

# Congress of the United States

Washington, DC 20515

October 6, 2026

The Honorable Robert F. Kennedy, Jr.  
Secretary  
U.S. Department of Health and Human Services  
200 Independence Ave. SW  
Washington, DC 20201

RE: Proposed Elimination of Language-Access Protections in Head Start [RIN 0970-AD30]

Dear Secretary Kennedy:

We, the undersigned Members of Congress, write in strong opposition to the Department of Health and Human Services' (HHS) proposal to mandate English-only instruction and eliminate longstanding language-access protections for children and families participating in Head Start as part of the proposed rule, *Reducing Federal Burden for Head Start Programs* [RIN 0970-AD30].

While we have serious concerns with the Department's broader proposed changes to the Head Start Program Performance Standards and urge the Department to rescind this proposed rule in full, we write specifically regarding the proposal's consequences for dual-language learners and families with limited English proficiency. If finalized, these changes would discard evidence-based practices that help children develop English proficiency and succeed in school, undermine parents' ability to participate in their children's education, jeopardize the accuracy of critical developmental screenings and assessments, impose new costs on Head Start programs, and conflict with requirements Congress expressly established in the Head Start Act. We urge the Department to withdraw these harmful language-access provisions.

Nearly 40 percent of children enrolled in Head Start are dual-language learners, and 30% of Head Start enrollees have a non-English language as their family's primary home language. Head Start has long recognized that helping these children develop English proficiency does not require abandoning their home languages. Instead, the program's standards have supported linguistically appropriate instruction that allows children to develop English skills while continuing to make progress in literacy, cognitive development, social-emotional development, mathematics, and other areas critical to school readiness.

We share the goal of ensuring that every Head Start child develops strong English-language skills. But requiring English-only instruction is not supported by the evidence and risks undermining that very goal. For many children, Head Start is their first experience in a classroom. Providing an environment in which young children can understand, communicate, and participate supports their ability to learn and successfully transition into school.

Indeed, the Department states that the proposed rule is intended to prioritize English instruction because learning English can expand economic opportunity and help individuals engage with their communities. Yet the Department has offered no persuasive justification for why achieving that goal requires eliminating language supports that help children learn English while continuing to develop in other critical areas. The proposed rule risks undermining the very English-language acquisition and school-readiness goals it purports to advance.

More fundamentally, the proposed language-access changes conflict with the clear direction Congress established in the Head Start Act. Congress directed the Secretary to establish standards ensuring that children with limited English proficiency make progress toward acquiring English while simultaneously making meaningful progress in other developmental domains, including through “culturally and linguistically appropriate instructional services” (42 U.S. Code § 9836a(a)(1)(B)(x)). Congress further directed the Secretary, when revising Head Start standards, to ensure that revisions do not eliminate or reduce the quality, scope, or types of educational, parental-involvement, health, or other services required under longstanding Head Start standards (42 U.S.C. § 9836a(a)(2)(C)). And the Head Start Act explicitly requires agencies to ensure teachers receive literacy training “in methods to promote vocabulary development and phonological awareness (including phonemic awareness) in a developmentally, culturally, and linguistically appropriate manner and support children’s development in their native language” (42 U.S. Code § 9843(d)(2)(B)). Eliminating longstanding language-access protections appears directly at odds with these congressional directives, and the Department has not adequately explained how its proposal can be reconciled with them.

The Head Start Act also specifically requires programs to address the needs of children with limited English proficiency and their families, including by identifying those children, providing appropriately trained personnel, and helping children acquire English while making meaningful developmental progress. Yet the proposed rule would eliminate longstanding requirements designed to ensure that programs serving communities with significant populations of families with limited English proficiency have staff capable of communicating effectively with them.

The consequences would extend well beyond classroom instruction. Congress recognized that informed and engaged parents are essential to children’s success and required Head Start programs to conduct family needs assessments and communicate with parents, to the extent practicable, in a language they understand (42 U.S. Code § 9836(d)(2)(J)(vii); 42 U.S. Code § 9836(d)(2)(K); 42 U.S. Code § 9836a(f)(2)). Eliminating language-access staffing requirements without providing an adequate alternative could make it more difficult for parents to understand their children’s progress, participate in their education, communicate with teachers and staff, and access the comprehensive services Head Start provides.

We are particularly concerned about the consequences for developmental screenings and assessments. The Head Start Act requires measures used by Head Start programs to be developmentally, linguistically, and culturally appropriate; valid and reliable in the language in which they are administered; administered by appropriately trained staff; and accompanied by appropriate accommodations for children with limited English proficiency (42 U.S. Code § 9836a(b)(2)). These protections are critical. A screening or assessment administered in a language a young child does not sufficiently understand risks mistaking normal second-language

development for a developmental delay or, conversely, failing to identify a genuine disability or developmental concern. Either outcome could delay appropriate early intervention at precisely the age when it can make the greatest difference.

Yet the proposed rule would rescind bilingual staffing requirements without adequately explaining how Head Start programs will continue meeting these statutory obligations. This is despite the Head Start Act explicit authorization of Head Start funds to be used to support teachers in being licensed and certified as bilingual education teachers (42 U.S. Code § 9835(a)(5)(iii)(II)). If programs are no longer required to maintain staff capable of communicating with children and families in their home languages, HHS must explain how screenings and assessments will remain linguistically appropriate, valid, and reliable in the language in which they are administered, and how programs will continue providing the accommodations Congress required.

The scale of the disruption caused by the proposed rule's language-access changes would be substantial. Almost 290,000 dual-language learners nationwide could be affected. ACF itself estimates that approximately one-third of non-tribal Head Start classrooms may be affected by the English-only requirement and acknowledges that programs serving large populations of dual-language learners could face additional costs and operational challenges. These costs directly contradict the Department's stated purpose for this rule. Although the proposal is titled *Reducing Federal Burden for Head Start Programs*, affected programs could be forced to change curricula, replace classroom materials, and retrain or replace teachers, resulting in an estimated \$99 million in costs. The Department should not force Head Start providers to spend scarce resources dismantling language services that children and families rely upon under the guise of reducing federal burdens.

HHS should not reverse decades of evidence-based practice, impose new costs on providers, and weaken language-access protections for hundreds of thousands of children without a compelling evidentiary or legal basis for doing so. Accordingly, we strongly urge HHS to withdraw the proposed English-only instruction requirement and retain the longstanding language-access protections that allow Head Start programs to effectively serve dual-language learners and their families. Congress expressly directed Head Start to support English-language acquisition through culturally and linguistically appropriate services, and HHS should uphold, not undermine, that mandate.

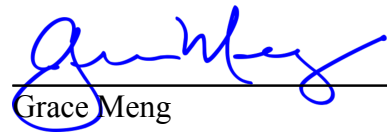
Thank you for your prompt attention to this matter. We look forward to your response.

Sincerely,



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Judy Chu  
Chair Emerita, Congressional  
Asian Pacific American  
Caucus (CAPAC)



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Grace Meng  
Chair, Congressional Asian  
Pacific American Caucus



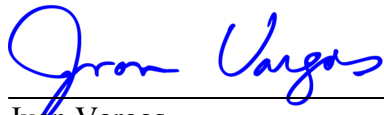
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Adriano Espaillat  
Chair  
Congressional Hispanic  
Caucus



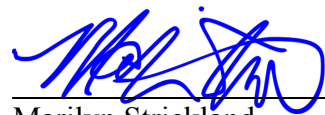
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Yvette D. Clarke  
Chair  
Congressional Black Caucus



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Juan Vargas  
Member of Congress



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Marilyn Strickland  
Member of Congress