

What's Changed in Disability Services as a Result of the *Improving Head Start for School Readiness Act*?

Janet Buckley, M.Ed., Special Projects Specialist

The *Head Start for School Readiness Act*, signed into law by the President on December 12, 2007, contained many changes for Head Start and Early Head Start program operations. In the disability services area, the new requirements necessitate making program changes that affect more than just the services for children with disabilities.

The definitions of the disabilities that Head Start recognizes have changed. There is no longer a separate set of Head Start categorical definitions. Programs are required to follow the definitions of what constitutes a disability as they are defined in the *Individuals with Disabilities Education Act (IDEA)*, *i.e.," for purposes of this subchapter:*

- (1) The term "child with a disability" means--
 - (A) a child with a disability, as defined in section 602(3) of the *Individuals with Disabilities Education Act*; and
 - (B) an infant or toddler with a disability, as defined in section 632(5) of such Act."

This means that we are following the same definitions as the LEA or the Part C provider in your state. This may well have an impact on your program's disability enrollment numbers if you have been counting children and developing IFSPs or IEPs for children who met the Head Start definitions, but did not meet your Part C or LEA definitions for disabilities. In addition:

"...not less than 10 percent of the total number of children actually enrolled by each Head Start agency and each delegate agency will be children with disabilities who are determined to be eligible for special education and related services, or early intervention services, as appropriate, as determined under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.), by the State or local agency providing services under section 619 or part C of the Individuals with Disabilities Education Act (20 U.S.C. 1419, 1431 et seq.)"

If you have children enrolling who have IFSPs/IEPS that were developed solely by the Head Start program, and/or by a professional contracted by the parents, or the Head Start program without the involvement of the Part C provider or LEA, those children cannot be counted as children with disabilities unless the Part C provider or LEA accepts/signs off on the IFSP/IEP.

This does not mean that we ignore these professionally developed plans and/or professionally developed strategies. The Head Start requirement for individualization and meeting special learning needs still must be accommodated, however, the child is not counted as a "child with a disability" without the involvement of the Part C provider or the LEA.

For the first time since Head Start mandated the inclusion of children with disabilities, there is a procedure for the Office of Head Start to grant waivers from the 10% requirement:

“(4) The Secretary shall establish policies and procedures to provide Head Start agencies with waivers of the requirements of paragraph (1) for not more than 3 years. Such policies and procedures shall require Head Start agencies, in order to receive such waivers, to provide evidence demonstrating that the Head Start agencies are making reasonable efforts on an annual basis to comply with the requirements of that paragraph.”

In order to be granted a waiver, programs must provide information and evidence that assertive recruitment has taken place. This information/evidence may include targeting families and professionals, demonstrating that the community/target population does not contain 10% children with disabilities (LEA data and/or Part C provider data are necessary), and/or that the children with disabilities are already being served by other providers. The program’s community-wide needs assessment must include the above information/evidence as well. (See ACF-PI-HS-09-04, issuance date: 03/10/2009 for further clarification as to what information needs to be included in a waiver request.)

The *2007 Improving Head Start Act* puts considerable emphasis on professional development and both academic and training requirements. Regarding disability services...

“Professional Development...will be delivered by an institution of higher education or other entity, with expertise in delivering training in early childhood development, training in family support, and other assistance designed to improve the delivery of Head Start services; and ... (G) in the case of teachers, assist teachers (by providing training in) ...methods of teaching children with disabilities, as appropriate.

It is important that training be provided appropriately, with attention to teachers receiving training that is specific to the disabilities of children actually in their classrooms. Best practice is to personalize the training/technical assistance by having the professional provider share information and materials with the classroom staff that relates directly to the IFSP/IEPs of the children with special needs in that classroom. Training that is tailored directly to the needs of the staff is usually much more effective than generalized large-group training.

The *2007 Head Start Act* also speaks to collaboration for recruitment and enrollment of children with disabilities, to collaboration for the timely delivery of services, and to seamless transition to the next setting. If you have not reviewed and re-written collaboration agreements with LEA(s) and Part C providers... now is the time to do that.

Cut backs in state budgets for education have put a strain on LEA budgets. Services that were not difficult to secure in the past may well be cut back or prioritized in a way that makes getting timely services for Head Start children a challenge. Collaboration agreements are the place to start these discussions and identify what regulatory deadlines must be met by both parties.

Providing services to young children with disabilities has been a priority for Head Start since 1972. Now, the passage of this 2007 legislation brings Head Start services for children with disabilities into full coordination with the provisions of the *Individuals with Disabilities Education Act*. The services for children and their families will be stronger and more seamless as a result.

A publication of
Training & Technical Assistance Services (T/TAS)
Western Kentucky University, 1906 College Heights Boulevard #11031, Bowling Green, KY 42101-1031
800-882-7482 www.ttas.org