). [eCFR Registry Page](#).

¹⁰⁶ Head Start Program Performance Standards, 45 C.F.R. § 1302.1 (2024) [eCFR Program Operations](#).



what is required by FERPA,¹⁰⁷ eliminating the existing regulatory framework shifts the burden onto individual programs to interpret and implement complex legal standards.

Taken together, the proposed changes to Policy Councils, Parent Committees, engagement requirements, family partnership services, caseload standards, and child-record protections could have a substantial impact on how parents participate in Head Start and exercise their rights. **SEF urges HHS to retain explicit federal standards that guarantee a consistent baseline of parent voice, engagement, partnership, and rights across all communities.**

Proposed Priority 5: Program Operations

Head Start programs require sufficient administrative capacity and operational flexibility to manage federal funds responsibly, maintain high-quality services, and respond to changing community needs.¹⁰⁸ SEF supports efforts to eliminate unnecessary administrative burden where doing so allows grantees to devote more resources directly to children and families. At the same time, changes to program operations must be grounded in the actual costs of administering Head Start, not in new operational pressures that undermine program quality, access, or long-term sustainability.

SEF is particularly concerned about proposed structural changes affecting the Designation Renewal System (DRS), the development and administrative cost limitation, and federal waiver authority. These systemic revisions must be evaluated alongside the NPRM's broader economic assumptions about how programs will generate cost savings, including projected reductions in staffing and services. **Therefore, SEF urges HHS to retain federal standards necessary to support responsible fiscal administration and sufficient operational capacity across programs.**

Designation Renewal System and Competition

The Designation Renewal System (DRS) provides the framework for determining whether a Head Start grant will be subject to open competition, establishing a clear national baseline for accountability across local agencies.¹⁰⁹ The NPRM would revise this system, including adding an open-ended condition encompassing "any other measure as specified in the Head Start Act," removing explicit Classroom Assessment Scoring System (CLASS) thresholds, and requiring programs to demonstrate "substantial" progress toward school readiness goals without defining

¹⁰⁷ Head Start Act, 42 U.S.C. §§ 9831, 9836a(a)(1) (2007).

<https://uscode.house.gov/view.xhtml?path=/prelim@title42/chapter105/subchapter2&edition=prelim>

¹⁰⁸ *Id.*

¹⁰⁹ Head Start Program Performance Standards, 45 C.F.R. § 1302.1 (2024) [eCFR Program Operations](#).



that metric in regulation.¹¹⁰ The proposal would also remove the current requirement that programs receive formal notice 12 months before the end of a grant period alongside a written explanation of the competition determination, introducing severe instability into local planning timelines.¹¹¹

While SEF supports rigorous federal oversight, accountability mechanisms must remain clear, predictable, and transparent to protect programmatic stability. Undefined performance measures and reduced notice requirements could make it more difficult for grantees to understand federal expectations, address identified deficiencies, and plan for potential competition. **Therefore, SEF urges HHS to maintain transparent, objective, and clearly defined standards governing competition, preserve the 12-month notice window and detailed written explanations, and avoid forcing local programs to operate under ambiguous, undefined criteria.**

Administrative Cost Limitation

SEF has significant concerns about the proposal to reduce the ceiling on development and administrative costs from the current 15 percent to 5 percent of total approved program costs.¹¹² This proposal carries profound operational implications and raises a critical threshold question regarding statutory authority. The Head Start Act explicitly establishes a 15 percent limitation on development and administrative expenses, detailing a specific mechanism through which the Secretary may grant waivers.¹¹³ Setting a substantially lower limit by regulation raises a question about how the proposed 5 percent ceiling fits within the statutory framework.

The proposed limit is substantially below current program spending patterns, as HHS data reports that grantees spend an average of 11.2 percent on administration, with only 3.7 percent of programs currently operating at or below the proposed 5 percent mark.¹¹⁴ Administrative expenditures support functions necessary to operate Head Start programs, including fiscal management, human resources, background checks, data systems, facility operations, and internal monitoring. These dollars sustain operational personnel, including fiscal management, human resource professionals, background check administrators, data privacy infrastructure,

¹¹⁰ Reducing Federal Burden for Head Start Programs, 91 FR 33456 (proposed Aug. 7, 2026) (to be codified at 45 C.F.R. pts. 1301–1305). [eCFR Registry Page](#).

¹¹¹ *Id.*

¹¹² Reducing Federal Burden for Head Start Programs, 91 FR 33456 (proposed Aug. 7, 2026) (to be codified at 45 C.F.R. pts. 1301–1305). [eCFR Registry Page](#).

¹¹³ Head Start Act, 42 U.S.C. §§ 9831, 9836a(a)(1) (2007).
<https://uscode.house.gov/view.xhtml?path=/prelim@title42/chapter105/subchapter2&edition=prelim>

¹¹⁴ Reducing Federal Burden for Head Start Programs, 91 FR 33456 (proposed Aug. 7, 2026) (to be codified at 45 C.F.R. pts. 1301–1305). [eCFR Registry Page](#).



facility safety inspectors, and internal monitoring systems.¹¹⁵ HHS acknowledges that the effects of the proposed limitation may vary based on factors including program size, cost structure, service area, and local requirements. **SEF urges HHS not to finalize the proposed 5 percent administrative cost limitation and to maintain a standard that preserves Head Start's fiscal safety and functional integrity.**

Waiver Authority and Program Flexibility

The proposed rule would give HHS broad authority to waive regulatory requirements, with specific exceptions for eligibility, nutrition, statutory requirements, and provisions protecting child health and safety.¹¹⁶ SEF recognizes that carefully designed waiver authority can provide valuable flexibility during unusual local circumstances. Indeed, the Head Start Act already provides targeted, structured waiver mechanisms in fields like disability enrollment, administrative cost ceilings, and teacher credentials.¹¹⁷ However, because the NPRM separately proposes greater reliance on state standards and local discretion in several areas, expanded waiver authority should include clear standards governing when and why federal requirements may be waived.¹¹⁸ Without objective criteria, similarly situated programs could face different federal expectations. Children and families across different communities will be forced to navigate an unequal, baseline-depleted lottery of services that shifts the logical burden of system navigation onto vulnerable households.¹¹⁹ **Therefore, SEF urges HHS to ensure that any expanded waiver authority includes clear eligibility criteria, transparent decision-making, public reporting of approvals, explicit limitations, and safeguards against waiving standards necessary to maintain the quality, scope, safety, and comprehensiveness of Head Start services.**

Cumulative Operational and Workforce Effects

Finally, SEF urges HHS to evaluate the NPRM's operational and workforce effects cumulatively, rather than treating each regulatory rollback as an independent source of cost savings. The Department's Regulatory Impact Analysis (RIA) projects substantial cost reductions across multiple provisions, estimating that if all projected operational savings are reinvested, the proposed changes could support approximately 116,516 additional Head Start Preschool slots

¹¹⁵ Head Start Act, 42 U.S.C. §§ 9831, 9836a(a)(1) (2007).

<https://uscode.house.gov/view.xhtml?path=/prelim@title42/chapter105/subchapter2&edition=prelim>
¹¹⁶ Reducing Federal Burden for Head Start Programs, 91 FR 33456 (proposed Aug. 7, 2026) (to be codified at 45 C.F.R. pts. 1301–1305). [eCFR Registry Page](#).

¹¹⁷ Head Start Act, 42 U.S.C. §§ 9831, 9836a(a)(1) (2007).

<https://uscode.house.gov/view.xhtml?path=/prelim@title42/chapter105/subchapter2&edition=prelim>

¹¹⁸ Reducing Federal Burden for Head Start Programs, 91 FR 33456 (proposed Aug. 7, 2026) (to be codified at 45 C.F.R. pts. 1301–1305). [eCFR Registry Page](#).

¹¹⁹ *Id.*



and 45,578 additional Early Head Start slots by 2031.¹²⁰ These estimates rely on projected reductions in program expenditures rather than increased federal appropriations, including assumptions involving staffing and service delivery.

SEF urges HHS to ensure that expanding access to Head Start remains an important goal and that enrollment growth is considered alongside the intensity, comprehensiveness, and quality of services available to participating children. Further, SEF urges HHS to consider workforce implications alongside HHS's May 2026 NPRM proposing to rescind workforce compensation and benefit requirements established in the 2024 Head Start final rule.

Conclusion

SEF appreciates HHS's interest in reducing unnecessary administrative burden and ensuring that Head Start programs have appropriate flexibility to respond to the communities they serve. However, the proposed rule extends substantially beyond administrative simplification. Across quality standards, comprehensive services, eligibility, parent governance, and program operations, the proposed rule would remove numerous federal requirements that currently establish common expectations across programs. By retaining broad statutory obligations while removing the explicit regulatory standards that set how, when, and how consistently those obligations are implemented, the proposal could have particularly significant effects in communities where state standards, local resources, workforce capacity, and access to health and other services vary considerably. **SEF urges HHS not to finalize the proposed rule as written, and instead to preserve the federal standards necessary to maintain a meaningful national baseline for program quality, child safety, comprehensive services, equitable enrollment pathways, parent governance, and workforce capacity. In doing so, HHS should ensure that any final revisions comply with Section 641A(a)(2)(C) of the Head Start Act and do not eliminate or reduce the "quality, scope, or types" of services specified by Congress.**

Thank you for considering our comments. If you have any questions about the content of this letter, please contact the Southern Education Foundation at info@southerneducation.org.

Sincerely,

A handwritten signature in black ink that reads "Fred Jones".

Fred A. Jones Jr.
Senior Director, Public Policy and Advocacy
Southern Education Foundation

¹²⁰ *Id.*